

**Application Number: F/YR11/0482/F**  
**Major**  
**Parish/Ward: Whittlesey**  
**Date Received: 24 June 2011**  
**Expiry Date: 28 February 2013**  
**Applicant: Harrier Developments Ltd.**  
**Agent: Ms E.Dent - Icis Consulting Ltd.**

**Proposal: Erection of a food store with petrol filling station and car wash, recycling centre associated parking, landscaping (2 metre high earth bund, 4.5 high non climb galvanised fence, 2 metre high brick wall, extension to existing pond) and highway works.**

**Location: Site of Former Eastrea Nursery, Eastrea Road, Whittlesey.**

**Site Area/Density: 4.84 ha**

**Reason before Committee: This proposal is before the Planning Committee due to the significance and history of the application and level of objections received.**

**Application Number: F/YR11/0895/O**  
**Major**  
**Parish/Ward: Whittlesey**  
**Date Received: 16 November 2011**  
**Expiry Date: 15 February 2012**  
**Applicant: Mr B Smith - Whitacre Management Ltd.**  
**Agent: Mr A Hodgson Savills (L & P) Ltd**

**Proposal: Erection of Mixed Use Business Park to include Employment (B1), Community (D1) and Retail/Professional Uses (A2/A3/A5)**

**Location: Land North of Gildenburgh Water, Eastrea Road, Whittlesey, Cambridgeshire.**

**Site Area/Density: 4.85ha**

**Reason before Committee: This proposal is before the Planning Committee due to the significance and history of the application.**

**Application Number: F/YR11/0930/F**  
**Major**  
**Parish/Ward: Whittlesey**  
**Date Received: 7 December 2011**  
**Expiry Date: 7 March 2012**  
**Applicant: Sainsburys Supermarkets Ltd.**  
**Agent: Mr S.McGrath - Indigo Planning**

**Proposal: Erection of a food store with cafe, petrol filling station and car wash with associated parking, landscaping and highway works including formation of roundabouts and change of use of agricultural land to form Country Park with associated landscaping**

**Location: Land South and West of 300 Eastrea Road, Whittlesey, Cambridgeshire**

**Site Area/Density: 28.5ha**

**Reason before Committee: This proposal is before the Planning Committee due to the significance and history of the application and level of objections received.**

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

These applications were considered by the Planning Committee at the meeting held 19 September, 2012. The applications were also considered at two previous meetings held 9 May and 29 August 2012.

At the 19 September meeting Members were minded to grant planning permission for all three applications. Subsequent to this decision various threats of legal challenge were received from a number of parties. A separate report advises that the decisions, as currently reached, would be susceptible to successful challenge through judicial review and for that reason the Committee should determine whether to reconsider matters and, if so decided, to reconsider any or all three applications completely afresh.

Taking into consideration current adopted and emerging Local Plan policy, the National Planning Policy Framework and professional retail advice provided to the Council by Roger Tym and Partners it is considered that approval of two large-format food store applications is not sustainable and would cause a significant adverse impact on the vitality and viability of Whittlesey Town centre.

The proposed site for Harrier (F/YR11/0482/F) is considered preferable over the site for Sainsburys on grounds that it is in a more sustainable location and it is within an area identified for mixed use development as allocated within the emerging Core Strategy. In addition the grant of planning permission for this scheme will ensure that the Station Road food store consent will not be implemented should the Eastrea Road scheme proceed.

The Sainsbury site is located in open countryside and not considered so sustainable or desirable a location for major development. In addition it is not considered as preferable as the Harrier scheme in terms of the sequential approach in the NPPF. F/YR11/0482/F (Harrier) is, therefore, recommended for approval and F/YR11/0930/F (Sainsbury) is recommended for refusal.

The proposed business park (F/YR11/0895/O) is also outside the area identified for future mixed use development in the emerging Core Strategy and is considered to be in open countryside contrary to the adopted Local Plan. In addition it is considered that need for this development has not been adequately demonstrated. The application is recommended for refusal.

## **2. INTRODUCTION**

- 2.1 This report deals with the following three planning applications: F/YR11/0482/F (Harrier Developments Ltd) – site of the former Eastfield Nursery, Eastrea Road, Whittlesey; F/YR11/0895/O (Whitacre Management Ltd.) – land north of

Gildenburgh Water, Eastrea Road, Whittlesey and F/YR11/0930/F (Sainsbury's Supermarkets Ltd.) – land south and west of 300 Eastrea Road, Whittlesey.

- 2.2 As Members are aware these applications have been considered previously by the Planning Committee. However following the previous decisions taken at the 29 August 2012 and 19 September 2012 meetings, and following legal advice these matters may be reconsidered. A separate report on this aspect has been provided.
- 2.3 There is clear linkage between the food store applications and the business park application. Each application is a material consideration in respect of the other two applications. It is considered appropriate to deal with the applications, therefore, within one report given the extent of inter-relationship, however, the decision on each application is ultimately a separate decision and should be taken separately. It is of considerable importance that if Members determine to reconsider the applications or any of them they do so on a completely fresh basis and on the planning merits of the individual applications.
- 2.4 Sections 3 – 11 of the report provides detail of each application and associated consultation responses. Section 12 lists the relevant planning policy. Section 13 provides the main planning assessment which considers the planning context for the applications, the principle of development, retail assessment and other matters. Sections 14 and 15 provide the conclusion section and final recommendation.

### **APPLICATION F/YR11/0482/F – HARRIER DEVELOPMENTS LTD.**

#### **3. HISTORY**

- Site history
- 3.1 F/YR03/0632/O Residential development (5.87 ha) Refused 24/10/2003 including formation of access, balancing pond and public open space
- Of relevance to this proposal is:
- 3.2 F/YR09/0582/O Erection of foodstore (A1), petrol filling station, car parking, servicing and associated highway works – Station Road, Whittlesey. Granted 16/06/2010
- 3.3 F/YR10/0904/O Residential/mixed development of 460 (approx) market and affordable dwellings, 70 bed nursing home, extra care accommodation, local centre, associated landscape, open space, water attenuation and highway works – land north of Eastrea Road (Larkfleet). Granted 03/05/2012

- 3.4 F/YR12/0723/F Variation of condition 21 of Pending F/YR10/0904/O (Residential/mixed development of 460 (approx) market and affordable dwellings, 70 bed nursing home, extra care accommodation, local centre, associated landscape, open space, water attenuation and highway works) to allow relocation of roundabout – land north of Eastrea Road (Larkfleet).

#### 4. CONSULTATIONS

- 4.1 **Parish/Town Council:** Raise no objection in principle but have concern with regard to opening hours, height of bund/trees proposed to west boundary, proximity of store to dwellings, impact of lighting, suggestion that roundabout should be moved further to the east.
- 4.2 **Environmental Health:** No objection but note construction and operational issues should be considered in terms of impact on existing amenity.
- 4.3 **CCC Highways:** No objection to proposed scheme
- 4.4 **Middle Level Commissioners** No specific objection but requires adequate details and test results to be submitted to prove surface water disposal treatment is acceptable.
- 4.5 **Anglian Water** Require conditions relating to foul sewerage and surface water disposal.
- 4.6 **Natural England** Satisfied with site ecology tests provided and mitigation. Request that potential impact of contamination to ground water or surface water is dealt with.
- 4.7 **CCC Archaeology** Note requirement for archaeological evaluation to be undertaken. This work has now been completed by the applicant.
- 4.8 **Environment Agency** Raise concern with regard to impact on ground water – a condition can be imposed to resolve this issue.

4.9 ***Local Residents/  
Interested Parties***

750 letters of support for the application have been received.

26 letters of objection received on grounds that site is outside Development Area Boundary, will adversely affect town centre trade, highway dangers, pollution of waterways, a larger urban extension incorporating the proposed Sainsbury site and business park is preferable to the stand alone Tesco site, scheme will not deliver wider benefits to the town, concern regarding operating hours, noise pollution, light pollution, anti social behaviour, environmental pollution, possible flooding issues, scheme conflicts with housing scheme proposal to north of Eastrea Road. Proximity of store to residential development. Suggestion that the Station Road store would not be built.

Correspondence received from agents acting for Sainsbury's who suggest that because the proposed Tesco roundabout position is at variance with the approved Larkfleet residential scheme on the opposite side of Eastrea Road (F/YR10/0904/O) then the Tesco scheme is undeliverable. It is also suggested that EIA screening should have been sought by the applicant. Concern raised that it may not be possible to extinguish the Station Road site. Queries are also raised in respect of the contractual position between Harrier and Tesco regarding the Station Road site.

The agent acting on behalf of Whitacre Management suggests that the Council are wrong to rely on the FDC Local Plan or draft Core Strategy as they carry no weight.

Letter received from A & C Properties Ltd who own the Station Road site confirming that A & C will enter into a section 106 agreement allowing for the extant Station Road permission to be quashed if the current F/YR11/0482/F application is approved.

Letter received from ICIS consulting – agents for Harrier stating that in relation to

objections raised by the agents for Sainsburys and Whitacre management Ltd it would be quite possible to access the food store from the proposed Larkfleet roundabout, or alternatively Larkfleet could be served from the Harrier roundabout or a third alternative centralised roundabout could serve both schemes.

ICIS also note that Tesco are fully contracted to occupy the proposed food store should consent be granted. Noted that owner of Station Road site has agreed to extinguishment of Station Road permission.

Correspondence has been received from Indigo Planning Ltd. who are the agents acting for Sainsburys. They note the conclusions made by Roger Tym & Partners that the Station Road site would not be viable for a food store if a similar scheme were to be implemented on Eastrea Road. Even if a store were implemented at Station Road it is concluded that trade would be poor and would not have a significant adverse cumulative impact on the town centre.

Letter from Tesco dated 17 October 2011 confirming contractual position with Harrier regarding obligation for occupation of Eastrea Road store and in the event the Eastrea Road store is not approved confirming their obligation to occupy the Station Road store.

Indigo also supply a traffic assessment report undertaken by Vectos in relation to the Station Road food store site. This matter is considered below.

Correspondence has also been received from Contour Planning Services acting jointly on behalf of Tesco Stores Ltd and Harrier Developments Ltd. They make specific reference to the Roger Tym & Partner report relating to the viability of the Station Road site. Contour have also supplied Counsel's Opinion relating to the Station Road consent and a transport assessment of the Station Road site

prepared by the Michael Thomas Consultancy on behalf of Harrier Developments Ltd.

Letter received from Gately LLP on behalf of the Co-operative group stating that the Station Road consent remains an important material consideration as taken cumulatively with the Eastrea Road site it will harm the vitality and viability of the town centre.

## 5. **SITE DESCRIPTION & APPLICATION PROPOSAL**

- 5.1 The site is located to the east side of Whittlesey on Eastrea Road and adjoins the existing Development Area Boundary as identified within the Fenland Local Plan. An area of residential development exists immediately to the west of the site with open land to the north and south. Gildenburgh Water is located to the east of the site. An existing housing allocation is located on the land to the north for which Larkfleet homes have obtained outline consent. The site is relatively flat in nature and was previously used as a nursery, accommodating a number of glass houses now demolished. The site is located just over a mile from Whittlesey town centre.
- 5.2 This is a full application for the erection of a food store, petrol filling station, recycling centre with associated landscaping and highway works, including formation of a new roundabout at the junction with Eastrea Road. It is proposed that the site will have a gross internal floor space of 4238sqm with a net retail sales area of 2460 sqm consisting 2062 sqm for the sale of convenience goods and 398 sqm for the sale of comparison goods. The applicant has submitted an appropriate level of supporting documentation with the application including a planning and retail assessment, design and access statement, statement of community involvement, transport assessment, environmental report, flood risk assessment, ecology/biodiversity studies, archaeological assessment and arboricultural/landscaping report.
- 5.3 The applicant has also submitted an indicative 'wider site plan' to accompany the application which shows the possible development for 47 dwellings an area to the south of the proposed food store measuring some 1.62 ha in area. This area of land would be accessed from Eastrea Road via the new food store roundabout.
- 5.4 The site layout includes the main store building, a service yard located to the rear of the store with the main shopping car park (321 spaces) located to the front of the main store entrance. A petrol filling station will be located between the car park area and the highway. A small recycling area is proposed next to the petrol station. A mini roundabout leading from the main access roundabout will serve feeder roads leading into the main car park and to the delivery area to the rear of the site. Pedestrian walkways lead through the site. A town hopper bus stop/drop off point is also indicated to the front of the store entrance. Taking into account the proximity of the housing development adjoining the site to the west the applicant proposes provision of a planted 2.0m high bund and 2.0m boundary wall on the western boundary. A 4.5

metre screening fence will enclose the delivery yard to the rear of the site.

