

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

Report No.8

Date of Meeting	25 th April 2007
Title of Report	Planning Application No. 07/00426/OUT Cricklade Country Way Project – Interim Report
Link to Corporate Priorities	Customer Focus, Equality and Diversity, Partnership Working, Cleaner, Safer and Better Streets, Spatial Planning, Buoyant Economy, Healthy Lifestyles
Public Report	Yes

Summary of Report

The application has been submitted by the Cricklade Country Way Project Board (of which the Council is a member) in order to assist its bid for lottery funding which must be submitted by 31st May 2007.

This is a major application which is not yet at a stage where a formal recommendation or a decision can be made. Most significantly, the application requires the submission of an Environmental Statement which will not be prepared for several months. At this stage, there have been a number of significant valid objections from statutory bodies and individuals.

This interim report has been submitted to update Members on the current situation of the application, bearing in mind the exceptional nature of the application and its wide ranging implications for the District.

Officer Recommendations

The Development Control Committee endorses the principle of the Cricklade Country Way Project and continued negotiations on the application once the Environmental Statement has been submitted.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	Yes	None	None

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1. Introduction

This application is being referred to the Committee for information only. The aim is to make Members aware of the project and for them to endorse its principles.

The proposal is at a very early stage in its process and will be referred back to Committee once a full Environmental Statement has been undertaken and Officers are able to fully assess the impacts of the proposed development.

2. Options and Options Appraisal

2.1 Option 1:

Resolve in accordance with recommendation above. This will assist the applicant's lottery bid without prejudice to further negotiation and re-consultation following the submission of an Environmental Statement.

2.2 Option 2:

Make no resolution in relation to the application at this stage.

3. Background Information

This application is an outline proposal for the implementation of the Cricklade Country Way Project which will include the reconstruction of the canal, the reinstatement of the railway, the implementation of the cycle route, the erection of associated buildings and structures and community facilities at Cricklade.

3.1 Relevant Local Plan Policies:

The following policies are of particular relevance when assessing this proposal:

- Policy C3 – Development Control Core Policy
- Policy NE2 – The Swindon Rural Buffer
- Policy NE9 – Protection of Species
- Policy NE10 – Managing Nature Conservation Features
- Policy NE11 – Conserving Biodiversity
- Policy NE12 – Woodland
- Policy NE13 – The Great Western Community Forest
- Policy NE14 – Trees, Site Features and the Control of New Development
- Policy NE15 – The Landscape Character of the Countryside
- Policy NE17 – Contaminated Land
- Policy NE18 – Noise and Pollution
- Policy NE21 – Development in Flood Risk Area
- Policy HE5 – Scheduled Ancient Monuments and Nationally Important Features
- Policy HE6 – Locally Important Archaeological Sites
- Policy HE8 – Archaeological Evaluation
- Policy T2 – Transport Assessment and Travel Plans
- Policy T3 – Parking
- Policy T4 – Cycling, Walking and Public Transport
- Policy CF2 – Leisure Facilities and Open Space

- Policy TM2 – Wilts and Berks / Thames and Severn Canals
- Policy TM3 – Swindon and Cricklade Railway Line

3.2 Proposal and Site Description:

This application is an outline proposal for the implementation of the Cricklade Country Way Project which will include the reconstruction of the canal, the reinstatement of the railway, the implementation of the cycle route, the erection of associated buildings and structures and community facilities at Cricklade.

