

Application Number: F/YR12/0980/F
Major
Parish/Ward: March Town Council
Date Received: 18 December 2012
Expiry Date: 19 March 2013
Applicant: Cannon Kirk (UK) Ltd
Agent: Mr D McKenzie, M.T.P.

Proposal: Variation of Condition 12 of Planning Permission F/YR09/0648/F
(Erection of 135 houses with associated garages and parking)
in relation to construction timetable of roundabout

Location: Land West Of Old Council Depot, Gaul Road, March, Cambridgeshire

Site Area/Density: 4 Ha (development site)

Reason before Committee: This proposal is before the Planning Committee given that the Committee approved the original scheme and associated conditions.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks to vary Condition 12 of Planning Permission F/YR09/0648/F to enable a later 'trigger' date in terms of timings for the implementation of the roundabout and associated highway works.

In considering the implications of the variation sought, Officers are mindful of the stance taken in the National Planning Policy Framework which promotes a solution based approach to planning which responds to changing market conditions and facilitates development.

The variance, in essence, maintains the delivery milestone for the roundabout and associated works previously promoted (i.e. by the 50th dwelling), albeit moving it in terms of the actual date

As the highway works will still be delivered at an appropriate point in the scheme delivery and in the absence of any material planning considerations to indicate otherwise Officers support this variation and favourably recommend the same.

2. HISTORY

Of relevance to this proposal are the following:

- | | | |
|--------------------------------|--|-------------------------|
| 2.1 F/YR11/0860/NON MAT | Non-material amendment: Alterations to House Type H and alterations to site layout to accommodate changes | Approved 9 January 2012 |
| F/YR11/3027/COND | Details reserved by conditions (Phase 1 only) 5,7,8,13,14 and 15 and 16 (finished floor levels for phases 1 & 2 only) of planning permission F/YR09/0648/F | Details agreed |

F/YR09/0648/F	Erection of 135 Houses comprising 34 x 2-bed, 48 x 3-bed and 53 x 4-bed with associated garages and parking	Granted 26 April 2011
F/YR05/0944/F	Erection of 135 dwellings comprising: 6 x 6 bed houses, 29 x 5-bed houses, 50 x 4 bed houses, 37 x 3 bed houses, 6 x 2 bed houses, 3 x 2 bed flats, 4 x 1 bed flats and associated garages and parking	Granted 4 th April 2008
F/YR04/3814/F	Change of use of agricultural land to Riverside Park incorporating visitors car park, play area and landscaping	Granted 4 th April 2008
F/R01/0158/O	Residential Development of up to 150 units including road improvements to Gaul Road and extension to West End Park as a public facility	Refused (lack information) 22 April 2002

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

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

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.

Paragraph 173: Ensuring viability and Deliverability

Paragraph 187: LPAs should look for solutions rather than problems

Paragraph 205: Where obligations are being sought and revised, LPAs should take into account market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

3.2 Draft Fenland Core Strategy:

CS3: Spatial Strategy & Settlement Hierarchy

CS4: Growth and Housing

CS9: March

CS13: Supporting and Managing the Impact of a Growing District.

CS15: Creation of a More Sustainable Transport Network in Fenland

CS16: Delivering High Quality Environments

3.3 Fenland District Wide Local Plan:

MAR/R1: Allocation of land for POS with the release of housing land to facilitate

H3: Development Area Boundaries/Protection of Character and Amenity/Highway Safety

E8: Landscape and amenity protection

4. CONSULTATIONS

4.1 *Town Council*

Recommend Approval

In addition to this two ward councillors have emailed direct to indicate their support 'in view of current financial austerity locally and national have no objection to an extension of this condition'.

4.2 *Cambs CC Highways*

Initial Comments: Raise no objection provided the completion of the roundabout and off-site works remains linked to the construction of the 50th dwelling

Further comments on receipt of Capacity Analysis: For completeness request that the capacity analysis also include the committed development on the south side of Gaul Road in order to present a robust scenario to support their proposed revised build programme.