- 5.5 The main store building is a single storey format containing the main shopping area, storage space and staff areas. The design of the building is contemporary in nature with the main front elevation being predominantly glazed, incorporating small areas of timber cladding. The remaining elevations consist mainly of insulated metal cladding panels with some timber cladding areas identified. The roof has a very shallow pitch and again is metal clad but incorporates roof lights and vents to give natural light and ventilation to the store.
- 5.6 The main vehicular access into the site will be via a new roundabout located on Eastrea Road feeding to a new mini roundabout to give access to the main store and the petrol filling station. A separate feeder road runs to the south of the application site and provides access for delivery vehicles to the rear of the proposed store. Pedestrian footpaths are proposed to serve the site, leading from existing public footpaths on Eastrea Road. The roundabout design has been agreed with the Highway Authority and would have the capacity to serve the proposed housing site to the north of Eastrea Road (Larkfleet) if required. The roundabout and associated works will be completed prior to the operation of the store commencing.
- 5.7 The site is located in Flood Zone 1 and the submitted Flood Risk Assessment concludes that the proposed use will not be vulnerable to flooding. Surface water drainage will be taken to an existing enlarged pond to the south of the site and via creation of a small pond to the north of the petrol station. The scheme is considered acceptable in terms of flood risk.

## 6. **APPLICATION F/YR11/0895/O – WHITACRE MANAGEMENT LTD**

### 6.1 **HISTORY**

**The site itself has no relevant planning history**

Of relevance to this proposal is

F/YR11/0930/F - Erection of a food store with cafe, petrol filling station and car wash with associated parking, landscaping and highway works including formation of roundabouts and change of use of agricultural land to form Country Park with associated landscaping – application pending (Sainsbury's).

## 7. **CONSULTATION RESPONSES**

- 7.1 ***Parish/Town Council*** - Minded to approve but request that part of the funding from the section 106 be used to create relief road to back of development to alleviate traffic on A605. Requested sensible delivery operating hours for HGVs to protect residential amenity. Councillors would like to ensure that type of businesses operating on retail element of business park must have only minimum impact on town centre trade.



7.2	<b>Local Highway Authority -</b>	No objections
7.3	<b>Environment Agency -</b>	No objection subject to attachment of appropriate conditions.
7.4	<b>CCC Archaeology -</b>	Noted submission of evaluation report requested standard archaeological investigation condition.
7.5	<b>Cambridgeshire Fire and Rescue Service</b>	Require condition for fire hydrants.
7.6	<b>Police Architectural Liaison Officer</b>	Raises concerns regarding pedestrian permeability through the site and potentially poor surveillance of highway from industrial units.
7.7	<b>Natural England -</b>	Note need for protected species surveys – can be dealt with by planning condition if application approved.
7.8	<b>Anglian Water -</b>	Planning conditions requested for drainage strategy for foul sewage, wastewater, surface water, trade effluent.
7.9	<b>Middle Level Commissioners -</b>	Object to the scheme on grounds that aspects of the scheme are inappropriate and require revision, not demonstrated a viable scheme for appropriate flood level management, requirement of appropriate calculations.
7.10	<b>Environmental Health -</b>	No objection in principle but if approved conditions required for contamination, noise and odour controls.
7.11	<b>Local Residents/Interested Parties</b>	<p>196 letters of support received from local residents noting the scheme will bring jobs to the area, boost the economy of Whittlesey, need for a supermarket, preference for a Sainsbury store, provide more local shopping choice.</p> <p>2 letters of objection received noting that land is not allocated for development, will fill in open space between Whittlesey and Eastrea, no need for further industrial/commercial land, retail use should be resisted, increase traffic on Eastrea Road, noise pollution, light pollution, potential anti-social behaviour, environmental pollution, fuel station safety detrimental impact on existing shops.</p>

Andrew Hodgson the agent acting on behalf of Whitacre Management has written via email to suggest that the Council are wrong to rely on the FDC Local Plan or draft Core Strategy as they carry no weight.

He also suggests that the Station Road Site is poorly located and states that there is however interest in the proposed business units on the Eastrea Road application site, suggesting that some are pre-let.

Indigo Planning Ltd who act for the associated Sainsburys application (ref F/YR11/0930/F), note that their proposal will assist with delivery of the Business Park scheme by providing the necessary highway infrastructure and increasing confidence of potential occupiers of the business park making pre- letting of units more likely.

Joint letter provided by Sainsburys, Whitacre Management Ltd, Larkfleet Homes and Ian Forster dated 16<sup>th</sup> August, 2012 noting that proposed access to Sainsbury and the business park take into account the consented Larkfleet roundabout, suggest that the Harrier roundabout cannot be delivered as it conflicts with the consented Larkfleet roundabout. Suggestion that an EIA screening should have been submitted for the Harrier site.

Email received 10 January 2013 from agent for applicant stating that confirmed demand had been received for a family pub, various A3 and A5 uses including roadside fast food outlets, furniture manufacturing, a new healthcare centre and a variety of retailers including a charity and fashion outfit.

## **8. SITE DESCRIPTION AND APPLICATION PROPOSAL**

- 8.1 The site is located to the east of Whittlesey, on a greenfield site in the open countryside outside the existing Development Area Boundary. Gildenburgh Water is located to the south of the site and to the west of the site is a former nursery which is currently subject of application F/YR11/0482/F (Harrier Developments Ltd.). The land immediately to the north and east of the

application site is also open countryside and currently subject to a planning application for a supermarket and country park. The application site consists of flat, open agricultural fields with some tree and hedgerow planting to the site boundaries.

- 8.2 The application seeks outline planning permission for a mixed use business park to include employment (B1), Community use (D1), retail/professional uses (A2/A3/A5). Access is the only reserved or detailed matter submitted as part of the application, all other matters are reserved. The applicant has indicated that this application forms part of a master plan development for the locality which includes a new supermarket and a country park (submitted as planning application F/YR11/0930/F). The applicant has indicated that the business park will form the second phase of the master plan following construction of the supermarket. The proposed scheme has been subject to a public consultation event at pre-application stage.
- 8.3 The site measures 4.85 hectares in area and the proposed uses are identified as follows: B1 (commercial) 4,500 sqm, B1c (light industrial) 13,250 sqm, D1 (community use) 4000 sqm, A2 (office), A3 (restaurant) A5 (takeaway) – 2,500 sqm.
- 8.4 An indicative layout has been submitted which shows the proposed community uses and class A uses located around the site entrance with the larger B1c industrial uses located further to the south and east. Construction heights are proposed as a mix of single storey and two storey buildings. A feeder road leading from the site access will serve the development with pedestrian access and cycleways also provided. Pedestrian access to the adjoining country park is also provided. In principle the proposed layout would be considered acceptable but clearly may not represent the final layout or design.
- 8.5 Access to the site from the Eastrea Road will be via a new roundabout providing access into the application site and the existing access lane to Gildenburgh Water. A smaller roundabout within the site provides access to the proposed Sainsbury store and then the business park via a new feeder road. Exact parking levels are not specified at this stage.

## **APPLICATION F/YR11/0930/F – SAINSBURY'S SUPERMARKETS**

### **9. HISTORY**

The site itself has no relevant planning history

Of relevance to this proposal is

F/YR11/0895/O - Erection of mixed use business park to include employment (B1), Community (D1), and retail/professional uses (A2/A3/A5) – application pending.

- F/YR11/0482/F      Erection of food store with petrol filling station and car wash, recycling centre, associated parking, landscaping and highway works – application pending.
- F/YR09/0582/O      Erection of food store (A1), petrol filling station, car parking, servicing and associated highway works – Station Road – granted 16/06/2010.

## 10. CONSULTATION RESPONSES

- 10.1 **Parish/Town Council -**      Minded to recommend approval but request part of funding from section 106 be used to create relief road to back of proposed development to alleviate traffic on the A605. Raise concern regarding delivery hours for HGVs. Councillors felt country park would generate many local voluntary groups and businesses to use and eventually manage. Requested additional parking space for country park. Councillors requested archaeological surveys for both areas.
- 10.2 **Environmental Health -**      No objection but requests contamination condition.
- 10.3 **Safer Fenland CCTV Manager -**      Requests provision of CCTV scheme to deter crime and ensure sufficient lighting.
- 10.4 **CCC Police Liason Officer -**      Request for CCTV scheme and condition requiring boundary treatment detail.
- 10.5 **CCC Highways -**      No highway objections.
- 10.6 **The Wildlife Trust -**      Welcome provision of country park but note importance of securing proper implementation and long term maintenance via section 106 agreement.
- 10.7 **Natural England -**      Note need for full submission of detail relating to biodiversity and landscape, details required for management of country park.
- 10.8 **Middle Level Commissioners -**      Oppose as aspects of submission require amendment including assessment of flood risk.
- 10.9 **CCC Archaeology -**      Noted submission of evaluation report, requested standard archaeological investigation condition.
- 10.10 **Environment Agency -**      Raise concern with regard to petrol station underground storage tanks/impact on ground water – addressed by provision of above ground

level storage

**Local Residents/  
Interested Parties**

- 262 letters of support for the application have been received. Reasons for support include a better range of facilities offered, less intrusive than Harrier scheme, site is preferable to Station Road site, scheme will boost local economy, provide jobs.

7 letters of objection received on grounds that the applicant has failed to demonstrate that the application site is sequentially preferable due to its location, the proposed Tesco store site is a more natural extension to the town, the cumulative impact of allowing more than one out of town food store would be unacceptably high in terms of policy, adverse impact on vitality and viability of town centre, increased traffic, noise pollution, light pollution, anti social behaviour, environmental pollution, fuel station safety, inaccurate transport assessment – potential for serious capacity issues on surrounding road network, land is outside Development Area Boundary, would cause coalescence between Whittlesey and Eastrea. Would prefer a food store on the Harrier site rather than housing.

SNR Denton and Indigo writing on behalf of Sainsburys note that the country park is an important part of the application and will be beneficial to the local area providing a high quality public realm assisting in prevention of coalescence between Whittlesey and Eastrea. Consider the country park material to the determination of the application.

## 11. **SITE DESCRIPTION AND APPLICATION PROPOSAL**

- 11.1 The site is located to the east of Whittlesey on Eastrea Road and is within open countryside. The use of the land is currently agricultural. Gildenburgh Water is located to the south of the site and to the west of the site is a former nursery which is currently subject of a planning application for erection of a supermarket (F/YR11/0482/F – Harrier). Land between Gildenburgh Water and the application site is currently subject to application F/YR11/0895/O –

Whitacre for development as a business park. Commercial/industrial property exists immediately to the east of the site with a number of residential dwellings located on the opposite site of the A605 Eastrea Road. The application site consists of flat, open fields with some tree and hedgerow planting to the site boundaries.