The project area covers a corridor with a total area of approximately 3.5km² stretching from Mouldon Hill located on the western edge of Swindon through to Cricklade. The Cricklade Country Way comprises a number of schemes:

- The reconstruction of a section of the Wilts and Berks canal for recreational use, totalling approximately 5 miles, and including the creation of canal basins and moorings, new bridges (for road, agricultural and pedestrian access) and a towpath.
- The reinstatement of part of the former Swindon to Cricklade steam railway, totalling approximately 5 miles, stretching between Swindon and Cricklade and including two new stations at Mouldon Hill and Cricklade.
- The reclamation of land for the development of a country park at Mouldon Hill, totalling approximately 48 hectares, located on the western edge of Swindon. The site will accommodate a range of public facilities, including a new railway station and is located within the Swindon Borough.
- The development of approximately 17 miles of new pedestrian and cycle routes between Swindon and Cricklade, including the Sustrans Cycle Route 45.
- The development of a visitors / multi-use centre at Cricklade which will provide a variety of facilities including education space, sports facilities and additional infrastructure for visitors.

The majority of the project area is located within the administrative boundaries of North Wiltshire District Council, although areas to the south and east are located within the boundaries of Swindon Borough Council. Swindon Borough Council has been fully involved in the proposed scheme and support the principles of the development. A planning application has also been submitted to Swindon Borough Council under planning reference S/07/0412.

3.3 Consultations:

Thames Water raises no objection to the proposal in terms of sewerage and water infrastructure.

Highways Agency notes that only a Transport Scoping Report has been submitted and are awaiting the submission of the Transport Assessment to fully consider the proposal and most importantly the impact of the development upon the A419 and associated junctions. They would also expect the submission of a Travel Plan in order to identify the how development trips will be mitigated.

English Heritage notes that the proposed development is to come in close proximity to the best preserved parts of the Saxon defences of Cricklade (Scheduled Monument No. WI323) and that this proposal would have a disastrous and wholly unacceptable impact upon the

setting and landscape context of this monument. English Heritage are also of the opinion that the proposal will involve serious damage and disturbance to an unscheduled group of well-preserved ridge-and-furrow earthworks which form a significant aspect of Saxon Cricklade's landscape setting.

English Heritage notes that the applicants should endeavour to find an alternative route well away from the Saxon town defences and the historic ridge-and-furrow setting. They are not opposed to the concept of this proposal but note that it must be able to demonstrate sustainability from an historic environment viewpoint, rather than causing massive damage and disruption to the heritage of earlier eras, whose significance in this case far outweigh that of either the proposed canal or railway.

Purton Parish Council has expressed some concern about the limited discussions which have taken place with the affected landowners. The Parish Council raises no objection in principle but understands the concerns of the landowners involved and the impact of the proposal on people's livelihoods and hopes that these concerns can be satisfactorily resolved by negotiation.

The County Archaeologist notes that there are six sites on the County Sites and Monuments Record included within the proposed development area, in addition to earthwork remains of medieval ridge-and-furrow field systems which form part of an Area of Special Archaeological Significance in the North Wiltshire Local Plan. The County Archaeologist also notes that the potential for the discovery of new sites during the proposed development is high, both in terms of buried features and built heritage items.

The County Archaeologist concur with English Heritage's recommendation for refusal because of the likely impact of the canal on the setting of the earthworks and the severing of their integrity with the well-preserved ridge-and-furrow earthworks in the immediate vicinity.

The Wiltshire Wildlife Trust note that insufficient information has been submitted at this stage and that the presence of protected species and how they would be affected by the proposal should be established before planning permission is granted.

Natural England acknowledge that whilst the objectives of the project are commendable and could significantly enhance biodiversity of that part of North Wiltshire if carried through appropriately, the Environmental Report is of an interim nature and does not provide sufficient information in order for Natural England to comment.

The application site is adjacent to Haydon Meadow Site of Special Scientific Interest (SSSI) and within 5kms of several other SSSIs. The proposal will affect a plethora of protected species and their habitats and there is as yet incomplete survey of the project area. Based on the information provided, Natural England objects to the proposal and suggests that a full Environmental Impact Assessment and Landscape Assessment be submitted.

Wiltshire County Council Highways note that there is still a lot of outstanding significant information as no Transport Assessment has yet been received which will have a major input to the nature and design of access and parking arrangements.

