

## Addendum to Agenda Items Tuesday 30<sup>th</sup> October 2012

### 7. OTHER REPORTS

#### ITEM 7A

LA/2010/0007

Variation of Section 106 LA/2010/0007 to vary the timing and extent of obligations at former Pearce Leather Works, Fishponds Road

Nothing to add.

### 10. ITEMS FOR DETERMINATION

#### ITEM 10A

N/2012/0923

Variation of condition 2 of planning permission 10/0075/WNN to revise the position for private drive onto new estate road at Wild Acres, Wellingborough Road

An objection has been received on behalf of the occupier of **Marazian**, which includes an assessment by a highways consultant. This assessment states that due to the scale of the development at peak times, the number of vehicles queuing to enter Wellingborough Road would be five. This would extend past the revised junction to the west of the application site and would prevent drivers from turning right from Apple Blossom Crescent. Vehicles waiting within Apple Blossom Crescent would create a hazard for vehicles leaving Wellingborough Road. Furthermore, the approved distance of 24.5m cannot accommodate the safe stopping distance for vehicles travelling at 30mph. The proposed revision reduces the visibility distance for left turners from Wellingborough Road from 38m to 32m, which means that a safe stopping distance cannot be achieved. It is probable that cars would park within Apple Blossom Crescent, which would create a further hazard.

Further comments are made regarding the nature of Wellingborough Road, which is a fast and busy road and serves as one of the main routes to the Weston Favell Centre, that traffic entering the site would not expect traffic to brake to turn right and that vehicles travelling northwards on Apple Blossom Crescent would not expect traffic to join the road from the left, which would in part be created by the acute angle of the proposed junction. Concerns are raised regarding the impact upon the protected trees.

#### Officers response:

*The submitted highways assessment has been considered by the Highway Authority, which has concluded that the views expressed within the assessment are not sufficient for them to change their previous advice. It is therefore considered that the proposed*

*revision represents a safe layout.*

*The impacts upon trees are considered within the Committee report (paragraphs 6.2 and 7.4) and for the reasons stated therein, there would be no adverse impacts upon the adjacent trees.*

An objection has been received from the occupiers of **Shalimar**, which states that the occupier was aware of the residential development when they first occupied their property (11 years ago) and were satisfied with the highway layout. The revised route would mean that vehicles using the access road would be meet with fast moving traffic in a short distance. The current temporary layout does not provide enough space to manoeuvre a vehicle safely onto the estate road. The original layout allowed for safe egress in addition to allowing a connection with the opposite service road. The developer would have been aware of the planning conditions when purchasing the land.

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**For the Urgent Attention of Ben Clarke**

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Our Ref TDW.pk.212717.1  
 Date 30 October 2012

**URGENT**

Dear Sir

**SECTION 73 PLANNING APPLICATION: N/2012/0923 - GREAT BILLING PARK WILD ACRES  
 WELLINGBOROUGH ROAD**

**PLANNING COMMITTEE MEETING 30 OCTOBER 2012**

We refer to our letter of 25 October and the earlier objection lodged with your Council to the above application by Wilbraham Associates Limited on 18 October 2012.

We are extremely concerned to note that despite our previous correspondence relating to enforcement action and this firm's obvious interest in the outcome of the current Section 73 Planning Application, we have received absolutely no notice of the Planning Committee Meeting this evening.

Further, we are extremely concerned to note that the report to Members of the Planning Committee does not refer to or analyse any of the objections received to this Application.

The indecent haste in which this matter has been referred to Planning Committee despite the very material concerns raised on highway safety (supported by the report of an independent Highway Consultant), is unacceptable and does not provide Members with a full and comprehensive analysis of all material considerations upon which to base their decision.

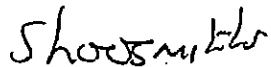
We also understand on speaking to the Planning Committee Clerk earlier this afternoon that we have no right of audience before the Planning Committee tonight and we must therefore insist that a full copy of this letter and our letter of 25 October 2012 (together with the letter from Wilbraham Associates Limited dated 18 October 2012 and the independent expert report of Mr Jones) are provided to Members of the Committee before any decision is made on this Application.

We would also urge Members to defer consideration of this Application until such time as they have had an opportunity to carry out a site visit. This is particularly important given the highway safety concerns raised and the fact that despite this being a new Application (albeit a variation of an existing condition) no evidence has been provided by the Applicant which justifies the variation of the approved application details.

Indeed, Members should be aware that the principle of development on this site was secured on appeal and the Planning Inspector made it quite clear that the minimum highway safety margins referred to in Condition 2 of the existing permission should be adhered to for highway safety reasons.

In the circumstances, we should be grateful if you would confirm that this letter will be circulated to Members at the Planning Committee tonight and that the Application will be deferred for a site visit.

Yours faithfully



SHOOSMITHS LLP

**Ben Clarke**

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**From:** Laurence [Laurence@wilbrahamassociates.co.uk]  
**Sent:** 30 October 2012 16:51  
**To:** Ben Clarke  
**Cc:** tim.willis@shoosmiths.co.uk  
**Subject:** URGENT Application N/2012/0923

Dear Mr Clark

We have just received a copy of the committee report and see our objections on behalf of Mr Shah are not referred to. In view of the concerns expressed by our highways consultant and comments on previous applications at this site from the Highways Authority which stipulated a minimum distance between the raised arm of the service road and Wellingborough Road I find it incomprehensible that the Highway Authority are not raising any objections to this application.

Under the circumstances I would request that the Highway Authority be advised of our highway consultant's analysis against current highway standards and be asked to reconsider their position.

I also note that your council's website does not provide details of the current application which seeks a variation of the 2010 application. The original application sought permission to vary Condition on outline permission of 1999, this caused us some confusion which led to a delay in formally responding to the application. This is another reason why the application should be reconsidered by the Highway Authority.

Laurence Wilbraham

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30/10/2012

