

Application No: **10/4468N**

Location: **Crossing Facility Middlewich Road Nantwich**

Proposal: **Provision of a 3 metre wide cycleway/footway, comprising sub-base material and surfaced with tarmacadam. Provision of crossing locations as detailed on drawings**

Applicant: **Cheshire East Council**

Expiry Date: **04-Mar-2011**

Ward **Nantwich**

Date Report Prepared: 8th February 2011

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- **Principle of Development**
- **Design – Impact on the Character and Appearance of the Streetscene and Conservation Area**
- **Impact on Landscape Features**
- **Impact on Protected Open Space**
- **Impact on Amenity of adjacent properties**
- **Impact on Highway Safety**

REASON FOR REFERRAL

This application is to be determined by Southern Planning Committee as the development is a small scale major application, due to site area being over 1ha, and where the applicant is Cheshire East Council.

DESCRIPTION OF SITE AND CONTEXT

The application site is split into three sections. The main stretch of the proposed development would be sited on the edge of Barony Park bounding Park View, Barony Road, and Middlewich Road. This part of the site is designated within the Local Plan as being Protected Open Space covered by Policy RT.1 and identified as being Formal Open Space. The southern parcel of the site, at Coronation Gardens, is also covered by Policy RT.1 as Informal Open Space, and is located within the Nantwich Town Centre Conservation Area and would bound Park View. The northern parcel of land crosses Whitehouse Lane and Middlewich Road then links with the A500 to the rear of the Sainsbury's petrol filling station. There are a number of mature, well

established trees and hedges within close proximity to the application site along with a group of TPO'd trees immediately adjacent to the site at the junction of Whitehouse Lane and Middlewich Road.

DETAILS OF PROPOSAL

The application proposes the construction of a 3m wide cycleway and footway as part of the national Connect 2 project which attempts to encourage people to take everyday journeys by foot or bike. The laid route would be constructed from tarmacadam. The scheme also includes the creation of crossings over Barony Road.

RELEVANT HISTORY

No relevant Planning History

POLICIES

The development plan includes the Regional Spatial Strategy for the North West (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

Local Plan Policy

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Accessing and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
BE.7 (Conservation Areas)
TRAN.5 (Provision for Cyclists)
RT.1 (Protection of Open Spaces with Recreational or Amenity Value)
RT.9 (Footpaths and Bridleways)

Other Material Considerations

PPS1: Delivering Sustainable Development
PPS5: Planning for the Historic Environment
PPG13: Transport
PPG17: Planning for Open Space, Sport and Recreation

CONSULTATIONS (External to Planning)

Strategic Highways Manager – There will be no significant impact on the surrounding highways infrastructure as a direct result of this application.

Sustrans - Support design including the two refuge crossings and modification to the Middlewich Road/Barony Road traffic lights, which will improve local access to the leisure facilities on the park.

Believe that Barony Park is classed as a village green and that this application is the first stage of the process for obtaining planning permission for the proposed works within the park.

Sport England – Line of the proposed greenway would in the main follow that of the existing footpath along Middlewich Road and Barony Road. There would be some encroachment onto the field but this would be kept to a minimum and along the boundary of the park. Does not appear that the new greenway will impact on any of the existing pitches on the site or require alterations to the fence lines surrounding the tennis courts.

VIEWS OF THE PARISH COUNCIL

Welcome Application.

OTHER REPRESENTATIONS

One letter of objection from 90 Whitehouse Lane. The salient point being that the proposed development would be too close to the boundary with No.90 and would make it unsafe to maintain the boundary. The surface water runoff from the greenway will drain into property due to changes in land levels.

APPLICANT'S SUPPORTING INFORMATION

Arboricultural Statement (*prepared by Cheshire Woodlands dated 3rd February 2011*)

OFFICER APPRAISAL

Principle of Development

The provision of a cycle way and footway within the settlement boundary for Nantwich is acceptable in principle. In this instance the sections of the proposed route would be sited within areas that are designated within the Local Plan as Conservation Area and Protected Open Space. The proposal should therefore be appropriate in terms of its design as to not harm the character and appearance of the Conservation Area, and wider streetscene, and the proposal should not result in a loss of playing fields. Also important considerations to this proposal are the impact that the development would have on Highways Safety, Landscape Features such as trees and hedges, and the amenity of neighbouring properties.

Design - Impact on the Character and Appearance of the Streetscene and Conservation Area

Policy BE.7 states that development should not harm the character, appearance or setting of a Conservation Area whilst BE.2 states that development should achieve a high standard of design and provide a layout of spaces which create identifiable character. The application proposes the introduction of a 3m wide cycle and footpath route. These would predominantly be located adjacent to existing footpaths and roads. As the route would only have a width of 3m and be adjacent to existing horizontal hardsurfaced features it would not appear as an alien feature within the streetscene and would create an identifiable space for pedestrian and cycle users. The surfacing materials to be used would be similar to existing footpaths and therefore would be of an appearance which would be sympathetic to the surrounding townscape and

would have no significant detrimental impact on the character and appearance of the Conservation Area either.

