Exp 17/1

Development Control – Delegated Officer Report

Application Number: ADC/0703/07 Recommendation – APPROVE

Site: **Disused Railway Embankment, Old Shoreham Road Shoreham-by-Sea**

Proposal: **Recreational path for cyclists, pedestrians and the disabled on revised alignment to SU/172/05 (including re-grading and improvement of surface, infilling of part of channel between disused railway embankment and river bank to 4m width to allow future link southwards and drainage at base of infill)**

The Application

This is a revised application by Sustrans for provision of a riverside footpath/cycleway extending the Downs link to Ropetackle. The present application relates only to the northern part of what was previously permitted. The southern part is expected to be provided as part of the future development of the Riverbank Business site (termed 'Roptetackle North' in the Shoreham Renaissance strategy).

The alignment would be changed so that more of the path/cycleway is on the disused railway embankment rather than the riverbank. It would continue along the railway embankment further south to the old buffers (where the ownership changes) and then angle westwards to the grassed riverbank, where the existing path runs. It would entail lowering the south part of the railway bank by up to 1m (at a gradient of 1 in 20) to the same height as the existing riverbank.

It would now be 2.5m wide, rather than 3m wide, with a cambered machine-laid DBM surface and timber edges as per WSCC standards. The proposed construction is a 25mm wearing course of 10mm DBM above a 50mm course of 20mm DBM above an150mm base course of recycled MOT type 1.

Consultations and Representation

County Transport Planning Services: Overall,support the proposal subject to being compatible with improvements to the river defences. 2.5m is the minimum width for shared pedestrian/cyclist use under WSCC standards but a 0.5m wide buffer zone either side should be cleared of vegetation (before the start of the bird nesting season at the end of February). A construction method statement is needed. Future maintenance is likely to be by WSCC but should be confirmed. Questions the justification for the 0.6m diameter size of the proposed culvert. In the absence of a Stage 1 Safety Audit, designer's response and amended plan, an objection is raised. The need for an audit has been questioned by the applicant (NB. they are normally required for accesses to roads and none was previously required).

English Nature: No objection subject to a condition requiring no access, encroachment or storage within the SSSI during construction and any excavated or regarding material to be placed on the landward side of the path, not the riverward side.

Environment Agency: No objection, noting that it is not proposed to lower the old railway bank below the height of the riverbank, but points out that their consent is required for works within 15m of the landward toe of the river bank.

Third Parties: 3 letters have been received.
The residents of No.127 Old Shoreham Rd strongly object to any further development between their properties and the riverbank on grounds that it would increase the risk of flooding, create unacceptable overdevelopment, cause overlooking and reduce the privacy enjoyed by residents, and damage the environment which is a habitat for insects, birds and butterflies.

The resident of No.134 Old Shoreham Road is delighted that the path is to be upgraded for all to use and the scheme has her full support.

The residents of No.15 Victoria Road state that they do not object to the re-alignment of the path and it makes sense to extend the Downs link to Ropetackle. However, it is important that the scrub alongside it is preserved as it provides a natural habitat (given that the scrub to the south has just been cleared). Also, that the existing path directly on the riverbank is kept open during construction as it is well used. Also, that danger caused by cyclists to pedestrians is taken into account. At present there are no cyclists on this south stretch (unlike north of the old toll bridge where cyclists pass too close for comfort and too fast). Retaining the path at its present narrow width would help to slow cyclists down and displaying signs asking cyclists to give warning of their approach, would make its use more pleasant for pedestrians especially the elderly and those with children or dogs.

Relevant Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, NE13-14, CH1, ERA2-4, DEV1, DEV4
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AN1, AB25, AT10-11
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG13 'Transport' (DTLR 2001)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

Local Plan policy AT11 specifically states:-

"The DPA will seek the provision of a recreational route along the river front to connect the Coastal Link to Shoreham-by-Sea town centre. When

development of land within this area is proposed, the DPA will seek the provision, where appropriate, of a public right of way along the river front."

This is supported by Structure Plan policies NE13-14 and DEV4 which seek the provision of facilities for walking and cycling, to encourage more sustainable forms of travel.

The site is within the defined built-up area. The other relevant policies relate to protecting the habitat provided by the Adur Estuary SSSI, safeguarding against flood risk in this flood risk area, and requiring high quality design.

This proposal would complete a significant part of the missing link between the riverside walk now completed at Ropetackle and the Downs/Coastal Link provided by WSCC north of the old Toll Bridge along the disused Steyning railway branch line. It would fulfill policy AT11 of the Local Plan (which relates largely to the recreational benefits of a riverside path) and meet other more recent policies aimed at promoting walking and cycling as 'sustainable' travel.

English Nature are satisfied it would not adversely impact on the Adur Estuary SSSI (the boundary of which appears to be the mean high tide level at the foot of the bank).

The Environment Agency do not object on flood risk or any other grounds but it will need their separate consent as the works are within 15m of the river bank. The latter is in a poor state with evidence or erosion and in need of improvement but the EA have made no mention of any proposed improvement works to it.

As the plans show the typical design of the path/cycleway and are not fully detailed, a condition is needed requiring further details to be submitted for approval.

Recommendation

APPROVE for reason:-

PP1 (amended) The proposed public path/cycleway would accord with policy AT11 of the Adur District Local Plan which specifically seeks such a recreational route along the river front to connect the Downs/Coastal Link to Shoreham town centre and it would encourage sustainable forms of travel without causing harm to the Adur Estuary Site of Special Scientific Interest or affecting risk of flooding. Consequently the development would accord with the relevant policies of the ADLP (AG1, AN1, AB25 & AT10-11) and the adopted WSSP (LOC1, NE13-14, CH1, ERA2-4, DEV1 & DEV4).

Subject to:-

1. C1Ci
2. Prior to commencement of any construction work, detailed plans of the siting, layout and construction of the proposed public path/cycleway and

a Stage 1 Safety Audit will have been carried out and

In accordance with the recommendations of the Audit
associated drainage and culverting shall be submitted to and approved in writing by the LPA and the development shall be completed in accordance with such details as approved prior to commencement of use of the new path/cycleway.

R. To ensure an adequate standard of construction in the interests of safety, prevention of flood risk and the environment generally and to comply with policies AG1, AP3, AN1 and AT10-11 of the Adur District Local Plan and NE13-14, ERA2-4, DEV1 and DEV4 of the West Sussex Structure Plan.

3. No vegetation more than one metre from the edge of the proposed path/cycleway shall be removed except with the prior approval in writing of the LPA.

R. In the interests of the environment having regard to policy AB25 of the ADLP

4. During construction work, there shall be no placing of materials on the riverward side of the proposed path/cycleway and there shall be no access, encroachment or storage of materials within the boundary of the Adur Estuary Site of Special Scientific Interest.

R. To prevent damage to the ecology of the SSSI and accord with policy AN1 of the ADLP and ERA2 of the WSSP.

Case Officer:.....Date:...2/9/08.....

Chairman of Planning and Regulatory Committee:....D.J. Mills.....

Date:...7/9/08.....