

Application No: 12/0593N

Location: Middlewich Road, Nantwich, Cheshire, CW56PD

Proposal: Provision of Greenway from Crewe to Nantwich and Sections from Wistaston Green Road to A51/Nantwich Bypass. The Proposal includes a 3 Metre Wide Surfaced Path Together with Associated Engineering and Landscaping Works.

Applicant: Mr Kevin Melling, CHESHIRE EAST COUNCIL

Expiry Date: 24-May-2012

#### **SUMMARY RECOMMENDATION**

**Approve with conditions**

#### **MAIN ISSUES**

- Principle of Development
- Impact on the Character and Appearance of the Open Countryside
- Impact on Landscape Features – Trees/Hedgerows
- Impact on Amenity of adjacent properties
- Impact on Highway Safety
- Impact on Protected Species

### **1. REASON FOR REFERRAL**

The 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.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is located entirely within the Open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The land forms agricultural fields interspersed by hedgerow field boundaries. The site forms land adjacent to Middlewich Road on the field site of the hedgerow. There are numerous trees along the route of the Greenway within the hedgerow. The land is also identified as being within a hazardous installations consultation zone as defined by the Local Plan Proposals Map.

### **3. DETAILS OF PROPOSAL**

Consent is sought for the creation of an alternative cycle route to that previously approved. The application relates to a stretch of land from close to Colleys Brook to land close to the Rising Sun Public House.

The approved route diverted across the agricultural field to Peach Lane, passed Alvaston Hall, followed the route of a Green Lane and field boundaries before diverting back to Middlewich Road at the Rising Sun PH.

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. It is proposed that the laid route would be constructed from compact bituminous surfacing. The scheme includes the construction of a bridge over Colleys Brook, and also includes the introduction of additional stock proof fencing and trees.

An alternative route is required as part of the land on the previously approved route is no longer available. The land owner is no longer prepared to dedicate the land for the Greenway as they have concerns over liabilities arising from conflicts between cycle/pedestrian users and the farm and delivery vehicles. A further concern is the impact that the cycle route would have on the farm land through segregating fields.

### **4. RELEVANT HISTORY**

**11/1051N** – Planning permission approved for Provision of Greenway from Crewe to Nantwich, Sections from Wistaston Green Road to A51/Nantwich Bypass including a 3m wide Surfaced Path together with associated Engineering and Landscaping Works on 27<sup>th</sup> July 2011.

### **5. POLICIES**

#### **National Planning Policy**

National Planning Policy Framework (2012)

#### **Local Plan Policy**

NE.2 (Open Countryside)  
NE.5 (Nature Conservation)  
NE.9 (Protected Species)  
BE.1 (Amenity)  
BE.2 (Design Standards)  
BE.3 (Accessing and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.5 (Infrastructure)  
BE.1 (Hazardous Installations)  
TRAN.5 (Provision for Cyclists)  
RT.9 (Footpaths and Bridleways)

## **Other Material Considerations**

Cheshire East Local Transport Plan (2011 – 2015)

Cheshire East Right of Way Improvement Plan (2011 – 2026)

## **6. CONSULTATIONS (External to Planning)**

**Environment Agency** – No objection subject to informatives relating to Water Voles and pollution into water courses

**Strategic Highways Manager** – No comment or objection

**Sustrans** – Sustrans has been working with the council on this Connect2 project forming part of the National Cycle Network. We fully support the proposals in this planning application.

**Nantwich Civic Society** – Support route as alternative to already approved route.

**Countryside Access Development Officer** - The proposed development offers a significant access improvement for walkers, cyclists and horse riders in the area, offering a significant new length of safe, pleasant and traffic-free route for both leisure and travel use. The scheme addresses one of the high priority suggestions put forward during public consultation within the ROWIP, ref. T100.

## **7. VIEWS OF THE TOWN/PARISH COUNCIL**

**Nantwich Town Council** – No comment

**Wistaston Parish Council** – No objection

## **8. OTHER REPRESENTATIONS**

None received

## **9. APPLICANT'S SUPPORTING INFORMATION**

Ecological Appraisal Report (prepared by Jacobs dated February 2012)

Arboricultural Statement (prepared by ACS consulting dated September 2011)

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The National Planning Policy Framework requires consistency between Local Plan and those policies within the framework. Where Local Plan Policies are consistent with the Framework greater weight can be given to that Policy.

In general terms within the NPPF there is a presumption in favour of sustainable development. The NPPF seeks to achieve sustainable forms of development through, inter alia, contribute towards conserving and enhancing the natural environment and reducing pollution, and to take account of and support local strategies to improve health, social and cultural wellbeing. In addition planning decisions should recognise the intrinsic character and beauty of the countryside. Section 4 of the NPPF seeks to promote sustainable forms of transport. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

The application site is located entirely within the Open Countryside where Policy NE.2 states that only development which is appropriate to the rural area will be considered to be acceptable. Policy RT.9 relating to Footpaths and Bridleways states that proposals which improve the footpath network will be permitted.

The Cheshire East Local Transport Plan and the Cheshire East Right of Way Improvement Plan 2011-2026 seeks to improve green infrastructure in accordance with Policy H.3 which requires the enhancement of public rights of way/green infrastructure and endeavour to create new links. One of the key initiatives of the PROWIP is for the sustainable access to green spaces, and support initiatives to connect up the highway footway and public rights of way networks for greater pedestrian movement, and with regard to cycling, seek to provide appropriate highways improvements (e.g. on-road cycle lanes or wide nearside lanes) and off-road routes to make commuter cycling a safe and quick alternative to car use.

