

Case Officer: Iwona Gogut

Applicant: Miss Marina Alleyne

Proposal: Erection of one internally illuminated and one non-illuminated replacement fascia signs

Ward: Banbury Cross And Neithrop

Councillors: Councillors Fiaz Ahmed, Becky Clarke MBE and Dr Chukwudi Okeke

Reason for Referral: Application affects Council's own land

Expiry Date: 3 September 2025

Committee Date: 4 September 2025

SUMMARY RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a commercial unit within Banbury Town Centre. The unit is double fronted and has an external entrance that faces the Market Place and one which is within the Castle Quay shopping centre.
- 1.2. The existing building is two storeys (plus attic) and is rendered white on the external elevation and is situated under a slate roof (with ornamental ridge tiles). It is generally simplistic in its form and has a three window range with three attic dormers above. The building is occupied in part by W H Smith and the Post Office and has a modest signage scheme on the external elevation (which is externally lit by 8 spot lights). The shop front comprises modern plate glass.

2. CONSTRAINTS

- 2.1. The application building is a Grade II listed building and is located adjacent to but outside of the designated Banbury Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks advertisement consent for the installation of 1 no. externally fascia sign to the southern elevation of the building and 1 no. internally illuminated fascia sign to the northern elevation. The applicant describes the signs as "like for like replacements", to reflect the changing in branding from WHSmith to TGJones.
- 3.2. The sign to the north elevation, within the Castle Quay shopping centre, would be 0.65m (h) x 3.0m (w) x 0.12m (d), located 2.39m above ground level. The maximum height of any individual letters and symbols would be 29.2cm. The text would be white on a blue background. The illumination would be static and would not exceed 300 cd/m2.

- 3.3. The sign to the south elevation would be 0.62m (h) x 5.24m (w) x 0.05m (d), located 2.38m above ground level. The maximum height of any individual letters and symbols would be 26.6cm. The text would be white on a blue background.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

01/02135/LB and 01/02136/ADV – Erection of 1no illuminated fascia sign over two sections and 1 No. non-illuminated projecting sign (RETROSPECTIVE) – granted with conditions, 18.12.2001

16/01870/LB and 16/01583/ADV – 2no externally illuminated fascia signs and 1no non-illuminated hanging sign – granted with conditions, 22.11.2016

17/01511/F, 17/01544/LB and 17/01512/ADV – Installation of Bank of Ireland ATM with reflective advertising collar surround. ATM to be installed on the RHS of shop front through the glazing when viewed externally, in a POD – granted with conditions, 13.09.2017

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **7 August 2025**, although comments received after this date and before finalising this report have also been taken into account.

- 6.2. No comments have been raised by third parties

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

- 7.2. BANBURY TOWN COUNCIL: **No objections**

- 7.3. OCC HIGHWAYS: **No objections** - The proposal is not considered to have a detrimental impact on the safe operation of the highway network. The advertisement does not interfere with visibility at junctions or pedestrian crossings. The level of illumination will not cause glare or distraction to highway users. No part of the signage or associated structure overhangs the highway or footway. The sign does not resemble or could be confused with any official traffic sign or signal.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a

number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment

8.3. Other Material Planning Considerations

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) – "The Advertisement Regulations"
- National Planning Policy Framework (NPPF) in particular Paragraph 132
- Planning Practice Guidance (PPG)
- CDC Design Guide for Shop Fronts and Advertisements: Historic Buildings and Conservation Areas (2013)

9. APPRAISAL

- 9.1. Regulation 3 of the Advertisement Regulations limits the Local Planning Authority's powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

Amenity

- 9.2. Regulation 3(2a) of the Advertisement Regulations states that: *factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.*
- 9.3. Paragraph 141 of the NPPF recognises that: *The quality and character of places can suffer when advertisements are poorly sited and designed.* However, it goes on to state that: *Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*
- 9.4. In both cases the proposed fascia signage would be in the same location and similar to what already exists. The font of the lettering would change but would not be significantly different to the existing and is therefore considered acceptable in this regard.
- 9.5. The proposed signage to the south elevation would be visible from the public domain and therefore would have an impact on the character and appearance of the street scene. However, given the above, their scale and siting the proposal would not appear out of keeping with or detrimental to the visual amenity of the locality or cause harm to the significance of the listed building or other heritage assets and is thus considered acceptable in this regard.

Public Safety

- 9.6. Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.

- 9.7. The proposed advertisements are not considered to present any risk to public safety or highway safety with regards to its scale and positioning. Further, the Local Highway Authority (OCC) has raised no objections to the proposal.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. By reason of its scale, design and siting, the proposed development as amended would not adversely affect public safety or local visual amenity or cause harm to the character or appearance of the Banbury Conservation Area or to nearby listed buildings through change to their setting. Therefore, the proposed development complies with Policy ESD15 of the CLP 2015 and the relevant Government guidance contained within the NPPF.

11. RECOMMENDATION

RECOMMENDATION – That consent is granted, subject to the following conditions:

Time Limit

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form, the site location plan, and the drawing pack ref. Banbury – 1328, V03-27-06-25.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. No advertisement shall be sited or displayed so as to -

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. Any advertisement displayed, and any site used for the display of

advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

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