Impact on Landscape Features

There are numerous well established trees and hedges which would be sited immediately adjacent to the entire route of the proposed cycleway/footway. Consequently an Arboricultural Statement/Survey was requested from the applicant to identify the quality of the trees and demonstrate the impact that the proposed development would have on those trees. This was carried out following detailed discussions with the Council's Arboricultural Officer. The survey identifies that there are numerous trees of high value and moderate value which should be retained.

The proposed development would result in the loss of one established tree within a grouping of trees at the junction of Middlewich Road and Whitehouse Lane and several young trees and shrubs on the northern edge of the group of trees sited between Middlewich Road and the A500. Both groups of trees are valued as having a high amenity and retention value however the loss of the single tree and young trees would not result in a significant loss to their collective amenity value. These trees are not covered by Tree Preservation Orders.

All other trees would be retained. The proximity of the development to trees would have the potential to cause harm to the health of the trees, therefore the Tree Protection Plan which was submitted with the Arboricultural Statement identifies areas for "special consideration" within which there would be no-dig construction or where possible construction over existing hardstanding without excavation. Furthermore the Tree Protection Plan identifies areas for protection through the erection of protective fencing to create exclusion zones during construction. The Council's Arboricultural Officer has examined the submitted information and has confirmed that the proposed development is acceptable and, providing a condition is attached ensuring that the recommendations of the Arboricultural Statement and route identified on the plans are strictly adhered to, would have no objection to the proposed development.

Impact on Protected Open Space

A large proportion of the application development is on land which is identified within the Local Plan as having a recreational or amenity value and is therefore covered by Policy RT.1. That policy states that development which results in the loss of open space which has a recreational and amenity value would not be permitted. However, an exception can be made where the development is ancillary to the main use of the site and would not affect the quantity or quality of pitches, or the development would affect land incapable of forming part of a playing pitch and does not result in the loss of or inability to make use of a playing pitch (including maintenance and safety margins), a reduction in the size of the playing area or playing pitch, or the loss of any other sporting/ancillary facility on the site.

The proposed development comprises a 3m wide greenway route which would be sited on the boundaries of the areas of Protected Open Space and adjacent to existing footpaths and roads. The cycle route would be sited at a proximity which would result in only a minor encroachment into the open spaces and would not result in any loss of playing pitch, or impact on the quality of those pitches. The cycle way would be ancillary to the main function of the Open Space around Coronation Gardens whilst it could also be argued that the use of a footpath and cycle way

would be ancillary to the main recreational function of Barony Park. Furthermore, the proposed development has been assessed by Sport England. They have formed an opinion that the proposed development, by virtue of its minimal encroachment and siting, would not have an adverse impact on any playing pitch or other features and therefore raise no objection to the proposed development. There would therefore be no significant harm or loss to Protected Open Spaces resulting from this development.

Impact on the Amenity of adjacent properties

The proposed cycle way and footpath would, at points, be within close proximity to residential properties. However, the route would largely follow established pedestrian footpaths, which is therefore of the same nature of use, and would therefore not result in any significant harm to the amenities of neighbouring properties through noise and disturbance.

Impact on Highway Safety

The application forms part of the Connect2 project which will improve connectivity and links for sustainable modes of transport through Nantwich. New crossings are proposed across Barony Road and Middlewich Road. No objections have been raised by the Strategic Highways Manager. It is considered that the proposed development would not result in any significant harm on highway safety.

Other Matters

Whilst the comments raised by a neighbour are noted, it is considered there would still be a sufficient strip of land between the route and boundary to enable the neighbour to safely maintain their boundary. With regard to the comments about drainage, it is considered that as the greenway is surrounded by soft landscaping on either side at this point between Middlewich Road and No.90 Whitehouse Lane, any surface water run off would initially run to these permeable areas of soft landscape. There are no grounds of sufficient weight therefore to warrant the refusal of the application.

CONCLUSIONS

The proposed development would provide an important stretch of infrastructure which would encourage the use of sustainable modes of travel. The proposal is of an acceptable design which would not result in significant harm to the character and appearance of the streetscene or Conservation Area. The development is located on land which is identified as being Protected Open Space however the siting and minimal encroachment of the route would not result in the loss of existing playing pitches. Furthermore, it is considered that there would be no significantly detrimental harm to the amenities of neighbouring properties, highway safety or any other matter. The proposed development, as conditioned, is therefore considered to be in compliance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Accessing and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure) BE.7 (Conservation Areas), TRAN.5 (Provision for Cyclists), RT.1 (Protection of Open Spaces with Recreational or Amenity Value) and RT.9 (Footpaths and Bridleways) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the Local Development Framework Development on Backland and Gardens Supplementary Planning Document (2008).

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Materials as application
3. Development in accord with approved plans
4. Proposed route as indicated in Arboricultural Statement
5. Works to be carried out in accordance with Recommendations of Arboricultural Statement