The County Highway Officer has serious concerns about the adequacy of the proposed parking at the Cricklade end (both at the canal basin / visitor centre and at the railway station), with no account having been made of the overlap between the rugby and tourist seasons. There is also a total lack of any servicing facilities at the canal basin.

It has also been noted that the railway station car park is too small with the access road adjacent to the parking bays being too narrow as it will not allow for manoeuvring plus passing vehicles. The lifting bridge on the access road serves not only the car park access

but also the towpath (cycle route). It will need to be designed to greater width to allow safe use by all users.

There are a number of bridges over the canal that raise general issues. Far more information is required to ascertain that what is proposed is actually feasible – especially for the Tadpole Lane junction which is a crucial part of the scheme. The adequacy of the access to Hayes Knoll station is questioned if it is to be a maintenance depot and the access shown for the temporary car park is poor and Highway Officers doubt that adequate visibility can be provided.

Based on the information provided, County Highways do not see how permission can be granted without the above issues being resolved.

The Environment Agency acknowledge the benefits that the proposal may bring to the region through environmental gains, increased recreational amenities and wider social and economic benefits but are concerned that potential adverse impacts from the proposed development have not yet been sufficiently addressed. The Environment Agency therefore objects to this application on the following grounds:

Planning:

On the basis that an Environmental Impact Assessment has not been submitted it is difficult to identify the potential effects this development is likely to have on the environment. The following studies are required: Phase I Habitat Survey, Water Resources Study, Flood Risk Assessment and a Ground Investigation and Geomorphological Survey.

Hydrology and Water Resources:

The Environment Agency are not confident that, at this stage, there is a reliable water supply available and that the restoration of the canal will not adversely affect the hydrology of the surrounding area, specifically the River Ray and the River Key. There is also a lack of detail regarding the impact of the abstractions from the River Ray and where or how they will be restored. With regards to water resources, the Environment Agency understands that an impact assessment will be completed as part of the Water Resources Strategy.

Water Quality:

The Environment Agency are of the opinion that the proposals submitted so far for the operational management, restoration and aftercare of the project site are inadequate to protect against the risk of pollution to surface waters. The impact on water quality in the River Ray from proposed abstractions must also be addressed.

Ecology:

The Environment Agency notes that this project has potential for significant ecological benefit to the subject area. However, they are concerned that the Interim Environmental Report submitted has not comprehensively identified, or provided any sufficient detailed assessment of the potential impact the proposed development may have to protected species.

Flood Risk:

From the information provided, the Environment Agency is concerned that the proposed development may increase the flood risk to the project area and people and property in the surrounding area. The Environment Agency is unable to comment in detail on the flood risk impacts of this proposal as there is no detailed assessment of the existing flood constraints.

The Environment Agency has listed a number of informatives which the applicant would need to take into consideration. In addition, they request that a section on how waste is proposed to be managed as part of this development be considered as part of the Environmental Impact Assessment. They also note that the submitted documents do not address the potential risk of bird-strike to neighbouring airfields, such as RAF Fairford, as the development of waterbodies has the potential to attract large flocks of large birds which may pose a risk to aircraft operating at facilities within 13kms of the development.

Comments from **additional consultees** are still awaited.

3.4 Representations:

35 letters of representation relating to all or parts of the project have been received from local residents and landowners. The following categories of planning concerns have been raised:

(a) Amenities

- The canal mooring by the side of Calcutt Street will be affected by noise from the heavily used traffic route.
- The development of the canal and railway will have a major impact on a number of working farms which may affect their income.
- The splitting of farmland will have an impact on the income generated by the affected farmer.
- Cricklade will become a soul-less parade of souvenir shops, game arcades and fish and chip shops.
- Light pollution and littering.
- Vista of tarmac and cars.
- Increase in petty crime, anti-social behaviour and noise from boat residents.
- Impact on privacy due to the proximity of the boats and their users and the cycle way.
- Inconvenience, noise and disruption during construction works.
- Proximity of the construction work to the sewerage pipes.
- Safety concern with children and animals living so close to the canal.
- Existing views will be obstructed by boats.
- Canal will bring rats and other rodents to the area.
- The development will make moving cattle an impossibility.
- Increased vandalism and therefore a threat to livestock.
- The proposed route severs rights of way and bridlepaths.
- Some properties will be surrounded by rights of way.
- The canal will pass through people's front garden or very close to their rear garden.
- The proposed visitor centre is too far from the town and may flood.

