

Application Number: F/YR13/0879/F
Major
Parish/Ward: March/March West Ward
Date Received: 21 November 2013
Expiry Date: 28 March 2014
Applicant: Cannon Kirk (UK) Ltd
Agent: Mr D McKenzie, McKenzie Town Planning

Proposal: Variation of Condition 12 of Planning Permission F/YR09/0648/F (Erection of 135 houses comprising with associated garages and parking) in relation to a signal controlled junction for the previously approved roundabout scheme

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

Reason before Committee: Previous committee decision

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site to which this application relates is the A141 / Gaul Road crossroads. The A141 north/south links Ely to Wisbech. The eastern arm of Gaul road leads into March and the western arm is a single track road leading to Gaul Farm.

All matters pertaining to the original 2009 proposal are unchanged; this application seeks consent to utilize a traffic signaled junction only. Therefore the main issues associated with this proposal are:

- 1. Highway Safety**
- 2. Legal Agreement**

The key issues have been considered against Local and National Planning Policies. It is considered that, on balance, the proposal would not result in an unacceptably adverse highway safety risk and an infrastructure contribution can be secured through a Section 106 Legal Agreement. Therefore this proposal is considered to be acceptable subject to planning conditions.

2. HISTORY

Of relevance to this proposal is:

2.1 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 and associated garages and parking	Granted (Committee Decision) 4.4.2008
F/YR09/0648/F	Erection of 135 houses comprising of 34 x 2-bed, 48 x 3-bed and 53 x 4-bed with associated garages and parking	Granted (Committee Decision) 26.04.2011

F/YR11/0860/NONMAT	Non-Material amendment: Alterations to house type H (plots 1, 3, 21, 37, 39-40, 49, 51, 58-59, 62, 78-79, 82, 109, 112, and 121-123) including increase in width of dwelling, alterations to location/size of windows/doors and alterations to site layout to accommodate changes, relating to planning permission F/YR09/0648/F (Erection of 135 houses)	Granted (Delegated) 9.1.12
F/YR11/3027/COND	Details reserved by conditions 2, 3 (phase 1 only), 5, 7, 8, 13, 14, 15 and 16 (finished levels for phases 1 and 2 only) of planning permission F/YR09/0648/F (Erection of 135 houses)	Pending Consideration, surface water scheme still in discussion
F/YR12/0980/F	Variation of Condition 12 of Planning Permission F/YR09/0648/F (Erection of 135 houses comprising with associated garages and parking) in relation to construction timetable of roundabout	Supported by committee however pending decision awaiting outcome of this submission
F/YR13/0610/NONMAT	Non-material amendment: Plot 131 - Reduction in garden width; Plot 132 - change from double garage to single garage and amended siting; Plot 133 - addition of attached single garage; Plot 134 - garage and parking relocated, relating to planning permission F/YR09/0648/F (Erection of 135 houses comprising of 34 x 2-bed, 48 x 3-bed and 53 x 4-bed with associated garages and parking)	Granted (Delegated) 11.09.13
F/YR13/0939/NONMAT	Non-material amendment - Inclusion of a single-storey bay window to house types D & G - Plot nos's 44, 48, 50, 52, 60, 61, 63, 66, 67, 68, 74, 75, 76, 77, 80, 81, 91, 92, 93, 94, 110, 111, 124, 125, 132 & 133 and door replaced with window on side elevation of house type G in relation to planning permission F/YR09/0648/F (Erection of 135 houses comprising of 34 x 2-bed, 48 x 3-bed and 53 x 4-bed with associated garages and parking)	Granted (Delegated) 15.01.2014

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

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

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

3.3 Fenland Local Plan Core Strategy (Submission Version) – September 2013:

CS1: Presumption in Favour of Sustainable Development

CS13: Mitigating the Impact of a Growing District

CS15: Sustainable Transport Network

CS16: Delivering and Protecting High Quality Environments across the District

3.4 Fenland District Wide Local Plan:

E8 – New Development

4. CONSULTATIONS

4.1 *Town Council*

Support

4.2 *CCC Highways*

Strategic Development - No objections provided that safety and capacity issues are resolved. Comments as follows:

Given the strategic role of the A141 the County Council seeks to maintain the free-flow of traffic as far as possible and minimise junction delays. The proposed signal-controlled junction operates within normally-accepted thresholds with degrees of saturation on all approaches below 90%.