4.3 *Local Residents:*

None.

5. SITE DESCRIPTION

5.1 The site is located to the north of Gaul Road, to the west of No 119 and the development known as Riverbank Close. It covers an area of approximately 4 Ha and is currently under construction as per the approval detailed above. The variation relates to associated highway works, which are primarily at the junction of Gaul Road and the A141.

6. PLANNING ASSESSMENT

6.1 *Background*

This application seeks to vary the condition relating to the implementation date of the roundabout. It is supported by details of the existing build programme on the site and a refreshed transport study, which focuses on junction capacity.

It was originally anticipated by the Developers that by the end of 2012 some 40 units would have been constructed, however, slippages due to external factors have seen the development slow in terms of build out.

The projected completion rates in the current climate are outlined within the submission as follows:

2012 – 4 units (actual)

2013 – 20

2014 – 20

2015 – 20 (6 to the end of April 2015)

The analysis as supplied indicates that the Gaul Road/A141 junction in March has capacity and can accommodate the traffic generated by 50 dwellings when combined with the predicted increase in background traffic due to natural growth to the year 2015 in the build programme.

The application is considered to raise the following key issues;

- Principle and policy implications
- Highways.

6.2 ***Principle and Policy Implications***

The related housing site benefits from an extant permission and as such it is solely the issue of roundabout delivery that should be revisited at this time, as the scheme has been found to be previously policy compliant. There are no local plan policies which deal with such submissions specifically, however, there is still an overriding requirement to ensure highway safety. There is a clear national steer within the NPPF to recognise market conditions and ensure Local Planning Authorities focus on facilitating solutions to ensure sustainable development is delivered.

6.5 ***Highways***

The proposal relates to a shift in delivery timings for the roundabout and associated highway works. The LHA indicated that they had no objection to the change in trigger in terms of dwelling numbers, however, their later consultation response did request that the refreshed capacity analysis made specific reference to an outline consent given to the south of Gaul Road. Given that each of these developments are stand alone and that the latter consent on the southern side of Gaul Road was supported by its own traffic data it is felt unreasonable to insist on this information; as again the alternative trigger maintains the status quo in terms of extant approvals.

7. **CONCLUSION**

- 7.1 The site benefits from an existing extant consent and this variation of conditions application clearly evidences that the changing market has contributed to a slowing of build rates due to a range of factors. A refreshed Capacity Study has been submitted in support of the proposed implementation date now proposed and Officers consider this evidences, together with the supporting information regarding build rates, that the variation in essence maintains the previously agreed position regarding implementation in 'real' terms albeit shifting implementation in terms of 'date'.

