

## ITEM 2

<b>Application Reference</b>	<b>DC/065422</b>
<b>Location:</b>	Ladybrook Valley Footpath From Queens Road To Hall Road
<b>PROPOSAL:</b>	Upgrade and extension of the existing Ladybrook Valley footpath from Queens Road to Hall Road to provide a permanent cycle path that accords with modern design standards.
<b>Type Of Application:</b>	Full Application
<b>Registration Date:</b>	11.04.2017
<b>Expiry Date:</b>	20170711
<b>Case Officer:</b>	Jane Chase
<b>Applicant:</b>	Stockport Metropolitan Borough Council
<b>Agent:</b>	WSP Parsons Brinckerhoff

### **DELEGATION/COMMITTEE STATUS**

As the application site straddles the boundary between Bramhall and Cheadle Hulme South Area Committee and Cheadle Area Committee the application is being reported both of those Area Committees.

The application must be referred to the Planning & Highways Regulations Committee as the application site is in excess of 3ha. Under the Council's Scheme of Delegation, only the Planning & Highways Committee can determine the application.

### **PROPOSED DEVELOPMENT**

The application seeks full planning permission to upgrade and extend the existing Ladybrook Valley footpath from Queens Road to Hall Road. The existing route comprises a path worn in the grass over time and is currently used by pedestrians and cyclists. The scheme is a maintenance and enhancement project which aims to provide a permanent cycle path that accords with modern design standards and one which will be upgraded to bridleway status to allow use by equestrians as well as pedestrians and cyclists.

The principal elements of the proposed scheme are as follows:

- A 3 metre wide bridleway between Demmings Road and Ladybridge Road, along the Ladybrook Valley. The route would be surfaced in flexipave (3 metres wide) with 1 to 2 metre grass verges either side. Along this route 'A' frame gates and horse stiles are proposed at the junction of the footpath with Birtles Close. A new vehicular access gate is also proposed at the end of the route on the north side of Ladybridge Road. Potential areas for grassland enhancement in consultation with the Council's Ecologist are also proposed along the route together with replacement planting.

- A 3m wide flexipave bridleway with 1 to 2 metre wide grass verges on either side from the south side of Ladybridge Road to Bramhall Park Road (with a spur to Blenheim Road); it is proposed to remove existing gates and replace with bollards, new access gates and bridleway gates. A new timber bridge is also proposed where the route crosses a brook. To the north of Bramhall Park Road the existing steps will be removed and replaced with a new stepped ramp.

- A boundary post and rail fence will enclose the path where the fields have livestock, but still will allow an access point to the river to allow the landowner's horses to have access to the river safely; There will be some tree and vegetation clearance along the route in order to provide a safe, accessible route and for all users, however, replacement landscaping / planting is proposed.

- A 3m wide flexipave bridleway from the south side of Bramhall Park Road to Hall Road. Additional trees are to be planted in this section in agreement with the Council's Tree Officer.

The application advises that flexi-pave is a material made up of 3-6mm rubber granules (typically from used car tyres) mixed with multi-faceted 3-6mm stone granules and a polyurethane bonding agent. The polyurethane used within the materials gives the finished materials a flexibility that helps prevent cracking and tearing. It allows for quick and efficient drainage of water directly in to the ground, aiding the natural replenishment of water levels. It is low maintenance, slip resistant and suitable for vehicles, pedestrians, bicycles and horses.

There will be no installation of street lighting under the proposed scheme. There will be improvements made to drainage infrastructure. However, the soil conditions and wetland habitat within the SBI will not be altered.

5 temporary construction compounds will be established on land in the ownership the Council. Construction is currently scheduled to start in August/September 2017 with completion programmed for the end of March 2018. Construction working hours are proposed to be from 7am – 7pm, 7 days a week. The existing public right of way will be closed during construction and diversion routes will be available.

Highway works outside the application site (and not requiring planning permission) are also proposed in association with the upgrade of the footpath. These include:-

- A 3 metre wide shared use footway / cycleway on Demmings Road between the end of the Ladybrook Valley Bridleway and Brookfield Road (National Cycle Network (NCN 558). This includes a parallel zebra crossing on Demmings Road and highway buildouts (with associated traffic regulation orders (double yellow lines) at the entrance to Demmings Industrial Estate and

- Two 20mph zones, one around the Bramhall Park Road area, and one around the Hill Top area.

- A 3 metre wide shared use footway / cycleway between the Station Road Bridleway and the Ladybrook Valley. A toucan crossing is also to be provided on Ladybridge Road.