- 11.2 This is a full application for the erection of a food store with cafe, petrol filling station and car wash with associated parking, landscaping and highway works including formation of roundabouts and change of use of agricultural land to form a new country park. The application is submitted in tandem with the application for the adjoining business park (F/YR11/0895/O). The applicant has submitted a planning and retail statement, appropriate drawings, a design and access statement, statement of community involvement, a tree survey, landscape proposals, ventilation statement, renewable energy statement, external lighting statement, flood risk assessment, environmental and ecological appraisals, a noise assessment and an archaeological assessment.
- 11.3 The site has not been previously developed nor subject to any previous, relevant planning permission or applications. The site adjoins an application site for the proposed business park (F/YR11/0895/O) and it is proposed that it will share the same roundabout access from Eastrea Road.
- 11.4 The proposed food store will comprise 5,182 m<sup>2</sup> gross floorspace with a net sales area of 3,066m<sup>2</sup>, consisting 2330sqm for the sale of convenience goods and 736 sqm for the sale of comparison goods. A total of 386 car parking spaces are proposed. Access to the site is via a new roundabout on Eastrea Road leading through to a smaller roundabout serving the store and adjoining business park. The petrol filling station and above ground fuel storage tanks are located close to the site entrance with the main food store located to the east side of the application site. A service road to the south of the site serves the main delivery area to the rear of the store. Boundary treatment will consist of retention of existing natural hedging/shrubs augmented with new planting as necessary.
- 11.5 The main food store is designed in a single storey format using a mix of light grey cladding panels and full height glazing panels to the external walls but also incorporating some timber boarding. The roof covering is low pitch consisting of metal sheeting. The design of the building is based on the Sainsbury's model format store. The proposed petrol station consists of a small shop kiosk with canopy set over the main petrol pump area. A separate car wash facility will also be provided.
- 11.6 The proposed country park (22ha) is located to the south and east of the food store with a separate vehicular access provided from Eastrea Road. A small car park is provided as part of the country park providing 20 spaces. Separate cycle and equestrian access would also be provided.
- 11.7 A number of surfaced paths would be provided through the park. An equipped children's play area would be provided with the remainder of the park either set down as informal play space or tree and shrub planted. Mechanisms would be put in place to encourage wildlife to the site. It is noted that initial funding for the project would be provided by the applicant but long term sustainable arrangements for the park management and funding would be required.

- 11.8 As noted accesses into the site to the foodstore and country park are from Eastrea Road which currently has a 40mph speed limit. A new four arm roundabout is proposed which provides access to the food store and adjoining business park. One arm of the roundabout will serve the existing access lane to Gildenburgh Water. A smaller roundabout within the application site leads to the store car park. The 386 space car park will also incorporate 15 parent and child and 22 disabled parking bays along with 54 secure cycle parking spaces. The applicant proposes to introduce a hopper bus service to serve the development. A separate access into the country park is located further to the east.
- 11.9 The site is located in Flood Zone 1 and the submitted Flood Risk Assessment concludes that the proposed use is classed as a less vulnerable use and is not considered vulnerable to flooding. It is noted that the proposed scheme will incorporate sustainable drainage systems so minimising any surface water issues caused as a result of the development. The country park area is within flood zones 1, 2 and 3 and is, therefore, potentially vulnerable to flooding. However this type of use would be considered acceptable in such circumstances. Overall the application is considered to be acceptable in relation to flood risk although as noted above the Middle Level Commissioners maintain an objection. Should the application be granted it will be essential that a condition is placed on the Planning Permission which will require submission of agreed surface water drainage detail.
- 11.10 The agents for the application suggest that the proposed Sainsbury scheme has significant advantages over the proposed Harrier scheme (F/YR11/0482/F) in that the Sainsbury scheme includes provision of the 22ha country park. This would be provided by Sainsburys with maintenance provided for a ten year period however longer term arrangements for the park management and funding would be required.
- 11.11 The applicants also state that the country park is an integral part of the Sainsbury application and will be delivered as part of the overall scheme. They consider this an important factor when considering the merits of the scheme compared to the application by Harrier. It is also suggested that the country park will prevent coalescence between Whittlesey and Eastrea, as well as contributing to a forecast shortfall in open space provision and benefit the local economy.

## 12. PLANNING POLICIES

### Fenland District Wide Local Plan

E1	-	Conservation of the rural environment
E3	-	Retention of trees.
E8	-	Design and Layout
TR3	-	Provision of adequate parking
E20	-	Prevention of unacceptable levels of noise, Nuisance and other environmental protection issues.
EMP4	-	New business/industrial uses not normally Permitted outside DAB.
EMP8	-	New office development normally located in primary industrial areas.

[East of England Plan

ENV7	-	Quality in the built environment.
SS1	-	Achieving sustainable development
SS6	-	Cities and Town Centres

Update - with effect from 3 January 2013, the East of England Plan has been revoked by the Secretary of State]

National Planning Policy Framework

Para 6	-	Notes that the purpose of the planning system system is to contribute to the achievement of sustainable development.
Para 11	-	Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
Para 19	-	Notes that the Government is committed to ensuring that the planning system supports sustainable economic growth
Para 23	-	Planning policies should be positive, promote competitive town centre environments and set out policies for management and growth of centres <ul style="list-style-type: none"><li>- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.</li><li>- If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre.</li><li>- Set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres.</li></ul>
Para 24	-	Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date Local Plan.....when considering edge of centre or out of centre proposals preference should be given to accessible sites that are well connected to the town centre.
Para 26	-	When assessing applications for retail, leisure and office developments outside of town centres which are not in accordance with an up to date Local Plan local planning authorities should require an impact assessment.....this should include assessment of the impact of the proposal on town centre vitality and viability.
Para 27	-	Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.



Fenland Draft Core Strategy, July 2012

- CS1 - Spatial Strategy – notes that the majority of the district's new housing, employment growth, retail growth and wider service provision should take place in the market towns, including Whittlesey.
- CS4 - Employment and retail – the strategy for retail development in Fenland is to:  
Embrace a strong 'town centre first' message when considering the most appropriate locations for retail and leisure development in the towns.  
New retail development will be encouraged to maintain and enhance the vitality and viability of centres. Where retail development for which there is an identified need cannot be accommodated within the defined town centre area, a sequential approach will be followed.  
Policy CS4 also requires that new employment land will be provided through sites with permission, appropriate intensification, extensions to existing employment areas and through the master planning approach within urban extensions to the four market towns. The Council will seek to retain existing quality land currently in B1, B2 and B8 uses. Criteria for employment proposals includes the need to ensure that schemes fit with the specific and broad locations for growth or in other suitable locations on the edge of market towns where it can be demonstrated that such growth would be compatible with adjacent urban land uses.
- CS5 - Policy CS5 relating to urban extensions, requires that urban extensions must be planned and implemented in a coordinated way through an agreed 'overarching' comprehensive delivery scheme that is linked to delivery of key infrastructure. Criteria for such schemes includes the requirement to make efficient use of land, contribute to providing a wide range of employment opportunities, make provision for an appropriate level of retail and demonstrate availability and deliverability of the proposed scheme.
- CS9 - Policy CS9 relates specifically to development within Whittlesey and notes that a new urban extension will be supported to the north and south of Eastrea Road – this area is identified on the Policies Map. It does include the land subject to the Harrier application (F/YR11/0482/F).

## 13. PLANNING ASSESSMENT

### Planning Policy

#### National Planning Policy (NPPF)

- 13.1 National planning policy of relevance to these applications is contained within the National Planning Policy Framework.
- 13.2 Paragraphs 6 and 19 requires that new development and economic growth contributes to sustainability. Paragraph 11 clearly states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 13.3 Impacts on the vitality and viability of town centres have been identified as a significant consideration in the determination of the applications considered in this report. Paragraph 23 of the NPPF requires that planning policy should promote competitive town centre environments and recognise town centres '*as the heart of their communities and pursue policies to support their viability and vitality*'.
- 13.4 In respect of out of centre sites paragraph 24 notes that preference should be given to accessible sites that are well connected to the town centre. Paragraph 26 requires that retail or office schemes of over 2500 sqm should be accompanied by an impact assessment which should include an assessment on the town centre vitality and viability. Paragraph 27 states that where an application is likely to have a significant adverse impact on factors such as vitality and viability it should be refused.
- 13.5 Each of the current Sainsbury, Tesco and Business Park applications are considered to be out of centre or out of town sites and particularly in respect of the food store applications the cumulative impact on Whittlesey town centre in terms of vitality and viability is a key consideration in determining these applications.

#### Fenland District Wide Local Plan

- 13.6 The policies referred to below are 'saved' policies contained within the adopted Fenland Local Plan. This follows the direction issued by the Secretary of State in 2007 which led to some policies, including some retail policies, in the Local Plan being discarded. The following policies are considered relevant to the current applications.
- 13.7 Relevant policies contained within the adopted Local Plan include E3, E8, E20, TR3, EMP4 and EMP8. Policies E1, E3, E8 and E20 are specifically related to the protection of the built and natural environments, existing landscape and protection of residential amenity.
- 13.8 Policy E1 requires new development to take into account existing landscape, policy E3 highlights the need to protect natural features such as trees and other landscape features. Policy E8 considers the impact of new development and requires that design is acceptable, impact on existing amenity and landscape is

- minimised and adequate parking and access is provided for new development. Policy E20 requires that impacts of noise, nuisance or other environmental protection issues are taken into consideration when considering new development.
- 13.9 Policy TR3 specifically refers to car parking requirements and seeks to ensure that all new development meets the Council's car parking standards.
- 13.10 Policy EMP4 is of particular relevance to these applications. It states that new business development unrelated to existing development will not normally be permitted outside Development Area Boundaries in the interests of protecting the open countryside. Such development should be located within the existing urban area or on allocated sites. It is considered that all three applications conflict with this policy. Policy EMP8 is consistent with the approach in EMP4 noting that large new office developments should be directed to existing allocated business areas.

Emerging Policy – Fenland Draft Core Strategy, July 2012.

- 13.11 The draft Core Strategy July 2012 provides the most up to date emerging planning policy relevant to Fenland and has been approved for Development Control purposes. The Core Strategy has recently completed a second round of public consultation and a final version is being completed. The Core Strategy is likely to be submitted to the Planning Inspectorate for 'Examination' in April 2013 and is subject to final approval of the Council.
- 13.12 Policy CS1 identifies the main spatial strategy for the district and notes that the market towns such as Whittlesey should accommodate the majority of the district's employment and retail growth
- 13.13 Policy CS4 refers specifically to the provision of employment and retail development within the District. CS4 identifies Whittlesey as providing 5ha of employment land upto 2031. Employment proposals will be expected to comply with the main spatial strategy, fit with the specific and broad locations for growth and take into consideration the existing urban/landscape character and setting of settlements. The availability and deliverability of sites will also be a consideration. It notes that large scale office proposals will be subject to a sequential test with the priority given to locations in the centre of market towns.
- 13.14 New retail development will be encouraged to maintain and enhance the vitality and viability of town centres, embracing a strong 'town centre first' message and support regeneration of existing town centres. CS4 states that in decision making the national policy approach in the NPPF will be followed.
- 13.15 CS5 provides policy guidance in relation to new urban extensions. It requires that such urban extensions are carried out in a comprehensive manner with preferably all landowners supportive of the agreed scheme. The criteria for meeting the requirements of the urban extension approach are extensive. They include the need to provide local employment opportunities which align to an up to date Fenland Economic Development Strategy, make provision for an appropriate level of retail, demonstrate availability and deliverability of the proposed scheme, provide an appropriate level of open space.