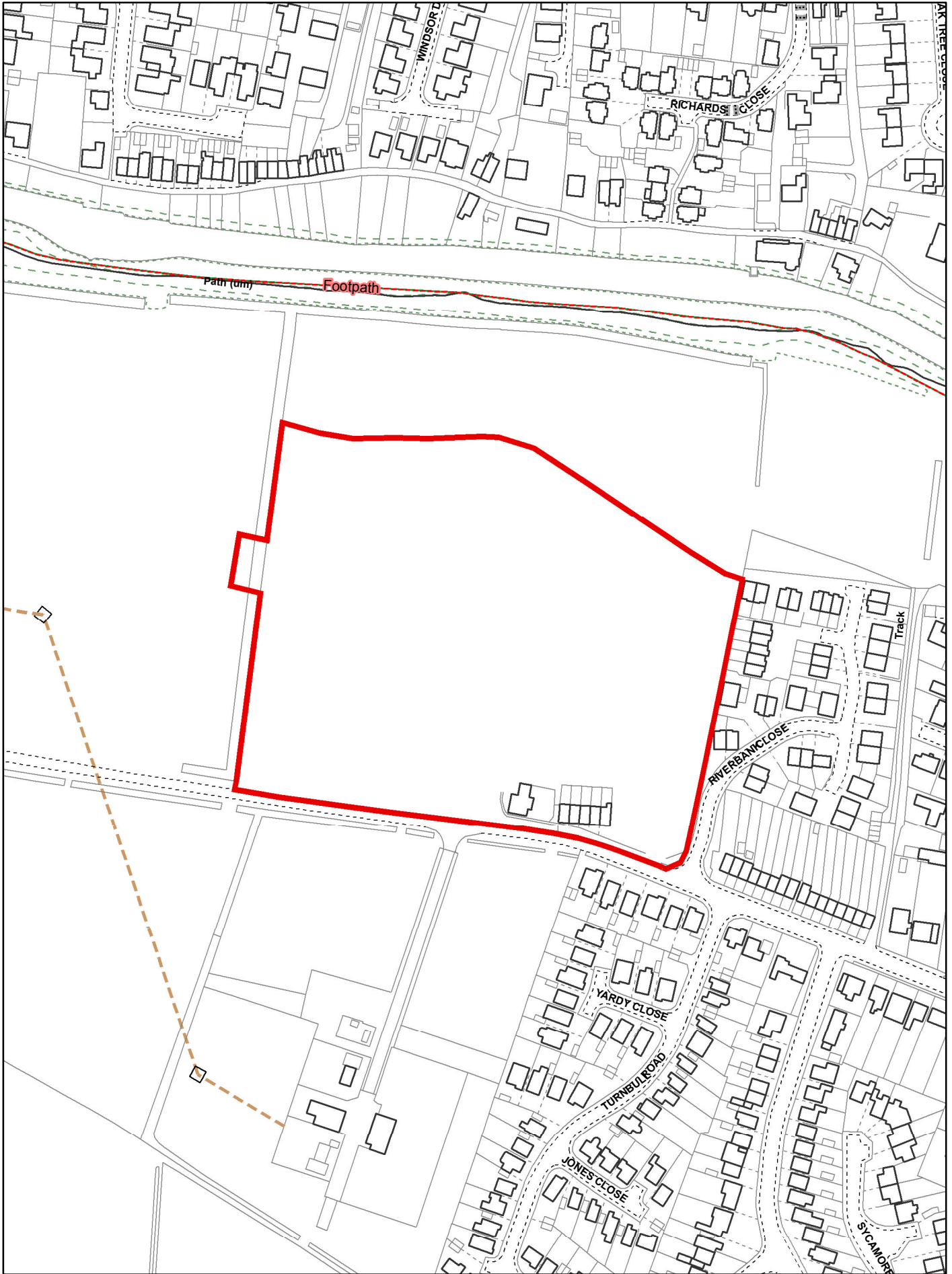
8. **RECOMMENDATION**

Grant subject to variation of original S106 and a condition to re-establish the implementation trigger for the roundabout and highway works

- 1 **Prior to the occupation of the 50th dwelling on the site or within 2 years of the date of this decision, whichever is soonest, the new roundabout on the A141 including the realignment of Gaul Road, as agreed by virtue of F/YR09/0648/F and details submitted pursuant to F/YR11/3027/COND shall be completed in strict accordance with the approved scheme and thereafter retained.**

