

**Land Adjacent To The Oxford Canal
Spiceball Park Road
Banbury**

18/00454/DISC

Applicant: Cherwell District Council

Proposal: Discharge of conditions 2 (materials) and 4 (levels) of 17/00284/REM

Ward: Banbury Cross And Neithrop

Councillors: Cllr Hannah Banfield
Cllr Surinder Dhesi
Cllr Cassi Perry

Reason for Referral: Cherwell District Council has taken over as developer of this site

Expiry Date: 10 January 2019 **Committee Date:** 13 December 2018

Recommendation: Approve

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Proposal

This application seeks the clearance of conditions attached to the reserved matters approval.

Consultations

The comments of OCC as lead local flood authority are awaited and will be reported to Committee.

Conclusion

The materials to be used for the hotel and cinema blocks are vital to the overall character and appearance of these prominent buildings. Subject to the satisfactory conclusion of discussions on the colouration of the cladding for the cinema block the materials are considered acceptable

RECOMMENDATION – DELEGATED AUTHORITY to approve conditions

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

1.1. This application relates to the Castle Quay 2 development proposals on both sides of the Oxford Canal in Banbury

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. This application seeks the clearance of conditions attached to the reserved matters approval. Approval is sought for details concerning
 - Materials (condition 2)
 - Levels (condition 4)
- 2.2 The application is accompanied by detailed elevation drawings in which the proposed materials are specified for all 3 proposed blocks (A - Hotel B – Cinema; C- Foodstore).
- 2.3 For the hotel block (Block A) the proposal is that the material for the upper floors will be predominantly a red stock brick with vertical contrast panels in a cream stock brick. The ground floor facing the canal will largely be curtain wall glazing set in metal pilasters and beam encasing.
- 2.4 Block B (the cinema block) will have a covered colonnade to the canal towpath framed in metal pilasters and beam encasings to match the ground floor of the hotel. On the return elevations facing the club and the road the material to be used will be cream brick. At first floor level the cinema foyer has glazed curtain walling in the same metal pilasters and beam encasing. The cinema (which sits above the two lower floors described above) is proposed to be clad in metal cladding with spaced fins. The current scheme has two options with one having gold coloured cladding with grey fins, whilst the other is grey cladding with gold fins. On the rear elevation to Spiceball Park Road the cinema “box” sits over the undercroft car parking. The parapet walls and ramps of the parking structure are proposed to be in white painted fair faced concrete.
- 2.5 Finally Block C (the foodstore) will have a glazed curtain wall at two floors high to its car park. The proposed elevation to Spiceball Park Road will have the bottom floor car park faced with Flint coloured Forticrete bricks, with the lower floor of the foodstore in white render with white metal cladding above. This combination of materials is repeated on the rear elevation to the river (albeit that the bottom floor to the car park has a steel wire system to allow flood water to go into that lower floor if necessary).

3. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
13/01601/OUT	Outline planning permission for the redevelopment of land adjacent to the Oxford Canal comprising; the demolition of the Castle Quay Shopping Centre northern car park and the General Foods Sports and Social Club; change of use of part of the ground floor of the Castle Quay Shopping Centre southern car park and associated works; the erection of a retail foodstore (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafes (Use Class A3 and A4) and altered vehicular and	Application Permitted

pedestrian accesses, landscaping, construction of infrastructure, car parking and associated works, including glazed canopy over the Oxford Canal and the construction of pedestrian/cycle bridges over the Oxford Canal and River Cherwell. Details of new vehicular access off Cherwell Drive and alterations to Spiceball Park Road

16/02366/OUT	Removal/ Variation of conditions 4 (list of approved drawings) and 9 (enhancement of River Cherwell) to 13/01601/OUT - Condition 4 to be varied to reflect alterations in the access and servicing strategy for Block C, with variations to maximum deviations in block and Condition 9 to be removed as no longer justified.	Application Permitted
17/00284/REM	Reserved Matters Application to 16/02366/OUT across the whole development site is sought. Application for approval of reserved matters for scale, layout, appearance and landscaping.	Application Permitted
17/00147/DISC	Discharge of conditions 1 (reserved matters application), 5 (flood mitigation), 6 (flood management scheme), 7 (floodplain compensation), 9 (archaeological organisation), 10 (archaeological evaluation), 11 (investigation for archaeological mitigation), 12 (archaeological mitigation), 21 (Noise), 23 (surface water and foul drainage) 25 (phasing of works) and 31(SUDs drainage scheme) of 16/02366/OUT	Application approved
18/00453/DISC	Discharge of conditions 13 (ecological avoidance and mitigation), 14 (ecological enhancement), 15 (landscaping), 18 (arboricultural method statement), 26 (parking specification details) and 32 (construction traffic management and phasing plan) of 16/02366/OUT	Pending Decision
18/00142/NMA	Non-Material Amendment to 16/02366/OUT and 17/00284/REM - Block B canopy amendments	Pending Consideration

4. PRE-APPLICATION DISCUSSIONS

- 4.1 Pre-application discussions have taken place with regard to these conditions and on others on the reserved matters application that are the subject of a separate application.

5. RESPONSE TO PUBLICITY

- 5.1. This application has not been publicised due to the technical nature of the submissions

6. RESPONSE TO CONSULTATION

- 6.1. 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.

STATUTORY CONSULTEES

- 6.2. OCC (as lead local flood authority) – Comments are awaited

7. APPRAISAL

- 7.1 The materials to be used for the hotel and cinema blocks are vital to the overall character and appearance of these prominent buildings. It should be recalled that the hotel and cinema blocks border the Oxford Canal Conservation Area. The hotel elevation patterning and colouration closely follows the drawings submitted as part of the reserved matters scheme that was approved by Committee earlier this year. The use of red and cream stock bricks is considered appropriate in this context, seeing the new building alongside the existing Castle Quay buildings and Banbury Museum
- 7.2 The cinema building has at ground floor common design and material elements that will tie the two buildings together and make them complimentary to one another. The cladding colour choice is much more subjective however. This building will be an important part of the night time economy of Banbury in the future. It can be allowed to express its function as a cinema by being more flamboyant. The use of gold cladding as the predominant material would be a bold choice. At the time of writing this approach was still being considered by your planning officers in conjunction with the client side of the project.
- 7.3 The materials proposed for the foodstore are considered acceptable in this context.
- 7.4 Subject to the satisfactory conclusion of discussions on the colouration of the cladding for the cinema block the materials are considered acceptable
- 7.4 The levels information appears acceptable. Confirmation of this is awaited from OCC as lead local flood authority. It is suggested that a planning note is attached to the approval to ensure that the applicant also checks these levels comply with the approvals that they have previously gained from the Environment Agency.

8. RECOMMENDATION

That delegated authority be given to the Assistant Director of Planning Policy and Development to discharge conditions 2 and 4 subject to the conclusion of discussions on cladding colouration and the receipt of comments from OCC

CASE OFFICER: Bob Duxbury

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