## **SITE AND SURROUNDINGS**

The application site comprises some 3.25ha of land extending through the Ladybrook Valley from Demmings Road in the north to Hall Road in the south. The site comprises 3 parcels of land – Demmings Road to Ladybridge Road, Ladybridge Road to Bramhall Park Road and Bramhall Park Road to Hall Road. Each of these parcels of land have slightly differing characters but all provide access through the Valley by way of an unmade path.

That from Demmings Road to Ladybridge Road is quite narrow especially to the north and is enclosed to either side by swathes of trees and undergrowth beyond which are residential properties forming part of the more urban areas of the Borough. Ladybridge Road to Bramhall Park Road is more open, crossing fields grazed by livestock and that from Bramhall Park to Hall Road is very wooded and traversed by footpaths forming part of the estate to Bramall Hall.

The application is accompanied by the following documents:-

Planning, Design & Access Statement

Biodiversity Survey and Report

Tree Climb and Inspection Survey Technical Note

Tree Survey

Habitat Management Plan

Flood Review & Strategy

Ladybrook Cycle Route Consultation Report

Soft Landscape Specification

## **POLICY BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

### **The Statutory Development Plan includes:-**

- Policies set out in the Stockport Unitary Development Plan Review (SUDP) adopted 31<sup>st</sup> May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17<sup>th</sup> March 2011.

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27<sup>th</sup> March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6<sup>th</sup> March 2014.

### **Saved policies of the SUDP Review**

LCR1.1 Landscape Character Areas  
LCR1.1a The Urban Fringe Including The River Valleys  
NE1.1 Sites of Special Nature Conservation Importance  
NE1.2 Sites of Nature Conservation Importance  
HC1.1 Demolition and Tree Felling in Conservation Areas  
HC1.3 Special Control of Development in Conservation Areas  
EP1.7 Development and Flood Risk  
GBA1.2 Control of Development in Green Belt  
L1.7 Recreation Routes: Maintenance and Expansion of Network  
L1.8 Strategic Recreation Routes

### **LDF Core Strategy/Development Management policies**

CS8 Safeguarding and Improving the Environment  
SIE-1 Quality Places  
SIE-3 Protecting, Safeguarding and Enhancing the Environment  
CS9 Transport and Development  
CS10 An Effective and Sustainable Transport Network

### **National Planning Policy Framework Conformity**

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

### **National Planning Policy Framework**

Paragraph 6 states: *"The purpose of the planning system is to contribute to the achievement of sustainable development"*.

Paragraph 7 states: *"There are three dimensions to sustainable development: economic, social and environmental"*.

Paragraph 11 states: *"Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise"*.

Paragraph 13 states: *“The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications”*

Paragraph 14 states: *“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”.*

*For decision-taking this means (unless material considerations indicate otherwise):*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - i) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - ii) *specific policies in this Framework indicate development should be restricted”.*

Paragraph 17 states: *“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*
- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them,*

*recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*

- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*

Paragraph 89 confirms that the construction of new buildings is inappropriate in the Green Belt.

Paragraph 90 states ‘Certain other forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These are:....engineering operations’.

Paragraph 187 states “Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area”.

Paragraph 196 states “The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the

*development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions”.*

Paragraph 197 states *“In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development”.*

Paragraph 215 states *“.....due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.*

## **NEIGHBOUR'S VIEWS**

The proposal has been advertised as a major development and a development of public interest by way of sites notices and an advertisement in the local press.

To date 12 representations have been received;

9 against assert the following:-

- Whilst there is a right of way through the Ladybrook Valley and across land in private ownership, this is not a formal footpath. It is simply a track in the grass that has emerged over many years. The proposed upgrade would notably impact on land in private ownership in terms of its structure and use by those on foot, cycle and horseback.
- Cyclists/walkers will have to use a footpath that is soiled by horse manure and will require regular cleansing.
- A manmade footpath and fencing will detract from the natural beauty of the Ladybrook Valley. There is no demand for this upgrade.
- A three metre track plus margins will cut such a wide swathe through the valley, which is in places narrow, that it will be to the detriment of its nature and appearance. I would ask you to consider reducing it to two metres, which is acceptable for a bridleway, and consider revising the route and landscaping to mitigate the impact of the path on the appearance of the valley.
- The cost of the works will be significant and an unnecessary waste of taxpayers money.
- Do we really need to spend money ruining what is one of the few natural walks available in the borough? Cyclists already have readier access to places families who just want a walk don't. This is a peaceful and pleasant green space. Please spend our scarce funds on a more worthwhile project.
- The route should be retained for walking route and would unnecessarily disturb the woodland below Bramhall Park Road and near the 'March Hare' pub. There is already a quiet route parallel to this one, via Tenement Lane, Twining Brook Road,

the bridge to the playing fields and up to Queen's Road. This route should be improved, particularly with a Toucan Crossing (or even a wider refuge) provided where it crosses Ladybridge Road to Twining Brook Road, which would also be generally useful for the many residents of that estate as well as cyclists. This crossing is very much needed independently of any other projects.

