

**Application Number: F/YR12/0723/F**

**Major**

**Parish/Ward: Whittlesey Town Council/Kingsmoor Whittlesey**

**Date Received: 19 September 2012**

**Expiry Date: 18 December 2012**

**Applicant: Larkfleet Homes**

**Agent: n/a**

**Proposal: Variation of Condition 21 of planning permission F/YR10/0904/O (Residential/Mixed Development of 460 (approx) market and affordable dwellings, 70-bed nursing home, extra care accommodation, local centre, associated landscaping, open space, water attenuation features and highway works) to allow relocation of roundabout**

**Location: Land At Bassenhally Farm, Eastrea Road, Whittlesey**

**Site Area/Density: 19.94 hectares or thereabouts (overall)**

**Reason before Committee: The application is considered to be a wider interest proposal and the officer recommendation is contrary to Town Council recommendation.**

## **1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application seeks a variation of Condition 21 of planning permission F/YR10/0904/O (Residential/Mixed Development of 460 (approx) market and affordable dwellings, 70-bed nursing home, extra care accommodation, local centre, associated landscaping, open space, water attenuation features and highway works) to allow relocation of roundabout.

The key issues to consider are:

- Policy and Principle
- Indicative Layout, Siting and Design.

The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in terms of principle, design and means of access. The application is, therefore, recommended for approval.

## **2. HISTORY**

Of relevance to this proposal is:

F/YR11/0930/F – Erection of food store with petrol filling station and car wash recycling centre associated parking landscaping etc and highway works. – Pending (Land S and W of 300 Eastrea Road)

F/YR10/0904/O - Residential/Mixed Development of 460 (approx) market and affordable dwellings, 70 bed nursing home extra care accommodation, local centre, associated landscaping, open space, water attenuation features and highway works – Granted 03/05/2012. (Land at Bassenhally Farm)

F/YR11/0895/O – Erection of Mixed Use Business Park to include Employment (B1) Community (D1) and Retail/Professional Uses (A2/A3/A5). – Pending. (Land N of Gildenburgh Water)

F/YR11/0482/F – Erection of food store with petrol filling station and car wash recycling centre associated parking landscaping etc and highway works. – Pending. (Site of former Eastfield Nursery)

F/YR10/0206/O - Residential/Mixed Development of 460 (approx) market and affordable dwellings, 70 bed nursing home extra care accommodation, local centre, associated landscaping, open space, water attenuation features and highway works – Refused 16/6/2010. (Land at Bassenhally Farm)

### 3. **PLANNING POLICIES**

#### 3.1 **National Planning Policy Framework:**

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan,

Paragraph 14: Presumption in favour of sustainable development.

#### 3.2 **Fenland Communities Development Plan Draft Core Strategy 2012:**

CS1: Spatial Strategy, The Settlement Hierarchy and the Countryside,

CS2: Growth and Housing,

CS10: Rural Areas Development Policy,

CS14: Delivering and Protecting High Quality Environments across the District.

#### 3.3 **Fenland District Wide Local Plan:**

E8 - Proposals for new development should:

- allow for protection of site features;
- be of a design compatible with their surroundings;
- have regard to amenities of adjoining properties;
- provide adequate access.

H3 - Proposal favoured for new dwellings within Development Area Boundaries subject to other planning policy within the Local Plan.

H4 - Proposed the addition of 6500 dwellings in the market towns including the identification of 1540 in Whittlesey.

WH/H1 - Proposed provision of 1540 dwellings in Whittlesey including an allocation at land North of Eastrea Road of 13 hectares (part of current application site).

WH/CF1 - Allocation of 8.0ha for educational purposes.

WH/TR1 - Road to be provided between East Delph and Eastrea Road as part of housing development.

### 4. **CONSULTATIONS**

#### 4.1 **Parish/Town Council:**

The Town Council reject this application as we feel the initial proposal was perfectly acceptable, WTC have reviewed the revised highway structure and feel this would not be conducive to any future applications which we have to take into consideration. Our understanding was that CCC highways were fully supportive on the original layout.

#### 4.2 **CCC Highways:**

##### Response 1

I am in receipt of a report dated 14 November 2012 prepared by WYG that seeks to provide additional information to support the use of a reduced ICD of the proposed roundabout.

I have now received the advice of my colleague in respect of the affect that such ICD reduction may have on capacity.