- 13.16 Policy CS9 provides policy guidance specific to Whittlesey. The thrust of this policy has remained unchanged through the Core Strategy process. It notes that a new urban extension will be supported on land to the north and south of Eastrea Road – this includes the land subject to application F/YR11/0482/F (Harrier) and the residential site to the north of the A605 being developed by Larkfleet Homes. It is stated that the land could accommodate a mix of uses including residential. In respect of employment land new business uses are identified adjacent to existing businesses in the Station Road/Benwick Road industrial area and to the west of the town on the A605 and to the north of the King's Dyke as far as Field's End Bridge.
- 13.17 In summary the Core Strategy requires that the vitality and viability of town centres is preserved in line with the policies of the NPPF and that new development on the edge of the market towns is consistent with the urban extension policy as set down within CS5. CS9 identifies an appropriate boundary in terms of an urban extension to the east of Whittlesey and also clearly states the preferred locations for new business and employment development.
- 13.18 As noted under paragraph 216 of the National Planning Policy Framework the draft Core Strategy does carry some weight in determining these applications. As noted above the Core Strategy has been through public consultation and will be submitted to the Planning Inspectorate for 'Examination' in February 2013. It is a material consideration in the determination of these applications.

#### **Principle of Development**

- 13.19 Taking into account the above planning policy context the principle of development for each of the three sites will now be considered.

#### **F/YR11/0482/F (Harrier Developments Ltd**

- 13.20 The site proposed by Harrier Developments Ltd (F/YR11/0482F) is located in an out of town location immediately adjoining but outside the existing Development Area Boundary. Considered against the adopted Development Plan the site is therefore in the countryside and contrary to Local Plan Policy EMP4. In this case the key factors for consideration are the impact of the development on the immediate locality and retail impact on the town centre and whether suitable alternative sites are located either in the town centre or in more sequentially preferable locations. In addition Planning Permission was granted by the Council in June 2010 for a new food store at Station Road, Whittlesey (under application ref F/YR09/0582/O) which had a net convenience sales area floor space of 2272 sqm. That application was also submitted by Harrier Developments Ltd who together with the land owner of Station Road have agreed that the Planning Permission F/YR09/0582/O should be revoked without compensation via section 106 agreement (see full summary of s106 requirement contained in recommendation section) if the current application is approved. The relinquishing of the Station Road consent will have a secondary benefit of potentially releasing additional land on what is an existing industrial allocation for new business/commercial uses. The viability of the Station Road proposal is considered later in this report.

13.21 In terms of location the site adjoins the existing built form of Whittlesey and is considered a relatively sustainable location. To that extent the conflict with policy EMP4 of the 1993 adopted Local Plan carries more limited weight. Development here would not be as isolated as would be the case if it were detached from the DAB (see paragraph 13.35). Further, the site is also within a strategic allocation identified under policy CS9 of the draft Core Strategy. Policy CS9 states that this location could be considered for a mix of uses including residential. An alternative use for a supermarket can also be considered an acceptable use. The current application if approved would not be considered to stifle housing growth or prejudice the housing targets for Whittlesey to 2031. The application complies with CS4, CS5, and CS9 of the draft Core Strategy.

F/YR11/0895/O (Whitacre Management Ltd.)

13.22 In respect of the proposed business park application the site is located to the east of Whittlesey some 180 metres outside the Development Area Boundary (as identified in the current adopted Local Plan) and within open countryside. It would therefore be considered to be contrary to policy EMP4 of the adopted Local Plan which does not normally support industrial/business uses, unrelated to existing activity, outside the Development Area Boundaries. Again, the key consideration is the existence or otherwise of material considerations which might indicate that permission should be granted. The site does not fall within the proposed urban extension to Whittlesey as identified under CS9 within the draft Core Strategy. It is acknowledged that the applicant has partially formulated a master plan approach to this application and the associated Sainsbury application but the draft Core Strategy clearly requires such urban extensions to fit within the identified broad areas of growth for the market towns - this site does not. In addition although the land to the west of the application site (Harrier Developments Ltd.) is identified by Whitacre Management as a potential site for housing, no application or detail has been submitted to address how or when that area of land would be brought forward for residential development. It is considered that in this case the applicant has not submitted a comprehensive, deliverable urban extension scheme in accordance with policies CS4, CS5 and CS9 of the draft Core Strategy. When considered against the criteria for new employment development, as set down within policy CS4, the proposed development does not fall within the land identified for specific and broad locations for growth for Whittlesey.

13.23 In addition it is considered that the site as open agricultural land plays an important role in preventing coalescence of development between Eastrea and Whittlesey.

13.24 The need for a new business park is also a material consideration but the question is what weight should be attached to it. The Council's economic development team have indicated that demand for additional employment land within Whittlesey is low but in any event if demand were to increase a significant area of vacant allocated industrial/commercial land already exists at the Station Road/Benwick Road industrial site. The relinquishment of the Station Road site for a food store by Harrier Developments would also potentially provide additional commercial/industrial space. The applicant has however indicated that they have received interest at the Eastrea Road site from a family/pub restaurant operator, A3 and A5 use operators a furniture

manufacturer and a healthcare centre, although some of the interest is conditional on a supermarket being built and open first. In the opinion of officers although the applicant may say they have received interest from prospective end users this in officers' experience does not indicate strong demand or provide justification for the proposed development.

- 13.25 The proposal is therefore considered to be contrary to Local Plan Policy EMP4 and is not in accordance with the Development Plan. The proposal is also in conflict with draft Core Strategy policies CS4, CS5 and CS9 which are material considerations which further support refusal as does the retention of open agricultural land to prevent coalescence of development. There are no material considerations of sufficient weight in favour of the proposal to indicate otherwise.

F/YR11/0930/F (Sainsburys Supermarkets Ltd.)

- 13.26 The site is located to the east of Whittlesey some 180 metres from the identified Development Area Boundary and within open countryside. It is considered to be in a less sustainable location than the proposed Harrier scheme (F/YR11/0482/F), contrary to Local Plan Policy EMP4, and not in accordance with the Development Plan. In those circumstances, the question is whether there are material considerations which indicate that permission should be granted. As with the business park site this proposal is also located outside the identified strategic allocation within the draft Core Strategy. The applicant has partially formulated an urban extension/ master plan approach to this application and the associated business park application. As already noted above the draft Core Strategy indicates that urban extensions will be located within the identified broad areas of growth - this site does not fall within such an area. The land to the west of the application site is identified by the applicant as a potential site for housing but no application or detail has been submitted to address how or when that area of land would be brought forward for residential development. It is considered that in this case the applicant has not submitted a comprehensive, deliverable urban extension scheme in accordance with policies CS4, CS5 and CS9 of the draft Core Strategy.
- 13.27 In addition it is considered that the site, as open agricultural land, plays an important role in ensuring that coalescence does not occur between Eastrea and Whittlesey. No benefit would therefore accrue in terms of preventing coalescence by the provision of the country park. Indeed although it is acknowledged that there will be some benefit in terms of additional recreation space it could be argued that a more formalised recreation area could actually harm the undeveloped nature of the locality.
- 13.28 In respect to the proposed country park the applicant refers to the provision for open space, greater scope for recreation, health benefits for the community, and greater sustainability which would accrue from the development. The country park forms an integral part of the submitted application. However, previous open space assessments undertaken by the Council demonstrate that there is not a proven need within the Whittlesey area for such an extensive provision of open space. Future open space provision will be provided in line with CS5. All future developments within Whittlesey will be required to provide appropriate levels of relevant open space within developments (with their attendant benefits), and this ensures that open space provision is made in

areas which are appropriate to growth and in accordance with policy. It can be strongly argued that the existing open farmland where the park would be located already acts as an effective buffer preventing coalescence between Eastrea and Whittlesey, and that the change of use to a country park would therefore have no material benefit over what is existing open agricultural land.

The proposal is therefore considered to be contrary to Local Plan policy EMP4 and is not in accordance with the Development Plan. The proposal is also in conflict with draft Core Strategy policies CS4, CS5 and CS9 which are material considerations which further support refusal as does the retention of open agricultural land to prevent coalescence of development. There are no material considerations of sufficient weight in favour of the proposal to indicate otherwise.

### Assessment of Retail Impact

- 13.29 In order to properly assess the impacts of the two food store applications, particularly in the context of the National Planning Policy Framework and potential impacts on Whittlesey town centre, the Council have instructed Roger Tym and Partners to consider the impact of the schemes on the town centre and whether sufficient retail capacity exists to support two food stores in out of town locations (the application site and the current approval for a food store at the Station Road site). The following conclusions are derived from Roger Tym's assessments unless otherwise indicated.
- 13.30 It is noted that the NPPF retains the requirement to apply the sequential approach and impact test to planning applications for main town centre uses that are not in an existing centre. The NPPF under paragraph 27 notes that where an application fails to satisfy the sequential test or is likely to have significant adverse effect it should be refused.
- 13.31 In considering application F/YR11/0482/F (Harrier Developments Ltd.) Roger Tym note that with regard to the sequential assessment the application site is located outside the Development Area Boundary and therefore represents an 'out of town' location. It is also accepted that the approved food store at Station Road would have a convenience net sales area floor space of 2,272 sqm and therefore forms a fall-back position and the base against which the currently proposed scheme at Eastrea Road should be assessed.
- 13.32 When undertaking the sequential assessment sites should be assessed in terms of their availability, suitability and viability; that all in centre options should be thoroughly assessed before less central sites are considered, and that where it is demonstrated that there are no town centre sites, preference should be given to edge-of-centre locations that are well connected to the centre by easy pedestrian access. Accepting there are no alternative sites available for the proposed level of retail floor space within or closer to the town centre there is no basis to refuse the application due to availability of alternative preferable sites. It should also be noted that the Eastrea Road site is slightly closer to the town centre than the Station Road site.
- 13.33 In terms of impact assessment on the vitality and viability of the town centre the Station Road consent is a material factor. Up to 2,272 sqm of convenience sales area floor space could be provided at Station Road compared to 2,460

sqm of retail floor space proposed at Eastrea Road. It is noted that in subsequent negotiations following submission of the current application, the applicant has agreed to accept a planning condition which restricts the convenience sales area floor space at Eastrea Road to a maximum of 2,062 sqm and which limits comparison sales to 398 sqm (total 2,460 sqm). Taking into account the 'fallback' position at Station Road the imposition of such a condition would address concerns relating to town centre impact.

- 13.34 Roger Tym conclude that subject to a planning condition effectively restricting the sales area to that of the Station Road site, there is no basis to resist the application in relation to local and national retail policy.
- 13.35 With regard to application F/YR11/0930/F (Sainsbury Supermarkets Ltd.) in relation to the sequential assessment of the Sainsbury proposal, Roger Tym conclude that there are no alternative sites close to or within the town centre area. Roger Tym also acknowledge that although the Tesco and Sainsbury sites are both outside the existing Development Area Boundary it is considered that the Tesco site represents a more natural extension to the town as it abuts the existing DAB. It is in a more sustainable location than the Sainsbury site. On this basis Roger Tym disagree with the applicants assertion that the Sainsbury site *'represents the most suitable and viable location for a full range, bulk foodstore'*.

More recently, the applicant has maintained that its site is more sustainable than the Harrier proposal because it is better connected to the town centre due to a superior hopper bus service (accessing more people and for longer hours). Whilst the point is acknowledged to carry some weight, given that the Harrier application includes a satisfactory town hopper bus service, officers consider that the point does not outweigh the conclusion of Roger Tym – with which officers agree - that the Tesco site represents a more natural extension to the town and one that is more sustainable as it abuts the DAB.

- 13.36 In relation to impact on the town centre Roger Tym acknowledge that in terms of overall trade impact the Sainsbury store, on its own, is not dissimilar to the impact created by the proposed Tesco store but the key point is that there is only scope for one large format foodstore in Whittlesey and it is considered that the cumulative impacts arising from the implementation of more than one new large format foodstore would be unacceptably high and have a significant adverse impact on the vitality and viability of the town centre. If the Sainsbury store were to be approved clearly there would be potentially two out of town food stores approved as the Station Road site has extant planning permission. The vitality and viability of the town centre would be adversely affected should more than one foodstore be permitted and therefore contrary to the NPPF.
- 13.37 In their retail impact submission Sainsbury's state that the cumulative impact of the new Sainsbury store coupled with a Station Road food store would result in a trade diversion from Whittlesey town centre of £4.81 million per annum (£1million diverted to Station Road, £3.81 million to the Sainsbury store). This represents a 19% diversion of trade from the town centre in 2016 dropping to 16% by 2021. Roger Tym in assessing these trade impact figures conclude they are unrealistic and that the diversion of trade figures from other stores within Whittlesey submitted by the applicant are simply far too low.