The analysis includes committed developments, background growth in line with TEMPRO to 2022, and some non-committed development which provides further comfort on the robustness of these conclusions.

Although there are wider growth proposals for March set out in the emerging Local Plan, these proposals are not yet committed and would therefore need to be assessed on their merits at the appropriate time.

Subject to the proposals being acceptable in highway safety terms, and agreement being reached with County Council traffic signal engineers on detailed design issues including securing an appropriate commuted sum for maintenance, the County Council has no strategic objection in principle to the proposed junction arrangements.

NB: The formal response of the Signals Team and Road Safety Audit are awaited; however these represent the detailed delivery aspect of the Signals/Junction rather than the 'strategic principles' which are accepted as per the above.

4.3 ***Planning Policy***

No objections – requests that County Council Highways review the strategic position of the proposal, particularly in light that the Fenland Core Strategy envisages allocating 2,000 dwellings to the west of March.

4.4 ***Sustainable Travel Officer***

No objections

4.5 ***Local Residents***

No letters of representation have been received.

5. SITE DESCRIPTION

5.1 The site to which this application relates is the A141 / Gaul Road crossroads. The A141 north/south links Ely to Wisbech. The eastern arm of Gaul Road leads into March and the western arm is a dead end, single track road leading to Gaul Farm.

6. PLANNING ASSESSMENT

6.1 All matters pertaining to the original 2009 proposal are unchanged; this application seeks consent to utilize a traffic signaled junction only. Therefore the main issues associated with this proposal are:

3. Highway Safety

4. Infrastructure Contribution

1. Highway Safety

County Council highways have advised that there are no objections to the proposed scheme, which has been modelled on 300 dwellings (170 dwellings with extant consent and 130 potential dwellings west of the Cannon Kirk site(which have no planning status at this time, either in terms of permission or allocation) and is considered to be future proofed. It should be highlighted that the proposed signal-controlled junction operates within normally-accepted thresholds with degrees of saturation on all approaches below 90% and would therefore minimise junction delays.

The Fenland Planning Policy Team has requested a strategic view of the proposed signal scheme given that Policy CS9 of the Fenland Core Strategy envisages 2,000 dwellings to be allocated to the west of March. If CS9 were implemented any scheme that came forward would be considered on its own merit and modelled accordingly. Given the historic consent for the site as a stand-alone scheme it is not considered reasonable to place additional burden at this late stage on the scheme developers. It is considered that the only reasonable consideration can be whether the signalized junction will perform a traffic control function commensurate with the previously approved roundabout and this has been satisfied through modelling.

A road safety audit has been undertaken (January 2014) which identified a number of matters that have been addressed as part of amended drawings. These included improving forward visibility splays to the signals to prevent the running of red lights and realigning the crossroads to reduce the risks in times of a signal failure. Amended plans have been submitted and Officers remain confident that the 'detail' contained therein will prove acceptable to the LHA. A further update in this regard will be made to the Committee.

The scheme therefore is not considered to result in an unacceptably adverse highway safety risk and accords with Policy CS15 of the Fenland Core Strategy DPD (Submission 2013).

2. Infrastructure Contribution

Due to the nature of the proposal an infrastructure contribution is required this will secure the ongoing maintenance of the Signalized junction. A legal agreement was previously secured as part of the original 2009 permission. Subject to the Applicants entering into a revised legal agreement the proposal would accord with Policy CS13 of the Fenland Core Strategy (Submission 2013).

7. CONCLUSION

- 7.1 The proposal has been assessed in line with Local and National Planning Policies in relation to highway safety. The proposal would not give rise to any adverse highway safety impacts and an infrastructure contribution can be secured through a Section 106 legal agreement. Therefore subject to conditions the proposal is recommended for approval.

8. RECOMMENDATION

Grant – Subject to

- i) Prior completion of S106 Deed of Variation**
- ii) Conditions as imposed on original Planning Consent – with the deletion of the condition relating to the roundabout delivery and the addition of appropriate highway conditions, which will be reported to committee**