In terms of the Larkfleet development the reduction in the Inscribed Circle Diameter (ICD) of the roundabout has a negligible impact on the capacity and queues when compared to the original proposal.

When the other uncommitted schemes are included within the junction capacity assessment, Scenario 1 (Larkfleet + Tesco) operates within capacity with minimal queuing. However, in respect of Scenario 2 (Larkfleet + Sainsbury and Business Park) it is not clear that this would operate within capacity as the additional information does not provide any data that takes into account the reduced distance between the two roundabouts.

There would be concerns if Scenario 3 (Larkfleet + Tesco + Sainsbury and Business Park) went ahead as it would result in significant queuing on the A605 in both directions. Indeed it should be noted that if Scenario 3 did go ahead, the original 43.0m ICD roundabout would also operate over capacity with significant queuing.

I must reiterate one of my original comments from the consultation dated 6 November; Notwithstanding the capacity issues, this proposal to relocate the roundabout to the east of that approved has the potential to compromise the provision of the roundabout currently proposed under F/YR11/0930/F & F/YR11/0895/O. Whilst the development the subject of these two applications is not yet committed, you may feel that this needs to be taken into consideration in the determination of this application. If this application is approved, the roundabout proposed under F/Yr11/0930/F and F/YR11/0895/O will need to be relocated / redesigned. Amended plans will need to be obtained from the relevant applicant / agent, assessed and agreed prior to the schemes going before planning committee again.

I look forward to additional capacity information taking into account not only the reduced ICD of the roundabout, but the closer proximity to the Sainsbury roundabout – if your Authority consider this to be a valid

issue given the present uncommitted status of the Sainsbury development.

#### Response 2

The response to the Safety Audit is acceptable, at this time. As usual, the final design of the roundabout will be subject to further significant detail to be submitted prior to the signing of a Section 106/278 Agreement with CCC.

As far as the MTC letter of objection together with the WYG response is concerned, I would not wish to become too involved in their arguments.

I would refer you to my comments dated 27 November 2012. Following our discussions, I do not believe the capacity issues raised by MTC are relevant given that the application under consideration is simply a variation to allow relocation of the consented Larkfleet roundabout. However, as discussed, I would have to defer to your Authority's legal advice on that matter.

Again, as discussed, the identified capacity issues are only relevant if the 2 supermarket developments were to be approved. In addition, if the relocated Larkfleet roundabout is approved then the Sainsbury application plans need to be reviewed by the applicant / agent prior to being taken to Planning Committee as it will not be clear that the location of the Sainsbury roundabout will now be acceptable given that the Larkfleet roundabout will have moved eastwards closer to the Sainsbury roundabout. See my comments of the 27 November.

The issue that has been raised by MTC regarding extent of highway is an interesting one. Where there is the presence of ditches, highway boundaries usually only extend up to the road side lip of the ditch. So....*there may* be outstanding issues relating to land ownership that need to be investigated. Having said that, I would have expected Larkfleet to have undertaken thorough research to satisfy themselves that they can deliver the scheme presented.

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|-----|--|--|
| 4.3 | <b>Cambs Police Architectural Liaison:</b> | No comments  |
| 4.4 | <b>Planning Agreements Officer:</b>        | A Supplemental Deed to link the original Section 106 Agreement will be required prior to the issue of planning permission. |

4.5 **Middle Level** Will not be commenting.  
**Commissioners:**

4.6 **Other Contributors:** 3 letters of objection were received on the basis of loss of wild life, congested roads and over intensification of development.

## 5 NATURE OF APPLICATION/SITE DESCRIPTION

This application seeks a variation of Condition 21 of planning permission F/YR10/0904/O (Residential/Mixed Development of 460 (approx) market and affordable dwellings, 70-bed nursing home, extra care accommodation, local centre, associated landscaping, open space, water attenuation features and highway works) to allow relocation of roundabout.

The approved consent had all matters reserved except for highway access. However, the submitted indicative master plan shows a main feeder road leading through the site with a series of smaller access roads and cul de sacs taken off the feeder road. Access to the proposed dwellings and other facilities is gained from within the application site. Pedestrian accesses are shown leading out of the site towards Feldale Place, an existing play area to the south-west of the site and into a new area of playing fields to the north-east. No specific detail is submitted relating to detailed design of dwellings or other buildings although the submitted Design and Access Statement suggests that the scale of housing units will reflect existing residential scale with some 2.5 – 3 storey dwellings within the central part of the site. The proposed new means of access is situated to the east of the approved access and relies on a Transport Assessment, which was submitted with the application which concludes that the proposed scheme provides sustainable travel opportunities and will not have a detrimental impact upon the operation of the existing highway network. The TA acknowledges the need for a package of off-site transport measures to encourage trips by non-car modes, which includes the re-routing of existing bus services into the site and improvement to the existing pedestrian/cyclist infrastructure.