- 13.38 In their update relating to Cumulative Impact Assessment provided to the Council in August 2012, Indigo suggest that after the Sainsbury store is implemented there would be a residual convenience goods capacity in Whittlesey of some £10 million per annum. In response Roger Tym dispute the figures put forward by Indigo in relation to capacity and indicate that there remains only sufficient expenditure to support one additional food store.
- 13.39 In summary Roger Tym conclude that there is only sufficient expenditure capacity to support one additional large format foodstore in Whittlesey and the appropriate location would be the site of the proposed Tesco foodstore, accepting that the Station Road planning permission would be revoked as part of that scheme.
- 13.40 In determining the two food store applications a key issue is therefore the extant consent of a food store located at Station Road, Whittlesey. Harrier Developments Ltd were also the applicants for the Station Road consent and have indicated (in writing) that should their application on Eastrea Road be granted then they would agree to the Station Road consent not being implemented. This is on the understanding that the granting and implementation of two out of town food stores for Whittlesey would cause a significantly adverse impact on the vitality and viability of Whittlesey town centre – a fact confirmed by Roger Tym and Partners as stated above.
- 13.41 Members of Planning Committee have previously questioned the deliverability of a food store at Station Road, taking into account its location and the nature of the existing highway network – the railway crossing on Station Road was identified as a key constraint. Roger Tym & Partners (RTP) were subsequently also instructed to consider the commercial deliverability of the site taking these constraints into account.
- 13.42 In completing their report RTP considered the existing market overview for food store demand/development, an analysis of the current trading position and strategy of new store development for the main food store operators and the baseline viability of developing the site for the various food store operators. Consideration was also given to the impact of the level crossing and reference made to the contractual position between Harrier and Tesco.
- 13.43 RTP conclude that taken in isolation (i.e. discounting the possible alternative schemes on Eastrea Road) then the Station Road site would be viable for the top four food store operators which would include Tesco and Sainsbury. RTP note that if a store similar in size to the proposed Tesco or Sainsbury were to be developed on Eastrea Road then it is unlikely that a smaller format store would be developed by one of the other top four operators as they would want to compete on a like-for-like basis. A smaller format store operated by one of top four operators is also unlikely in their view to be viable.
- 13.44 RTP further concluded that other operators i.e. Aldi and Lidl would only wish to occupy part of the unit – once s106 contributions, Highway and other construction outlay is taken into account the scheme is likely to be unviable to other smaller format foodstore operators. RTP also note that the Station Road site is made less attractive due to the location of the level crossing.

- 13.45 The RTP findings are matters for consideration when assessing whether the Station Road site remains a viable site should an Eastrea Road site be developed. However it must be caveated that there is no guarantee that development of the Station Road site would not happen – see further paragraph 13.49 below and following. RTP do acknowledge that a smaller operator such as Lidl may still be interested in part of the site and RTP's retail assessment of the proposed Sainsbury store does acknowledge that development of the Station Road site for Tesco remains a possibility. It is acknowledged that the RTP commercial assessment may be a fair reflection of the current overall national marketplace for food store development but does not in itself determine whether or not a food store would be developed on Station Road if an Eastrea store is approved as this will also be determined by individual contractual commitments and internal operator commercial considerations.
- 13.46 In respect of this matter correspondence has been received from Contour Planning Services acting jointly on behalf of Tesco Stores Ltd and Harrier Developments who take issue with some of the conclusions reached by RTP but consider that the conclusions reached by RTP in terms of the viability of Station Road are of no relevance given Tesco's contractual commitment to open a foodstore on either the Eastrea Road site or as an alternative the Station Road site (this matter is considered below). Contour suggest that to approve the Sainsbury scheme would lead to the development of two out of town food stores taking into account the extant consent at Station Road – this would be to the detriment of the town centre. Contour stress that planning decisions should be based on current local and national planning policy rather than choices between different retailers. Officers would agree with this point, ultimately the name of the retailer is irrelevant in determining these applications, planning policy is the key determinant.

#### Other Matters

- 13.47 In previous correspondence submitted by Indigo Planning on behalf of Sainsburys it is suggested that the roundabout consented as part of the Larkfleet residential scheme is at variance with the proposed Harrier roundabout which cannot therefore be implemented. It is noted that the existence of a Planning Permission showing one roundabout position does not prevent the submission and consideration of an alternative scheme showing a different type of access arrangement. It is lawful for two mutually incompatible planning permissions to be granted; however the situation will be clarified by one or other permission being commenced and the entering into of a Section 278 Highways Agreement. Both consents provide the required highway access and maintain traffic flows. Deliverability is controlled by the Highway Authority given the need for works to the main highway; the party whose roundabout is not built will be able to obtain a variation to provide a link to the roundabout without significant difficulty. It should be noted at the time of completing this report Larkfleet Homes have submitted a new application to vary the siting of the proposed access roundabout to their residential site (F/YR12/0723/F). In terms of location it does not prejudice the access to the Harrier development, however there will be a requirement to ensure that the roundabout is of sufficient size to accommodate access to land to the north and south of the A605.

13.48 Comments raised by the agents for Sainsburys in relation to the need for an Environmental Impact Assessment Screening Opinion for the Harrier site are noted. Sainsbury's sought a screening opinion from the Council on 22 September 2011 covering both their application site and the business park. Officers' view was that those schemes did not constitute EIA development and this view was communicated by letter dated 20 January 2012. On the same basis, Officers were also of the view that the Harrier application would not constitute EIA development. The site has been in use as a nursery for many years and subject to previous development in the form of concrete hardstanding and glass houses. Submission of a screening opinion was therefore considered unnecessary in this instance.

13.49 The matter of the contractual position between Tesco Stores and Harrier Developments Ltd has also been raised by third parties. Harrier has provided evidence to the Council of the current contractual arrangements between themselves and Tesco. Harrier have confirmed that Tesco initially contracted with them to provide a Tesco store at Station Road but as an alternative have also agreed to occupy the Eastrea Road site if Permission is granted. Harrier confirms that they are in full control of the delivery of both sites, including the timescales for development. They confirm that Tesco Stores are under contract to proceed with the lease for the store at either site.

13.50 The Chief Solicitor has been provided with a copy of the legal agreement between the two parties. He summarises the contents of the legal agreement as follows:

- The Agreement provides an obligation on Harrier to seek planning permission for a suitable food store at Eastrea Road.
- In the event that alternative planning cannot be obtained for a suitable food store at Eastrea Road, then the existing planning consent at Station Road is defined as acceptable by both Harrier and Tesco.
- Harrier is obliged to construct the store either at Eastrea Road or in the event planning permission is not obtained at Station Road.
- Tesco is obliged to take a lease of the completed store; such lease to be for 25 years.

Officers consider the contractual position between Harrier and Tesco to be sound. There is a clear requirement for Harrier to provide a Tesco store at Station Road should the Eastrea Road application be refused. This is considered a material factor in the determination of these applications, particularly when taking into account the viability of the Station Road site. However it must be noted that officers are unable to ensure that the contractual commitments are carried out, or that they are not subsequently changed pursuant to further negotiation between two commercial parties.

13.51 Reference was also made at the previous Committee to highway issues relating to Station Road and in particular the impact of the railway crossing in terms of traffic movements. Traffic impact assessments have been received from Vectos Transport Planning Specialists on behalf of Sainsbury and by the Michael Thomas Consultancy submitted on behalf of Harrier developments Ltd.

13.52 Vectos on behalf of Sainsbury conclude that customers would be deterred from travelling to the foodstore site on Station Road for various reasons including the unreliability of travel due to the regular shutting of the level crossing, queuing and delays caused by the level crossing – this may deter people from visiting the Station Road site. Although acknowledging that the impact of the level crossing on a foodstore is a matter of judgment and circumstance Vectos conclude that in isolation the Station Road site is constrained and some customers will not use it, in the event that an alternative store is constructed elsewhere Vectos conclude that trade to Station Road would be minimal. They also note that the inconvenience caused by the level crossing would include the likelihood of being stopped at the level crossing, the unreliability of travel and the inconvenience of being stopped.

13.53 The Michael Thomas Consultancy (MTC) on behalf of Harrier Developments Ltd. has provided a detailed assessment of the impact of the level crossing in response to the Vectos report. They conclude that the level crossing based on their survey will not be a significant constraint that will act as a deterrent to potential food store customers.

13.54 MTC note that compared with existing constraints on the A605 at Eastrea Road the level crossing on Station Road does not represent a significant increase in delay for customers to the Station Road site. MTC strongly disagree with the conclusions reached by Vectos. They also suggest that although it is acknowledged that the position of the Station Road site is less favourable than at the Eastrea Road store, use of competing offers on convenience goods, competitive fuel prices and other such marketing strategies will ensure that the Station Road store draws its share of customers.

Officers agree with Vectos that there is not a significant difference between Vectos and MTC as to the underlying facts of the impact of the level crossing in highways terms and that the impact of a level crossing on trade at a foodstore is ultimately a matter of judgment. On balance, officers consider that for the reasons referred to above by MTC, the level crossing will not be such a significant constraint that it will act as a deterrent to potential food customers.

13.55 For information CCC Highways did not raise objection on highway safety grounds to the Station Road scheme (F/YR09/0582/O) due to the presence of the level crossing.

#### Section 106 Contributions

13.56 There will be a requirement for a section 106 agreement in respect of application F/YR11/0482/F (Harrier). To meet the requirements of the Highway Authority the s106 agreement will secure provision of the new access roundabout and associated works, provision of a travel plan for the site and provision of a hopper bus service. The s106 agreement will also secure the relinquishment of the Station Road consent (F/YR09/0582/O). Whilst a lump sum of £250 000 has come forward from Harrier for improvements to the market square and town centre, officers have to be satisfied that the sum proposed complies with the Community Infrastructure Levy requirements. Upon further consideration officers do not consider that this sum can be justified against the CIL Regulations such that the Council could rely upon it in the grant of any planning permission.