Reason - In the interests of highway safety

2 Approved Plans.



Created on: 21/12/2012

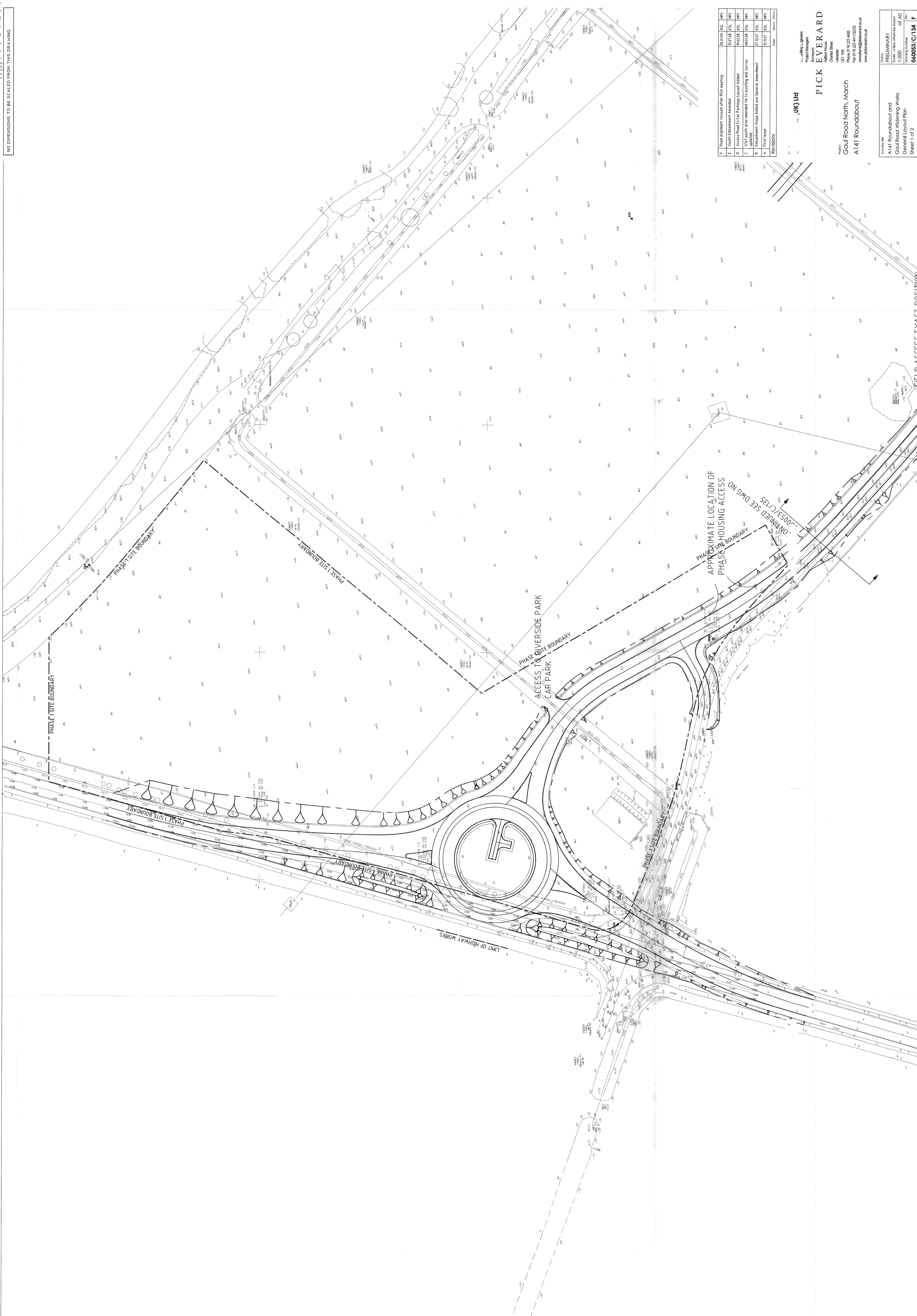
F/YR12/0980/F

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Scale = 1:2,500



NO DIMENSIONS TO BE SCALED FROM THIS DRAWING



F	Road alignment revised after RSC meeting	15.12.09	HSJ	PKC
E	South Embankment amended	16.01.08	HSJ	PKC
D	Access Road to Car Parkings Layout Added	19.02.08	HSJ	PKC
C	A141 with area amended file to existing and survey	18.01.08	HSJ	PKC
B	Embankment Slope Added and General Amended	01.12.07	HSJ	PKC
A	First Issue	15.12.07	HSJ	PKC
REVISIONS		Date	Drawn	Checked

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Project No.	A141 Roundabout and Goul Road Widening Works
Client	General Road Plan
Sheet No.	060053/C/134
Scale	1:500
Date	01.12.07
Author	HSJ
Checker	PKC
Drawn	HSJ
Checked	PKC
Scale	1:500
Date	01.12.07
Author	HSJ
Checker	PKC
Drawn	HSJ
Checked	PKC