## 6 PLANNING ASSESSMENT

6.1 The key considerations for this application are:

- **Policy and Principle**

The previous policy position on the wider development site to which this application relates has been further informed by the National Planning Policy Framework and the Fenland Communities Development Plan Draft Core Strategy 2012. The thrust of both documents is to support the development of this site and the principle of development is, therefore, not in question.

- **Layout, Siting and Design and Access**

As noted above application is in outline form with only access forming a detailed part of the current application. The proposed site layout is, therefore, indicative only. The main highway access will be via a circular access road within the site with entry from Eastrea Road and Drybread Road. Opportunity for footpath/cycleways exist out of the site via Feldale Place and an existing open space area to the west of the site.

Given that the application is in outline with layout, siting and design reserved, the repositioning of the roundabout to the east of the site allows for the opportunity to take a central access to the remaining residential site. This will allow the layout to be designed into distinct site areas with the residential area measuring 13.15 hectares at a density of approximately 35 dwellings per hectare, a local centre (small retail) of 0.5 ha, a nursing home of 0.62ha and an extra care facility of 0.57 ha with amenity space of 5.1ha.

- **Roundabout Implications**

The roundabout serving the site has been located to the east of the roundabout approved as part of the original outline planning application. Implementation of this design was dependent upon agreement being reached with the 'Tesco' site developers in order to implement the roundabout. The new position will allow Larkfleet to control implementation of the residential site whilst at the same time allow the 'Tesco' site to develop independently. However, the outstanding Sainsbury application further to the east will, on the advice of CCC highways, need to be reviewed by the applicants as it is not clear that the location of the Sainsbury roundabout will now be acceptable given that the Larkfleet roundabout will have moved eastwards closer to the Sainsbury roundabout. The planning recommendation on the Sainsbury application is to refuse planning consent in which case this is not an issue unless the Planning Committee resolves to approve this development.

An objection was made to the development by MTC LLP acting on behalf of parties interested in the 'Tesco' development. The objection stated that in order to implement the Larkfleet roundabout, additional land would be required from the 'Tesco' site. Considerable discussion has taken place and the agent for the Larkfleet development has confirmed that *"We would confirm that we have control of all areas of land that is required outside of the highway boundary. With regards to the southern section, we are confident that all works will be contained within the highways ownership. Furthermore, any design issues identified through the audit process will be accommodated within the detail design process"*. It is not the responsibility of the Planning Authority to investigate the legal status of each ownership and in effect any disputes in this regard are a matter between the private parties involved. All parties are aware of the application and its status and as such the planning application can be decided on its land use merits. There has been no objection to the proposal subject to the final design of the roundabout being the subject to further significant detail to be submitted prior to the signing of a Section 106/278 Agreement with CCC Highways.

## **7 CONCLUSION**

- 7.1 The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in terms of its principle, layout, siting, design and means of access. Therefore, the application is recommended for approval.