## 14. CONCLUSION

- 14.1 All three planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration must be given to Regional and local adopted and emerging planning policy as well as National policy. Taking all material matters into consideration officers make the following conclusions in respect of each application.
- 14.2 In respect of application F/YR11/0482/F (Harrier Developments Ltd) it is concluded that the development will not result in an increase in convenience floor space above that already consented at the Station Road site. Although there will be a small increase of 188 sqm in the overall retail floor space, when considered against the sequential and impact tests in terms of affecting the viability of the town centre the application is considered acceptable. The contemporary design and proposed layout is appropriate to this locality and ensures that existing residential amenity is protected. Access to the site can be provided for various transport modes including walking, cycling, public transport and the car. In addition this location is considered to be preferably sustainable to the Station Road site.
- 14.3 The proposed development is therefore considered to comply with most of the relevant planning policies which remain within the adopted Local Plan these being policies E1, E3, E8, E20 and TR3. However, although the proposed location is adjacent to the Development Area Boundary it remains outside of that boundary and so contrary to Local Plan Policy EMP4. As stated above, the key consideration is whether there are material considerations which outweigh the conflict with the Development Plan. Officers consider that the proposal is in a relatively sustainable location adjacent to the DAB. It does comply with emerging policies CS4, CS5 and CS9 contained in the draft Core Strategy. Officers consider that, in the particular circumstances of this case, compliance with these policies (particularly Policy CS9 in the context of the conflict with EMP4) carries significant weight. The proposed scheme is also consistent with policies contained within the NPPF. The grant and implementation of planning permission for this proposal will also ensure that the Station Road food store consent will not be implemented. In officer's view this is a matter of significant importance as two food stores would cause harm to the town centre (see 14.6 below) and so carries significant weight given the retail impact evidence. There is also the potential secondary benefit this may have of releasing additional land on an existing industrial allocation for new business / commercial uses. All of these material considerations taken together indicate that the application should be permitted. The application is therefore recommended for approval subject to appropriate conditions and a comprehensive section 106 agreement.
- 14.4 With regard to application F/YR11/0895/O (Whitacre Management Ltd) as set out above officers are not convinced of the need for this additional employment site taking into account the existing level of available commercial land in Whittlesey. It must also be noted that in the event of the Harrier application being granted this may ameliorate the situation by releasing additional commercial land on Station Road. Officers are not convinced that the applicants have provided adequate justification or evidence of need for the proposed development. As previously noted although the applicant has adopted an urban extension approach to this scheme which shows an attempt

at compliance with policy CS5, linking it to the Sainsbury scheme and country park, this is not considered an appropriate location for an extension to Whittlesey given the existing Local Plan policy and the emerging core strategy which indicates growth to the west and north of this site. Development of this site would contribute to the coalescence of Eastrea and Whittlesey; taking away the open characteristics of the existing farmland. The proposal is considered contrary to Local Plan policy EMP4 and is not in accordance with the Development Plan. It constitutes development in the open countryside. It also does not accord with the emerging Core Strategy Policies CS4, CS5, and CS9. The development is considered inappropriate and the officer recommendation remains to refuse the application.

- 14.5 With regard to application F/YR11/0930/F (Sainsbury Supermarkets) it is considered that the application site does not represent the most sustainable location for a foodstore to serve Whittlesey. The location is contrary to EMP4 and the application is not in accordance with the Development Plan. If approved as a second large format food store there would be a significant adverse affect on the vitality and viability of Whittlesey town centre. Although the RTP commercial viability assessment of the trading viability of a foodstore at Station Road places doubt on the commercial viability of the Station Road site the fact that there is a contractual commitment between Tesco and Harrier to build either the Station Road or Eastrea Road sites proposed by Harrier has to be taken into account. On balance it is felt that there is sufficient evidence concerning the pre-existing Station Road consent which means that consent for the Sainsbury scheme would likely be an approval of additional retail capacity the impact of which would not be offset by any benefits obtained through the application. In any event, the risk even if small that there might be two food stores is one that is not justified given the harm that might ensue if both were developed. It is also considered that the site is not an appropriate location for an urban extension to Whittlesey and would significantly contribute to the coalescence of Eastrea and Whittlesey – it is therefore considered contrary to the Fenland draft Core Strategy (CS4, CS5, and CS9). There are therefore material considerations supporting refusal of the application and no material considerations of sufficient weight to indicate that permission should be granted contrary to the conflict with Development Plan policy.
- 14.6 Clearly the issues relating to the determination of the foodstore applications are complex and have generated a number of competing opinions from all parties involved in the applications. A significant key concern for officers throughout this process is the potential for a significant adverse impact on the vitality and viability of the town centre. Based on previous RTP assessments on behalf of the Council it is accepted that Whittlesey can accommodate only one out of town store. An additional second out of town store would cause a significant adverse impact on the vitality and viability of the town centre and the existing food store offer within the town centre.
- 14.7 Based on these facts, if the Sainsbury application (F/YR11/0930/F) is approved and the Harrier application (F/YR11/0482/F) is refused then with two consented developments (Sainsbury's and Tesco at Station Road) there is a realistic chance that two out of town stores will be constructed. In officer opinion this will significantly harm the vitality and viability of Whittlesey town centre in conflict with the NPPF.

14.8 It remains officer opinion that the Harrier site represents the most appropriate site for a foodstore taking into account issues of sustainability and current local and national planning policies. These are the primary reasons why officers consider this site to be the most appropriate location for a foodstore. Approval of this site does provide the additional benefit of enabling the Station Road consent not to be developed (as agreed by Harrier Developments).

## 15. RECOMMENDATIONS

15.1 **(1) That planning application F/YR11/0482/F (Harrier Developments Ltd.) be approved subject to the following section 106 agreement and appropriate conditions:**

### **Reason for recommendation**

Applying Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the application is not considered to be in accordance with the Development Plan which consists of the Cambridgeshire and Peterborough Structure Plan adopted September 2003, the Fenland District Wide Local Plan adopted August 1993, and the Fenland District Wide Interim Statement of Proposed Changes approved January 2001. The application is considered to comply with the following planning policies: Fenland Local Plan: E1, E3, E8, E20 and TR3. However, The location of the proposal is outside of the Development Area Boundary contrary to EMP4 and in the countryside.

However, the location of the proposal is in a relatively sustainable location and complies with emerging policies CS4, CS5 and CS9 contained in the draft Core Strategy July 2012. The application is also considered to be in accordance with the National Planning Policy Framework, March 2012. The grant of permission here will ensure that only one out of town food store consent will be implemented consistently with retail impact advice. This may have the effect of releasing existing industrial land for new business / commercial uses. Taken together, these material considerations outweigh the conflict with the Development Plan.

All other material planning considerations have been taken into account and none are individually or cumulatively of such significance as to outweigh this recommendation.

### **Section 106**

- Construction and provision of a roundabout on Eastrea Road and a pedestrian crossing to connect the development to the north side of Eastrea Road and an access road and footways up to and including the southern end of the roundabout splitter island on the southern arm of the roundabout, the upgrading of street lighting and Eastrea Road signage and the stopping up and permanent closure of the existing access to the site prior to the operation of the food store or petrol filling station commencing.
- Trading shall not commence from the food store or the petrol filling station until a travel plan co-ordinator has been appointed and a travel plan is submitted to the District and County Council for approval.

- Prior to the opening of the food store to provide a hopper bus service to serve the development.
- Prior to the commencement of trading to submit to the District Council proposals and a scheme for the provision of equipment and facilities for the display of local information directed to the promotion of Whittlesey Town Centre and its businesses services and facilities and implement the said scheme as approved prior to the opening of the food store.
- The owner of the land of planning permission F/YR09/0582/O must enter into a section 106 agreement agreeing not to implement permission F/YR09/0582/O if permission F/YR11/0482/F is implemented. Further the 106 agreement must provide that if permission F/YR11/0482/F is implemented then the relevant owners agree not to implement permission F/YR09/0582/O. Also in the event that the Council makes an order under section 97 of the Town and Country Planning Act 1990 to modify or revoke the planning permission F/YR09/0582/O or F/YR11/0482/F (depending on whichever has been implemented first) then owner shall not object in any way to any such order being made nor to seek compensation in respect thereof..  
To commit the agreed schedule of works.

### **Conditions**

- 1) The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be implemented on site in accordance with the approved timetable.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to and approved in writing by the Local Planning Authority.

If during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further



information will be required to grant permission then the applicant must provide, to the LPA:

2.A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

(i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.

(ii) The requirements of the Local Planning Authority for site investigations have been fully established, and

(iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.

Following written LPA approval of the Site Investigation the LPA will require:

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

4. The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.

Reason - To control pollution of land or water in the interests of the environment and public safety.

- 3) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

- 4) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage Authority. The scheme shall subsequently be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding.

- 5) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The scheme shall subsequently be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters.

- 6) All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

- 7) The proposed earth bund located to the western boundary of the site shall be completed to the satisfaction of the local planning authority prior to the food store and petrol filling station use commencing.

Reason - In the interests of residential amenity

- 8) Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2005. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.

**Reason - To ensure that retained trees are adequately protected.**

- 9) Prior to the operation commencing of the development hereby approved, the proposed on-site parking shall be demarcated, levelled, surfaced and drained in accordance with the approved plan(s). Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of residents / occupiers of the approved scheme, and shall not be used for any other purpose.**

**Reason - In the interests of highway safety.**

- 10) Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.**

**Reason - To ensure a satisfactory form of development.**

- 11) The development hereby permitted shall not be commenced until such time as a scheme to install the petrol filling station underground tanks has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of the following: excavation, the tank(s), tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.**

**Reason - To prevent pollution of groundwater and/or inland freshwaters**

- 12) Prior to the commencement of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.**

**Reason - To safeguard the visual amenities of the area.**

- 13) No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.**

**Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.**

- 14) The convenience sales area floor space of the proposed food store hereby approved shall not exceed 2,062 sq.m and the comparison goods sales area floorspace shall not exceed 398 sqm (total 2,460sqm).**

**Reason - In order to ensure that the proposal does not detrimentally affect the vitality and viability of Whittlesey Town Centre.**

**15.2 (2) That planning application F/YR11/0895/O (Whitacre Developments Ltd.) be refused for the following reasons:**

- 1. The proposed development is contrary to policy EMP4 of the adopted Local Plan in that it is located within open countryside and sufficient need for the scheme has not been demonstrated. Applying section 38(6) of the Planning and Compulsory Purchase Act 2004 the application is not considered to be in accordance with the Development Plan which consists of the Cambridgeshire and Peterborough Structure Plan adopted September 2003, the Fenland District Wide Local Plan adopted August 1993, and the Fenland District Wide Interim Statement of Proposed Changes approved January 2001.**
- 2. The proposed development does not accord with the Fenland Draft Core Strategy policies CS4, CS5 and CS9 in that the site is located within open countryside and is not located within the identified broad areas of growth for Whittlesey. The site is considered unsustainable - contrary to the National Planning Policy Framework (achieving sustainable development and section 1). It is considered important that the site is retained as open agricultural land as this plays an important role in preventing coalescence of development between Eastrea and Whittlesey.**

**All other material considerations have been taken into account and none are individually or cumulatively of such significance as to outweigh this recommendation.**

