

23/01633/F - Site at Calthorpe Street and Marlborough Road Banbury. Demolition of existing retail units and public car park and redevelopment for residential dwellings (C3 Use), provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works.

Please accept this Society's apologies for having missed the deadline for public comments on this application.

The Banbury Civic Society wishes to express some grave concerns about the proposed development.

The application went live 26/6/2023, advertised as "Demolition of existing retail units and public car park and redevelopment for residential dwellings (C3 Use), provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works".

It might properly have been advertised as "Demolition of existing retail units and public car park and redevelopment for 230 residential dwellings, provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works".

The Council's Planning Department has clearly engaged in extensive pre-application discussions with the applicant and appears to have negotiated a reduction in the scale of development (from 3-6 storeys to 3-5 storeys). The applicant did engage in a public consultation exercise with a public exhibition at the Town Hall last March. This nevertheless presented a fully baked scheme and it is difficult to see what, if any, of the public comments have been taken into account in the current application. Certainly the main one (horror at the loss of public parking) has not been addressed, the very expensive underground parking for residents only remaining unchanged.

In purely urban-design terms the development is of a nature that probably would be welcome on, say, the less sensitive parts of Canalside site. The problem here is that this development would result in an enormous level of change at the heart of Banbury's upper old town and conservation area, with further retailers being pushed out to Gateway, and a dramatic loss of town-centre parking.

It is worth examining adopted planning policy for this site, all of which has, unlike the present proposal, been subject to extensive local consultation, both at inception and throughout to adoption:

The Cherwell Local Plan states:

C.158 Land at Calthorpe Street also provides the opportunity to regenerate this historic part of the town centre which has experienced vacancies. It provides the opportunity to deliver a mixed use scheme including car parking. Opportunities for the site will be explored further in the Banbury Masterplan.

*C.164 In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study and this identifies the capacity for comparison and convenience floorspace in each of the District's urban centres up to 2026. In the light of recent changes facing the retail sector this study has itself been followed by a further examination of retail needs through to 2031 and the opportunity that exists to strengthen Banbury's retail offer. In 2012 a study was commissioned and produced by CBRE which identifies the capacity for comparison and convenience retail floorspace in the District to 2031. A strategy for sites to accommodate retail floorspace is identified for Banbury. With proposals at Spiceball expected to deliver a new supermarket and some A3 uses and Bolton Road proposed to deliver new dwellings on a significant proportion of the site, land at Calthorpe Street is likely to contribute to ensuring that the retail needs of an expanding town are met. Following the CBRE study our Plan aims to help strengthen the retail base of the town centre, supporting the growth of retailers, particularly independent retailers and the night economy, to encourage dwell time and help generate new employment. The Local Plan identifies land within Banbury town centre that will help meet Banbury's identified need as well as positioning Banbury to compete on a regional basis. This last is supported by Policy **Banbury 7: Strengthening Banbury Town Centre**: Shopping, leisure and other 'Main Town Centre Uses' will be supported within the boundary of Banbury town centre. Residential development will be supported in*

appropriate locations in the town centre **except where it will lead to a loss of retail or other main town centre uses.**

The Banbury Masterplan SPD states:

Calthorpe Street Area: This area could be redeveloped for town centre uses and car parking. On the plan at page 38 it states that that development on the Site should comprise “two-/three-storey residential blocks and new car parking”.

The Banbury Conservation Area Appraisal states:

Former Calthorpe Manor grounds This is the area bounded by South Bar Street, High Street and dissected by Calthorpe Road. Up until the middle of the 20th century this area was a mixture of dense terraced housing and commercial premises. The land was cleared and partially but unsuccessfully redeveloped. The area now needs a new comprehensive scheme to integrate it back into the town.

If approved in its present form, this development, and particularly the loss of public parking, would represent the greatest change to the town since Castle Quay and the greatest change to the upper town since the 1980s when Sainsburys redeveloped this site as a supermarket and (then) very popular town-centre car park that was free if you used the store. Compounding the loss of over 100 public parking spaces resulting from Castle Quay 2, the proposal has the potential to permanently restrict Banbury's footfall to post-Covid levels just as the Council's economy and regeneration arms are actively engaged in developing policies for a post-Covid town-centre renaissance.

The time was when such a major application going live for public comment would have been notified to local media through a press release. The fact that the application has generated just one single comment from a member of the public prior to the official closing date for comment does rather indicate something of a breakdown in public communication and a lack of proportionality, given the importance of the site, the scale of development and the degree of change in land-use.

As the application is not due to be decided until the end of September, we would request that it would be reasonable for closing date for public comment to be extended till at least the end of August.

Please note that these are the preliminary comments of the Banbury Civic Society. We may make further comments once the comments of the wider public and statutory consultees have been received.

Yours sincerely

Rob Kinchin-Smith

(Chairman, Banbury Civic Society)

(Address supplied)

PS, For such a large and important development at the heart of the Banbury Conservation Area and within the setting of multiple Listed buildings, we are very concerned that it appears from the terse comment of the Council's Design & Conservation team that they have not been involved to any significant degree in pre-application discussions during the evolution of the proposal. The comment reads:

“Thank you for consulting the (Design and) Conservation Team on the above application. As this consultation refers to urban design advice it is considered that this is outside the remit of the (Design and) Conservation Team and we would therefore advise that specialist Urban Design advice is sought.”

Again, it is felt that this is not a proportionate response to the scale and location of the proposed development.