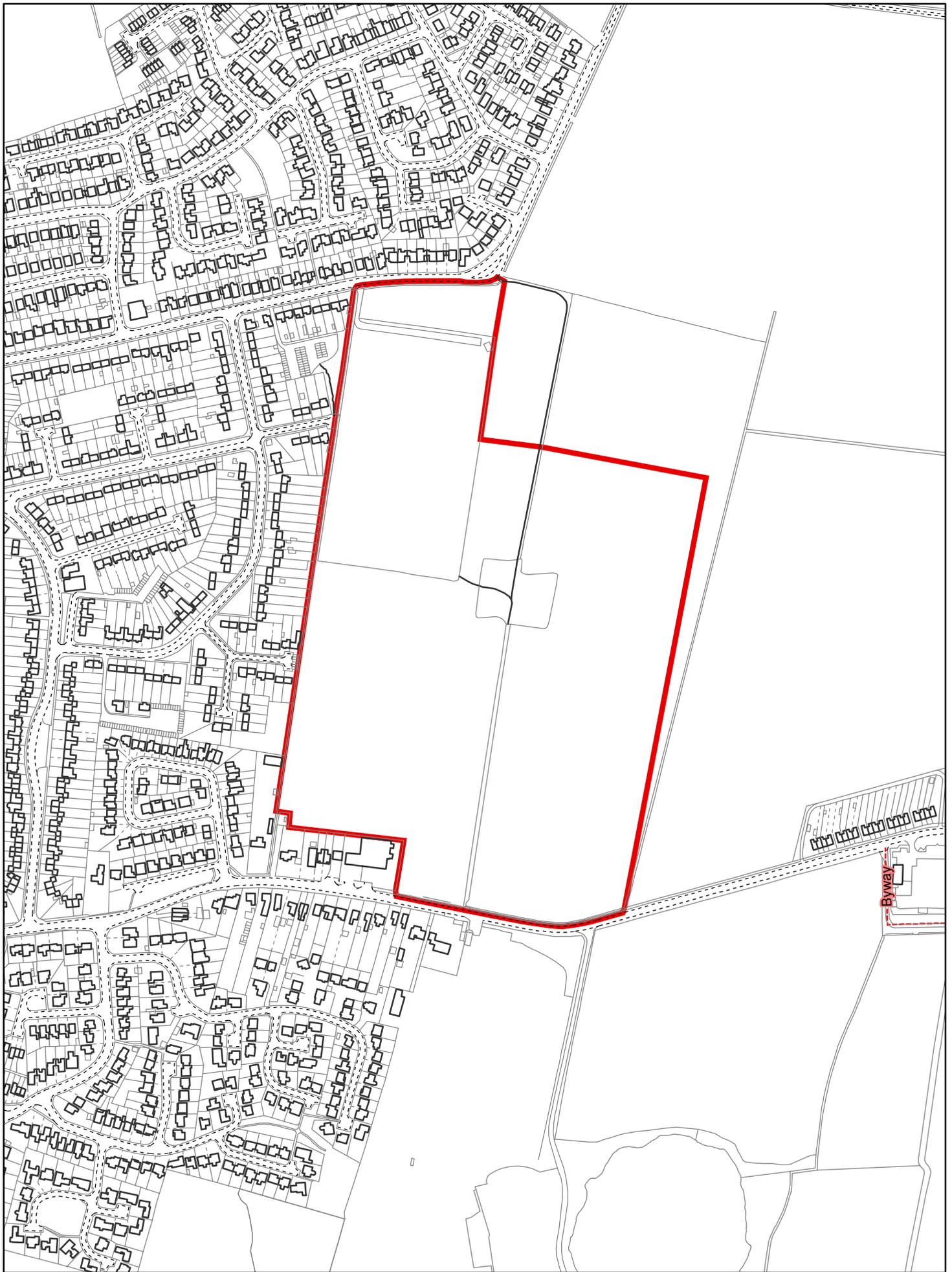
## **8 RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

**Subject to:**

- 1 Appropriate Section 106 agreement**

- 2 **Conditions as outlined in the principle consent F/YR10/0904/O -  
Granted 03/05/2012**
- 3 **Plan schedule relating to application F/YR10/0904/O and  
F/YR12/0723/F**