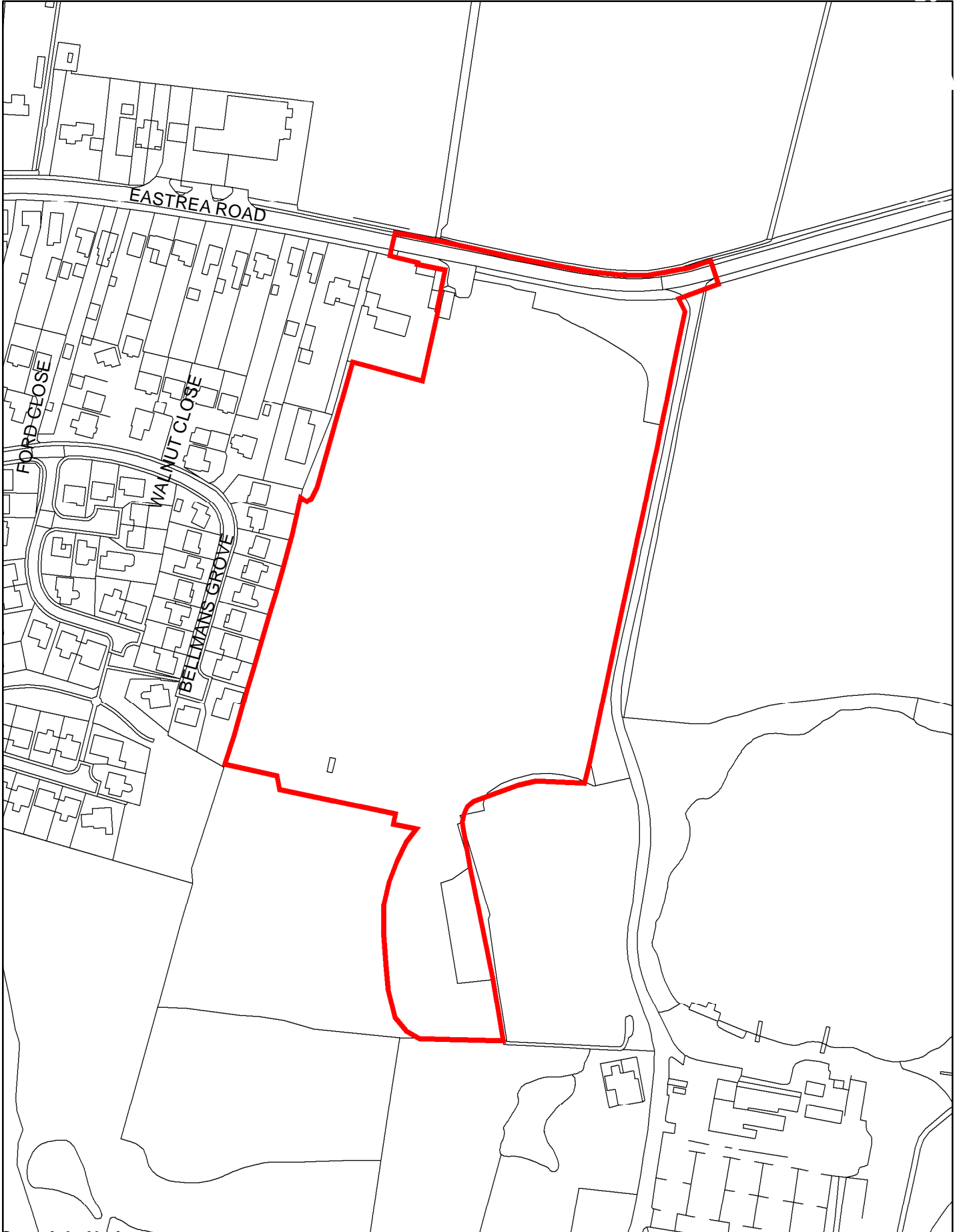
**15.3 (3) That planning application F/YR11/0930/F (Sainsbury's Supermarkets Ltd.) be refused for the following reasons:**

- 1. The proposed development is contrary to policy EMP4 of the adopted Local Plan in that it is located within open countryside and does not represent the most sustainable location for a foodstore to serve Whittlesey. Applying section 38(6) of the Planning and Compulsory Purchase Act 2004 the application is not considered to be in accordance with the Development Plan which**

consists of the Cambridgeshire and Peterborough Structure Plan adopted September 2003, the Fenland District Wide Local Plan adopted August 1993, and the Fenland District Wide Interim Statement of Proposed Changes approved January 2001.

2. The proposal is contrary to the National Planning Policy Framework (section 2) as the development will have a significant negative impact on the vitality and viability of Whittlesey Town Centre. The proposed development does not accord with the Fenland Draft Core Strategy Policies CS4, CS5 and CS9 in that the site is located within open countryside and is not located within the identified broad areas of growth for Whittlesey. The site is considered unsustainable - contrary to the National Planning Policy Framework (achieving sustainable development and section 1). It is considered important that the site is retained as open agricultural land as this plays an important role in preventing coalescence of development between Eastrea and Whittlesey.

All other material considerations have been taken into account and none are individually or cumulatively of such significance as to outweigh this recommendation.



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**Developments Service**

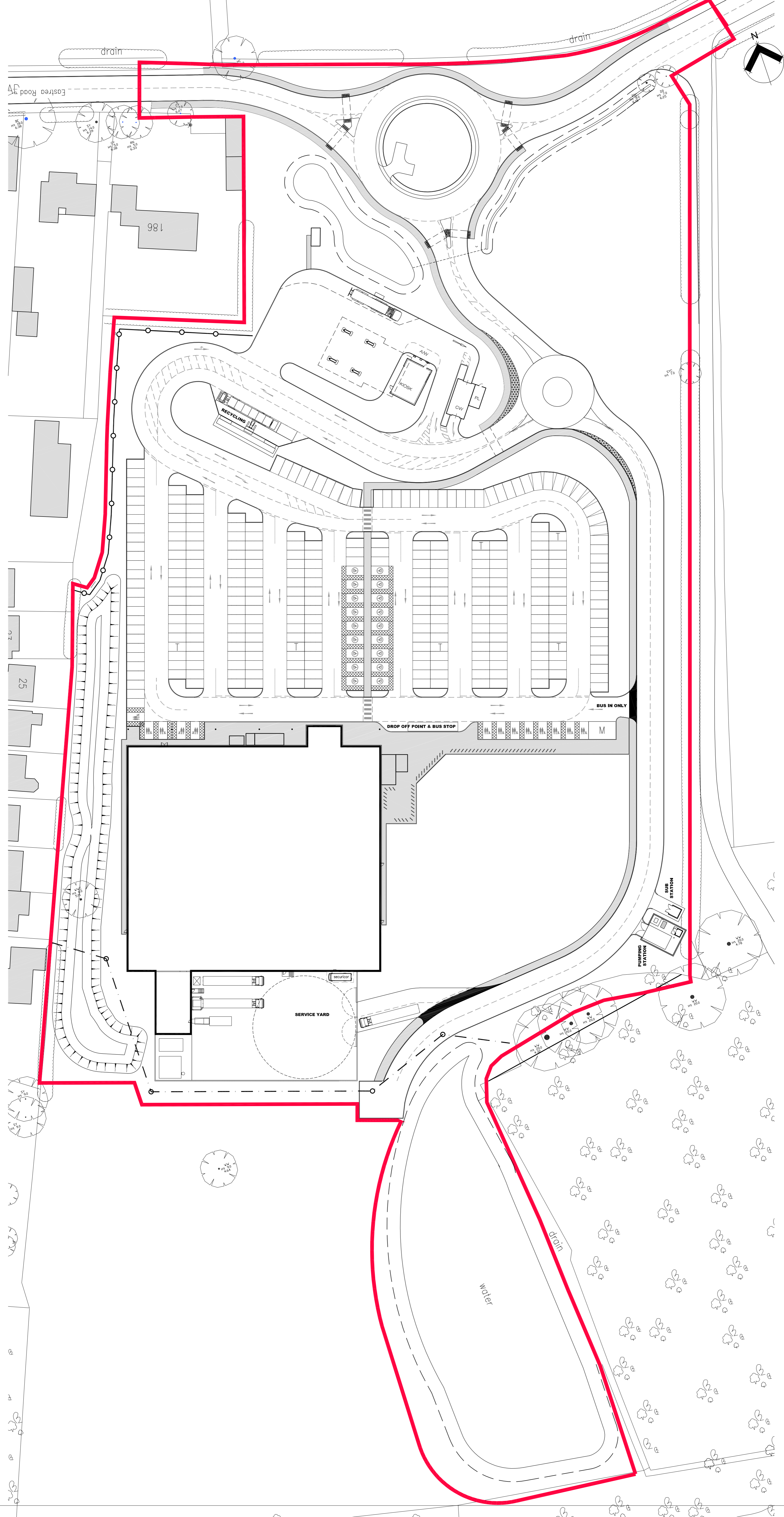
**F/YR11/0482/F**

Scale: 1:2,500



**Fenland**  
CAMBRIDGESHIRE  
Fenland District Council

All dimensions to be checked by user and any discrepancies, error or omissions to be reported to the architect before work commences. Read this drawing with all relevant materials.



A 12/10/2011 FF RML Added new footpath to south east of big roundabout and added pedestrian crossing points on above splitters. Moved drainage ditch slightly.

Rev Date: A 12/10/2011  
 Drawn: FF  
 Description: RML

**FULL PLANNING APPLICATION**

Client: **Harrier Developments Limited**

Project: **Eastrea Road, Whitlsey - Proposed Food Store**

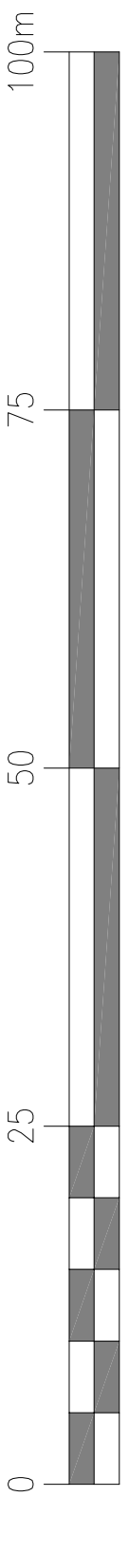
Working Title: **Proposed Site Plan**

Project number: **1284**

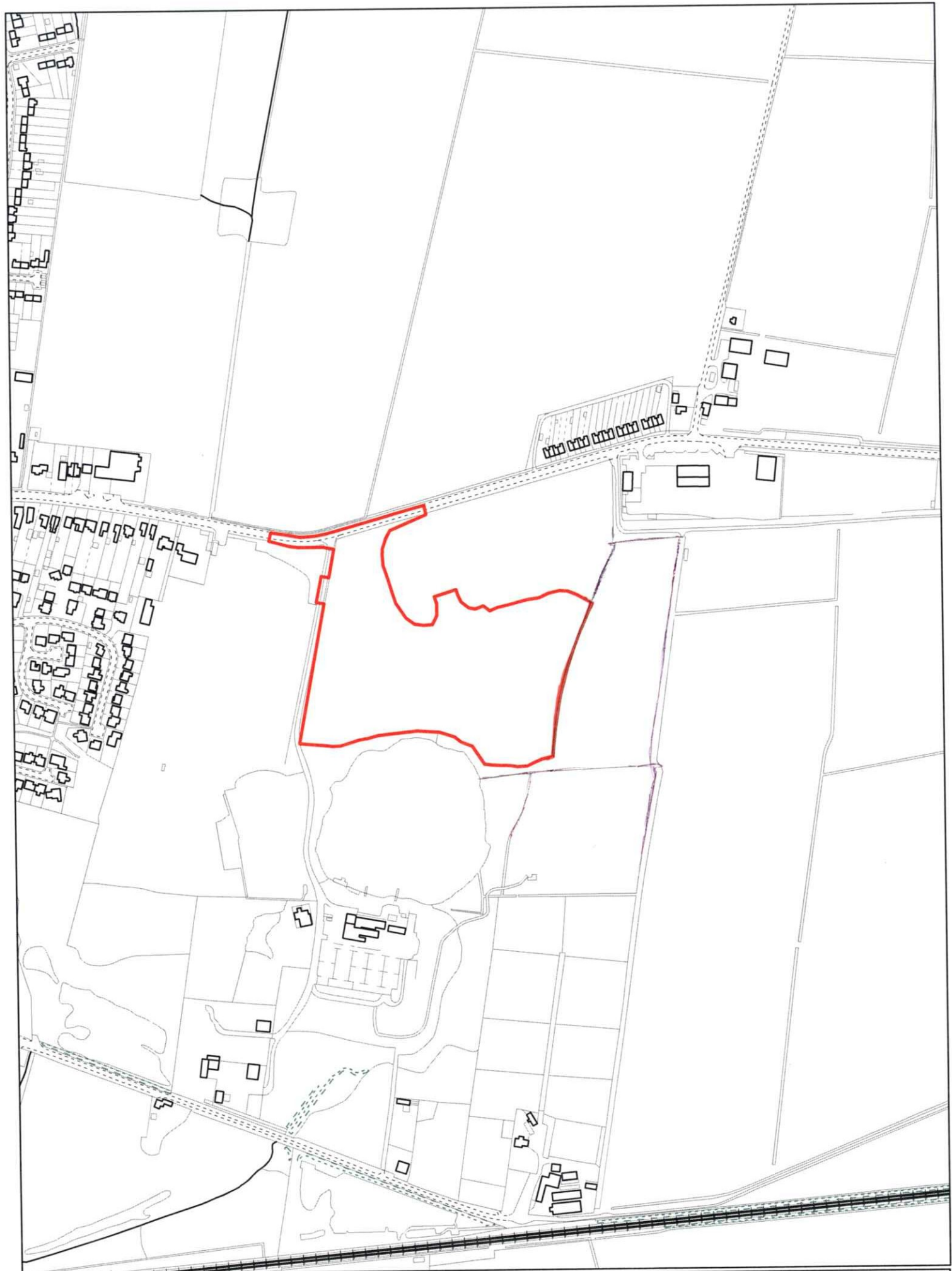
Drawing number: **PL1999**

Scale: **A**

accord\_architecture  
 Graham House, Pennells Court, Guildford, Surrey, GU1 4EY  
 [U] 01483 45010 [F] 01483 45010 [E] info@accordarchitecture.com  
 date: April 2011  
 draw: FF  
 scale: A1:  
 1:500



