

**North Area Planning Committee**

**19 January 2006**

**PREVIEW : PART II - Approvals**

05/02419/F

09 12 05

**Banbury - North Car Park Castle Street Banbury**

**Renewal of condition 1 of 00/02486/F (construction of an extra storey on existing car park) to allow the permission to remain in existence for a further period of 5 years.**

For Scottish Widows PLC And Scottish Widows Unit Funds Ltd c/o  
Turley Associates Apsley House 35 Waterloo Street Birmingham B2 5TJ

**RECOMMENDATION**

**Approval**, subject to

- 1 1\_4 Full Duration Limit (RC2)
- 2 2\_6 Materials to Match Existing (RC5)
- 3 The colouring of the proposed metalwork shall be painted dark green (RAL 6005) Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan
- 4 The proposed timber cladding shall be stained green to match the existing timber cladding on the car park Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy G2 of the Oxfordshire Structure Plan 2016 and Policy C28 of the adopted Cherwell Local Plan
- 5 That prior to the commencement of the development full details of the means of drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall be implemented prior to the first use of the additional storey Reason - To ensure that the development is served by proper arrangements for the disposal of surface water and to comply with Policy EN8 of the Oxfordshire Structure Plan 2016 and Policy ENV1 of the adopted Cherwell Local Plan
- 6 Prior to the first use of the extra storey additional disabled parking spaces shall be provided on the ground floor of the car park in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority and such spaces shall be retained thereafter Reason - To ensure that sufficient disabled parking spaces are provided for the shopping centre and in accordance with Policies TC2 and TC8 of the Oxfordshire Structure Plan 2016 and Policy TR2 of the adopted Cherwell Local Plan

**SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise The development is considered to be acceptable on its planning

merits as the proposal pays proper regard to the character and appearance of its surroundings and has no undue adverse impact upon highway safety. As such the proposal is in accordance with Policies G2 and T8 of the Oxfordshire Structure Plan 2016 and Policies TR2 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having proper regard to all other matters raised the Council considered that the application should be approved and planning permission granted subject to appropriate conditions as set out above.

### **CONSULTATIONS/REPRESENTATIONS**

Town Council No comment to date

Highway Authority No objections

Chief Engineer No objections but refer to OCC in case they require an updated Traffic Impact Assessment

Thames Water There are public sewers crossing this site, therefore no building will be permitted within 3m of the sewers without Thames Water's approval. A Trade Effluent Consent will be required for any trade effluent discharge. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local water courses.

### **HPDS' ASSESSMENT**

The application seeks to renew the planning permission granted under application 00/02486/F to erect an additional storey on the top of North Car Park. An additional 124 spaces are to be provided overall taking into account the spaces lost to provide a ramp to access the additional deck. The additional deck is to be of the same design and constructed from the same materials as the existing car park. The stair 'towers' will also reflect the existing towers.

The additional deck was required to provide car parking spaces in lieu of those originally proposed within the Meadows Car Park required by the legal agreement for the Castle Quay Shopping Centre development approved under applications CHN 205/94 and 96/000923/F.

Application 03/00300/OBL which sought to modify the section 106 legal agreement relating to CHN205/94 to permit the provision of 1155 car parking spaces (as existing) instead of the 1330 car parking spaces required by the legal agreement was approved in April 2003. There is no need therefore for the additional deck to comply with the legal agreement, however the additional spaces would, if provided, help to relieve congestion at the busiest times.

The building will be more prominent than the existing structure but the additional deck is not considered to have an adverse impact on the visual amenities of the area. It is also not considered to be detrimental to the free flow of traffic and highway safety.

As such the proposal is considered to comply with Policies TR2 and C28

of the adopted Cherwell Local Plan Furthermore the Non-Statutory Cherwell Local Plan 2011, approved by the Council as interim planning policy for development control purposes on 13 December 2004 contains similar policies relating to design considerations and highway safety Therefore the proposal is in accordance with this Interim Policy

The application is recommended for approval