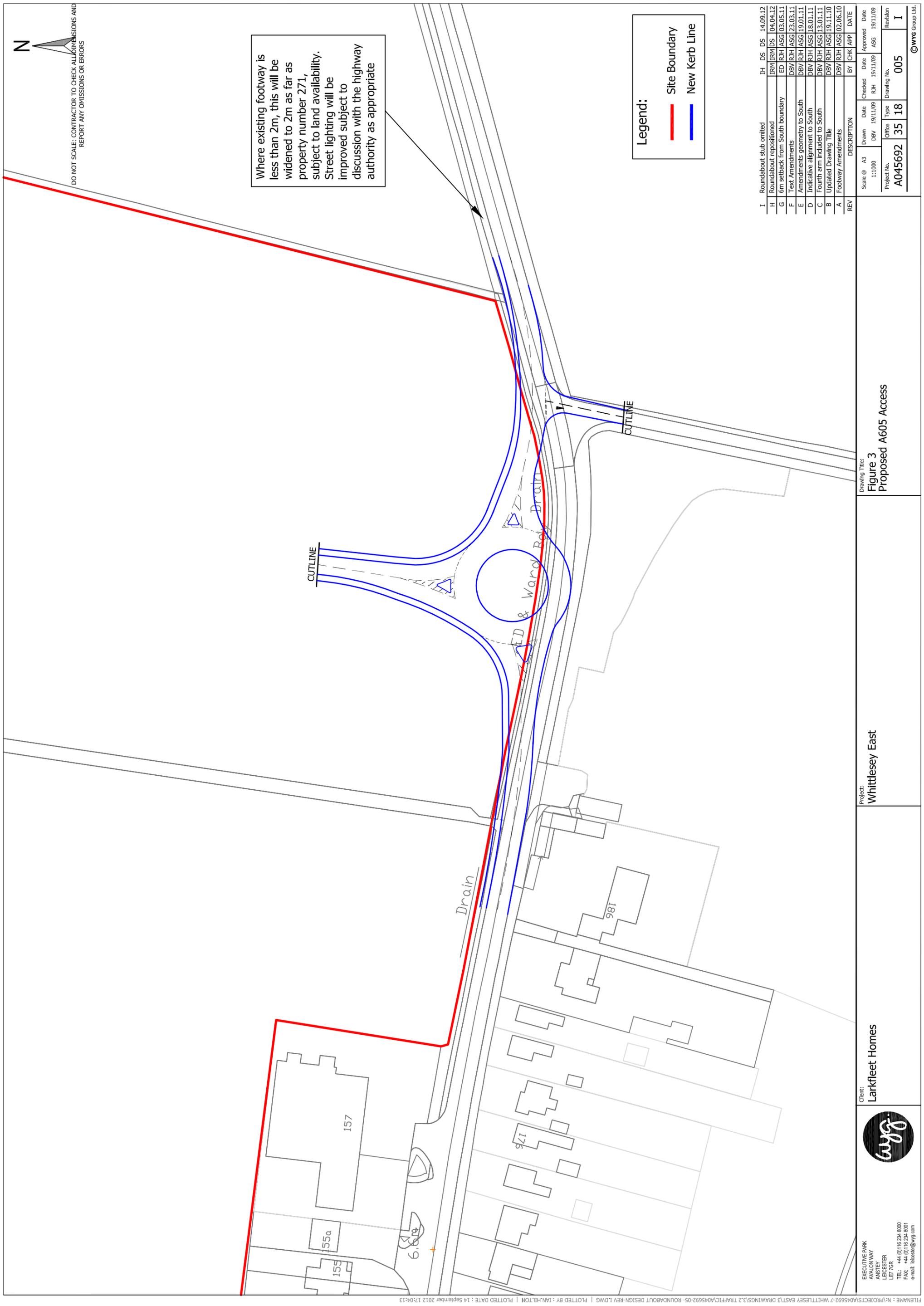
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**F/YR12/0723/F**

Scale = 1:5,000





DO NOT SCALE: CONTRACTOR TO CHECK ALL DIMENSIONS AND REPORT ANY OMISSIONS OR ERRORS

Where existing footway is less than 2m, this will be widened to 2m as far as property number 271, subject to land availability. Street lighting will be improved subject to discussion with the highway authority as appropriate

**Legend:**

- Site Boundary
- New Kerb Line

REV	DESCRIPTION	BY	CHK	APP	DATE
I	Roundabout stub omitted	IH	DS		14.09.12
H	Roundabout repositioned	IRM	IRJ	DS	04.04.12
G	6m setback from South boundary	ED	RJH	ASG	03.05.11
F	Text Amendments	DBV	RJH	ASG	23.03.11
E	Amendments geometry to South	DBV	RJH	ASG	19.01.11
D	Indicative alignment to South	DBV	RJH	ASG	18.01.11
C	Fourth arm included to South	DBV	RJH	ASG	13.01.11
B	Updated Drawing Title	DBV	RJH	ASG	19.11.10
A	Footway Amendments	DBV	RJH	ASG	02.06.10

Scale @	A3	Drawn	Date	Checked	Date	Approved	Date
1:1000		DBV	19/11/09	RJH	19/11/09	ASG	19/11/09
Project No.	A045692	Office	35	Type	18	Drawing No.	005
Revision							I

Figure 3  
Proposed A605 Access

Client: **Whittlesey East**

Client: **Larkfleet Homes**



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