NB. Refer to Highways Engineer drawings 919-16A & 17D For J1 & J2 highway alteration respectively



Created on:

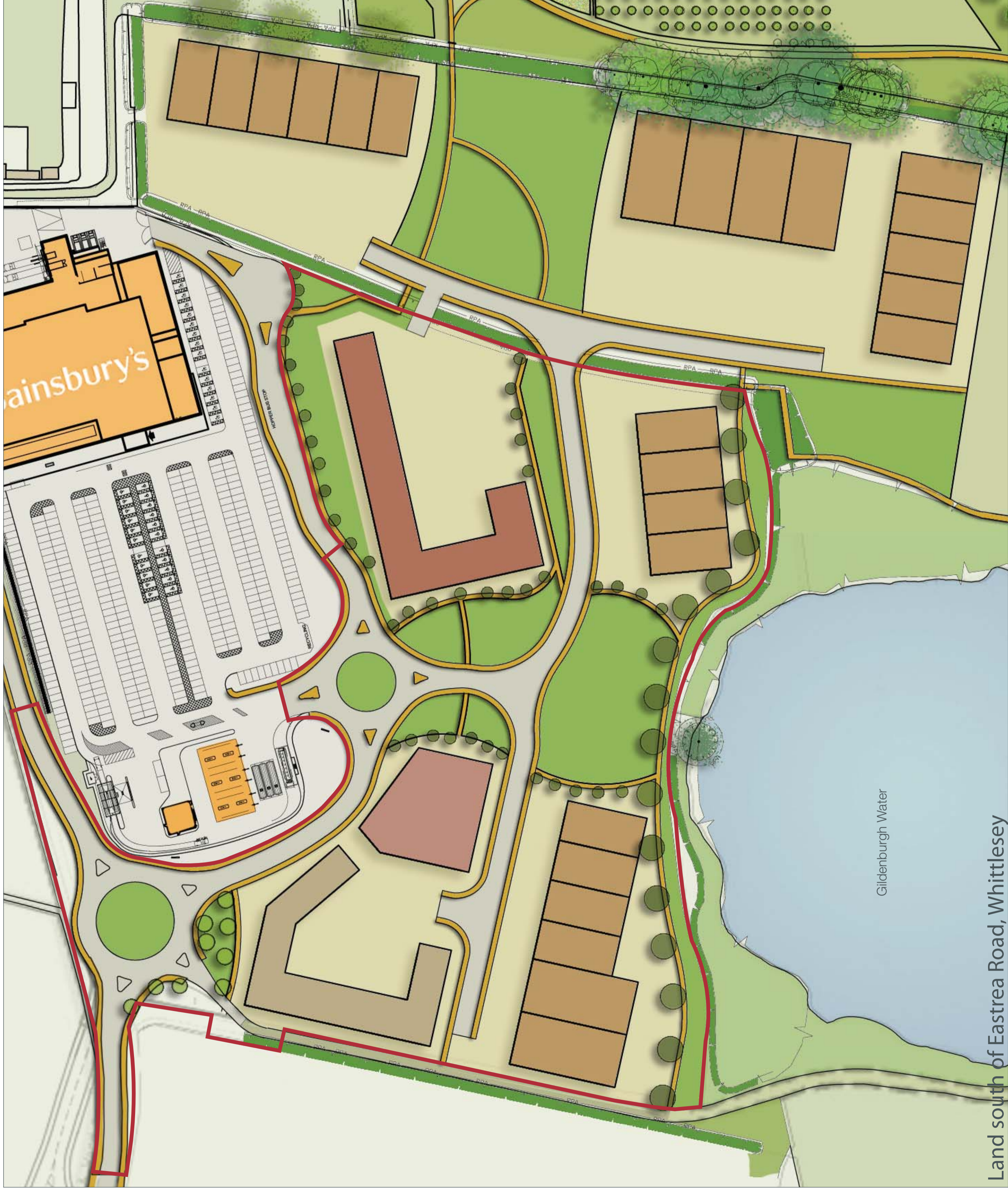
F/YR11/0895/O

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Scale = 1:5,000







**KEY**



- Site application boundary - Business park
- Proposed B1 use (Commercial spaces)
- Proposed A class use (A2, A3 & A5) (Financial/Professional Services, Cafe/Restaurant, Hot Food Takeaway)
- Proposed D1 use (Community use)
- Proposed B1c use (Light industry compatible with residential)
- Proposed junction layout based on access arrangement for the Larkfleet development to the north of Eastrea Road

**INDICATIVE SCHEDULE OF ACCOMMODATION FOR PROPOSED BUSINESS PARK**

Use class	Area (sq m)	Storeys (nos)
B1	4,500	2
B1c	13,250	Single
D1	4,000	2
A (incl. A1, A2, A3 & A5)	2,500	2
<b>Total</b>	<b>24,250</b>	

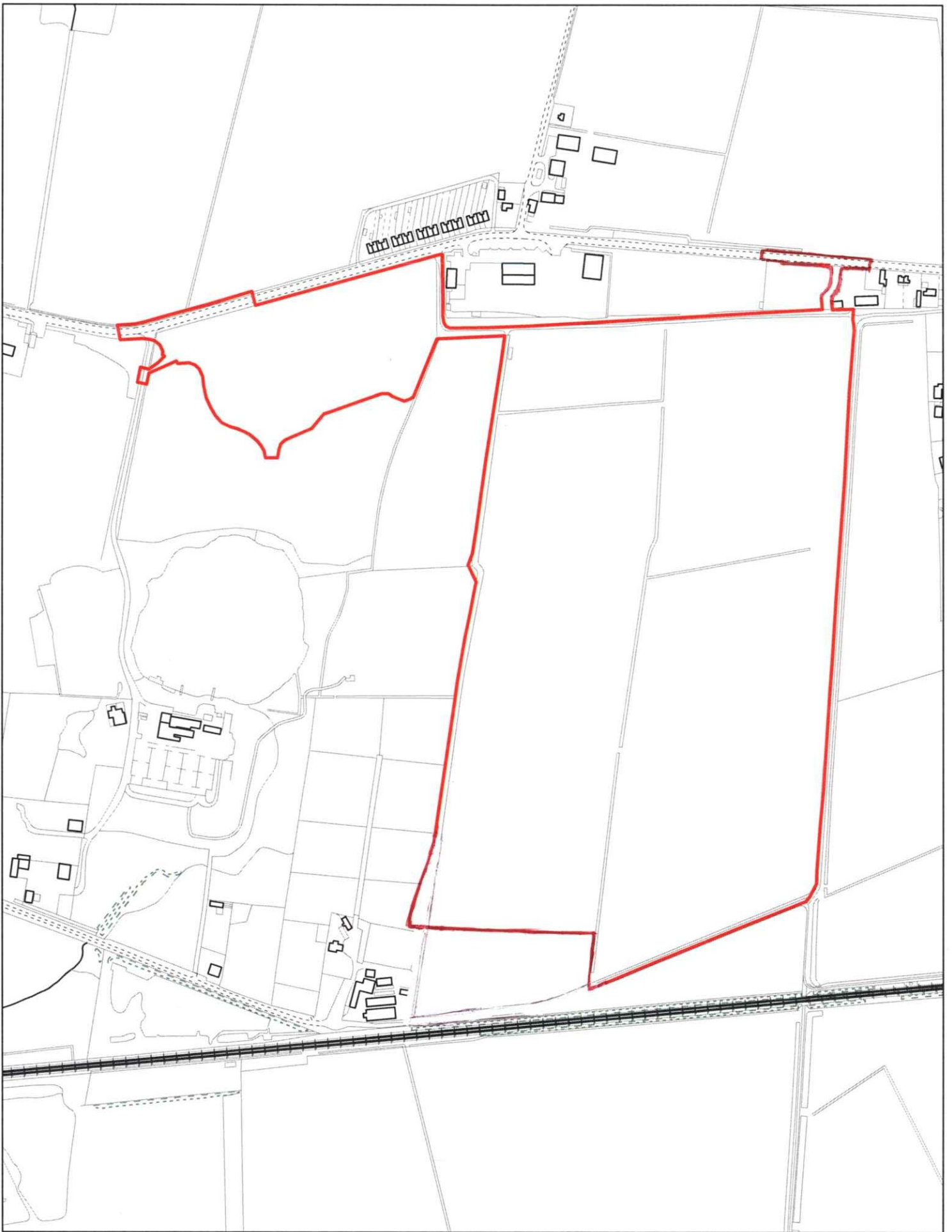
**Land south of Eastrea Road, Whittlesey**  
on behalf of Whitacre Management Ltd

drawing no. UD03  
rev D  
scale 1:1000 @ A2  
drawn by UK  
checked by AJH

Block plan  
Business park proposals  
job no. CAUD233831  
date 24/02/2012

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\\oxford03\urban design\urban design\Whittlesey\PR 111028 KS Application drawings A2.indd, 24/02/12.





Created on: 8/12/2011

F/YR11/0930/F

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Scale = 1:5,000





Utility company  
substation

283

271

Drain

New 43m diameter  
roundabout on  
Eastrea Road

SSL Totem

6 pumps PFS

SSL Totem

New 36 m diameter  
roundabout to SSL  
store, car park & PFS

5 Van GOL

Proposed service road

LOWERED  
SERVICE  
YARD  
+4.0

+5.30

+5.30

+4.50

+4.50

+5.30

BAKERY

STORAGE AREA

COLLEAGUES AREA

CHECKOUT

A1 LOBBY

WC  
JSR

2 Nos.  
ATM

PICKUP POINT

HOPPER BUS STOP

RECYCLING  
FACILITY

PETROL

EASTREA ROAD

Bdy

<p>Rev / Date / Version Description</p> <p>A / 03.11.11 / Issued for Planning</p> <p>A / 29.11.11 / Columns on proposed ground floor plan &amp; notes added; Site boundary and notes updated.</p>	<p>Drawn / Date / Version</p> <p>MP / PH</p> <p>MP / PH</p>	<p>Client: Sainsbury's Supermarket Ltd</p> <p>Project Name: Whitlsey, Lattersley Field New Store</p> <p>Drawing Title: Proposed Ground Floor Site Plan with 30K Store at Grade &amp; 6 pumps PFS</p>	<p>Client Logo</p>	<p>Client: Sainsbury's Supermarket Ltd</p> <p>Project Name: Whitlsey, Lattersley Field New Store</p> <p>Drawing Title: Proposed Ground Floor Site Plan with 30K Store at Grade &amp; 6 pumps PFS</p>	<p>Drawing Status: Planning Submission</p> <p>Drawing Details: SFILES</p> <p>Drawn By: MP</p> <p>Drawn Date: Oct 2011</p> <p>Checked By: PH</p> <p>Scale @ A1: 1:500</p> <p>Revision: A</p> <p>Drawing Number: DMWR/A1/2868/PL-00102</p>
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**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION**

In addition to the hazards/risks normally associated with the types of work Assessment, note the following:

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Use Dimensions - DO NOT SCALE

Contractors Must Verify All Dimensions On Site Before Starting Work

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