The application proposes the third stage of the Sustrans Connect 2 project and will provide a link from the north of Nantwich to the western side of Crewe. Planning permission has been approved for part of this route and this application proposes an alternative route to that previous approval.

It is considered that the Policies contained within the Local Plan are consistent with the presumption in favour of sustainable development at the heart of the NPPF and should be given significant weight in the consideration of this application. However, consideration needs to be given to the impact that the proposed greenway would have on the character and appearance of the open countryside, specific landscape features, protected species, the amenity of nearby properties/uses, and highway safety.

### **Impact on the Character and Appearance of the Open Countryside**

The application site is located within the Open Countryside and large sections of the route cross agricultural fields, as such the proposed development needs to be sensitively integrated into the rural setting. The revised route proposed by this scheme would continue the line of the route along the field boundary with Middlewich Road only, rather than cutting across fields as previously proposed. The scheme proposes a 3m wide track which would be treated in bituminous bound surfacing. In isolation a bituminous track is likely to cause detrimental harm to the character and appearance of the open countryside and would appear as an alien and incongruous feature on the landscape. It is therefore considered that this would be an insensitive and inappropriate form of development in this open countryside setting for the length of greenway proposed.

Notwithstanding these concerns, there are significant planning benefits for the proposed scheme through providing green infrastructure and enhancing access to sustainable modes of transport. Furthermore, whether the landscape concerns can be overcome by appropriate conditions should

be explored. Permission has been approved for the creation of a greenway which cuts across fields. This proposal would be sited adjacent to the field hedgerow and would contain development adjacent to Middlewich Road, which is more appropriate than cutting across fields as previously approved.

The application submission states that additional stock proof fencing, hedgerows and trees will be planted. Additional landscaping is welcomed and would help to integrate the development into the landscape and soften its impact. However a regimented scheme of landscaping could appear equally out of place on this landscape. Therefore a condition requiring a landscaping scheme to be submitted is suggested to ensure that any landscaping is appropriate to the rural setting.

A gravel or stone chipping surfacing could be more appropriate to the rural setting within the agricultural fields. It is acknowledged that a bituminous surfacing material may be more appropriate for ease of maintenance however this should not be at the expense of the character and appearance of the open countryside. Whilst the detail of the surfacing material as detailed in the application form is in the main considered to potentially be unacceptable it is considered that, rather than to refuse the application, a condition could be attached to any permission to require alternative surfacing materials to be explored and such details to be submitted and approved. Such a condition was attached to the previous application.

### **Impact on Landscape Features**

The proposed development is likely to require the removal of some small sections of hedgerow and/or trees to accommodate the 3m width of the greenway. No details have been submitted to demonstrate how much is likely to be removed in addition to that which has previously been approved, however at the time of writing this report the applicant a survey was being prepared. The extent of the removal of trees is likely to be minimal and would not significantly alter the wider landscape value of the area. Furthermore, and as detailed in the previous section, additional landscaping will be secured by condition which would help to blend the proposals into the rural environment. There are no protected trees along the route of the greenway.

### **Impact on the Amenity of adjacent properties**

The proposed route has been changed from that previously submitted as such it would no longer pass those dwellings on Peach lane and at Alvaston Hall. The route which is part of this application would not pass any residential properties. The section to the front of Rookery Lodge has already been approved. As such there are no amenity issues arising from this application.

### **Impact on Highway Safety**

Those sections of the route where the cycleway joins the public highway, at the Rising Sun Public House and Alvaston Business Park Roundabout have been approved and do not form part of this application. This application removes the conflict between uses of the cycle route and Peach lane/Alvaston Hall. However the route does cross the driveway to Alvaston Hall. There would be reasonably good visibility at the point where the greenway crosses the driveway. No objection has been raised from the Strategic Highways Manager and is therefore considered to be acceptable.

## **Impact on Protected Species**

A protected species survey has been submitted to support the application. However a number of questions have been raised relating to Water Voles and Bats. Further information has been provided by the applicants and a further response from the Councils Nature Conservation Officer is awaited.

## **Other Matters**

A hazardous Installation consultation zone runs along Middlewich Road and part of the adjoining field. The application site is partially within this consultation zone. However the development type is of a nature and low sensitivity which does not require consultation with the Health and Safety Executive. Therefore there are no implications on the hazardous implication or public safety risk to the users of the proposed development.

## **11. CONCLUSIONS**

The proposed development would provide an important stretch of infrastructure which would encourage the use of sustainable modes of travel. Whilst some harm may be caused to the character and appearance of the open countryside it is considered that benefits, along with appropriate conditions relating to landscaping and surfacing materials would overcome the harm caused. Furthermore, it is considered that there would be no significantly detrimental harm to the amenities of neighbouring properties, highway safety protected species or any other matter. In the light of this the proposed development is considered to be a sustainable form of development. The proposed development, as conditioned, is therefore considered to be in compliance with Policies NE.2 (Open Countryside), NE.5 (Nature Conservation), NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Accessing and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.21 (Hazardous Installations), TRAN.5 (Provision for Cyclists) and RT.9 (Footpaths and Bridleways) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the guidance contained within the National Planning Policy Framework (2012).

## **12. RECOMMENDATIONS**

### **APPROVE with conditions**

- 1) Commencement of Development**
- 2) Plans**
- 3) Details of surfacing materials to be submitted and approved**
- 4) Scheme of Landscaping to be submitted and approved – including fencing**
- 5) Scheme of Landscaping to be implemented**
- 6) Survey to be submitted and approved if works carried out between 1<sup>st</sup> March and 31<sup>st</sup> August**



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