(b) Transport

- The development is likely to increase traffic through Cricklade.
- There does not appear to be sufficient car parking provision.
- Has the southern bypass / relief road been taken into consideration as part of this project?
- If the canal element of the project does not go ahead, this corridor for cycling, walking and a bridleway would still be a great asset.
- The railway extension should be encouraged provided suitable infrastructure is in place at the Cricklade terminus for parking, feeding and watering (passengers and engines).
- No details have been given on the powering of the bridges and their weight capacity.
- The proposed access at Hayes Oak Farm is unacceptable and will significantly affect the occupiers in terms of loss of privacy and amenities. A horse manège will also be lost.
- Loss of direct access to the fields, footpaths and bridleways.
- Any car parking should be sited close to the A419.

- The proposed access tracks are not wide enough.
- Who will maintain the proposed bridges and tracks?
- No details as to the operating, frequency etc of the trains has been submitted.
- Cycle route, footpaths and changing facilities are worthwhile projects.
- More detailed work is required on the proposed accesses, junctions and bridges.
- Proposed car park close to Blunsdon station is unsuitable for this use due to limited sight lines, being on a narrow lane and close to the narrow railway bridge.

(c) Environment

- Will there be enough water to supply the canal?
- The proposal will have environmental impacts on farmers land.
- Risk of water pollution through people's land.
- The digging of the canal may expose that the materials used for the infilling are contaminated.
- Where will the soil dug out be deposited?
- The application submitted would appear to be deficient in assessing a number of aspects of this scheme (flooding, landscape, environment).
- Pollution from steam train and boat engines.
- Development will significantly affect the landscape around Cricklade and will be out of character with the Saxon heritage of the town.
- Re-industrialising rural landscapes is not environmentally sound nor aesthetically pleasing.
- Impact on undiscovered archaeological remains.
- Risk of flooding to houses nearby.
- Impact of the proposal on ridge-and-furrow fields.
- More agricultural land will be lost.
- The project is in no way sustainable.
- The environmental report is lightweight.
- The proposed canal does not follow the old course of the canal.

(d) Wildlife

- Development will have an adverse affect on wildlife, biodiversity and geological conservation issues.
- Loss of wildlife species, habitats, hedgerows and trees.

(e) Processes and Finances

- The visitor centre will be of no benefit to Cricklade residents and will have an adverse effect on council tax.
- British Waterways has commented that there would be no further canal development and has considered the closure of canals following the reduction in their operating grant.
- Consultation on the whole project but especially the route of the canal was minimal.
- The whole development will have little benefit to Cricklade residents and the surrounding local communities.
- All landowners have not been consulted.
- The routing of the canal has been altered without prior consultation with local residents.
- Proposal is contrary to national and local policies.

4 Implications:

4.1 Financial

The success of the lottery bid is not a planning matter but has fundamental implications for the success and viability of the project.

4.2 Environmental

This project has potentially far reaching implications due to a number of environmental issues, as detailed above.

4.3 Legal

Potential legal agreements and possible Compulsory Purchase Orders will need to be agreed.

5 Risk Analysis:

5.1 Risks associated with following the recommendation:

None - negotiations will continue providing an Environmental Statement is submitted. A further report will be submitted to Members.

5.2 Risks associated with not accepting the recommendation:

The absence of an endorsement may add risk to the success of the applicant's lottery bid.

Appendices:	<ul style="list-style-type: none"> • Location plan
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> • Local Plan Policies • Interim Environmental Report • Letters of Objection

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
None	N/A	N/A