- The various 20mph zones, are of little benefit as the only people who obey them are those who would drive slowly anyway.

- The desire for more off-road routes lacks evidence - cyclists indicate preference for dedicated, not shared paths.

- The application fails to reference the Landscape Character Area (UDP/LCA) and provides no supportive evidence of compliance in this respect.

- The lack of planning history supports historic continuity of woodland (contrary to Ecology Report)

- Continuous cycling only provided to District Centre & station from North - via narrow path beside railway. The Blenheim Rd/Ramillies Ave link gives rise to road danger and lacks continuity to the Station (so not CCAG compliant).

- Existing safe cycle route from Demmings Rd/Queens Road - Cheadle is more convenient for those to the west than the valley route - no benefit for those south and east of D.C in this scheme.

- No methodology cited for the "outweighing" of environmental harms - so merely opinion.

- The application contains no Landscape/Visual Impact Studies so there's no evidence for LCA compliance.

- The provision of a 7m bridleway contravenes the purpose of the Green Belt and fails to "to assist in safeguarding countryside from encroachment".

- The allegation that there will be "minimal visual impact" is totally absurd.

- The Habitat Statement is inconsistent; works will encroach towards river - 5 metre protection zone.

- The residences to the north west of the valley already connect to Ladybridge Rd via pathway from Watersedge Close so there is no need for valley route.

- There is an established link to Bramhall Park via Tenement Lane. That proposed will result in a damaging route through the meadow and SBI which is unnecessary.

- The application should be rejected pending a full study of cycle use and projected needs for the Cheadle Hulme District Centre. On the grounds that there will be environmental damage to the valley and to an SBI (Grade B SBI: One Oak Farm); failure to take account of LCR designation of valley ( LCR1.1C); an ecological survey



was not carried out at right time of year; the scheme fails to take into account the ecological damage it would cause; there was inadequate prior consultation with residents in the area; the rationale for the scheme is inadequate & potential usage unproven; the Council does not own some of land, particularly where access is needed into valley; no attempt has been made to consider alternative less damaging off road schemes.

- There has been inadequate consultation & public notification of this scheme. The only SMBC notices are at the Hall Rd entrance - none at Ladybridge Rd, at the stiles in the meadow or Ramillies Ave entrance. The info on notices just says an upgrade to present footpath, there is no mention of a 3m wide paved path.

- Impact on land values.

- The section of the Ladybrook river Valley between Demmings Rd and Bridge Road, is an extremely narrow remnant of the original countryside and has been designated by Stockport as a Landscape Character Area. The valley's position within an otherwise built up area of urban surrounds magnifies the vital importance of the river valley's role as green infrastructure and as a habitat and corridor for biodiversity and wildlife. The mature riparian vegetation and naturalness of this section of the Ladybrook Valley is essential to the river's role in supporting biodiversity, to its visual amenity, peacefulness, recreational value as well as to its role in mitigating flood risk.

- The Ladybrook Valley route is not a disused railway line and therefore not previously developed in any way. The proposed width of the route is therefore inappropriately too wide for a greenfield site of ecological importance and landscape character. We note that existing bridleways and cycle paths along the far wider Mersey Valley are far narrower than the width proposed for this route in Ladybrook Valley. The imposition of the proposed 3 metre wide bridleway/cycle route plus the areas of cleared verge proposed on either side of the path would remove far too great a proportion of the river embankment vegetation and ecology. With 5 to 6 metres cleared and the area required for construction machinery little would be left of the natural habitat of the narrow river valley. Such extensive clearance in such a small area would destroy the riparian ecology, naturalness and peaceful character of the valley. We consider this extensive clearance too high a price to pay for an off route cycle path especially as a designated 'quiet route' for cycles has already been created close by and parallel to the Ladybrook Valley along Queens road. Any commuter is far more likely to use the Queens Road route due to its being lit at night and a recreational cyclist would wish to enjoy the unspoilt ecology and peacefulness of the valley as it is now.

- The proposed wide cycle path plus verges remove important habitat for riparian wildlife including hedgehogs, dragonflies, butterflies, nesting birds etc.

- We object to the proposed flexipave surfacing which is made from ground up car tyres bonded with aggregate using a polyurethane bonding agent. Flexipave may be porous but in years to come when the path starts to degenerate it will contaminate the watercourse with toxic pollution. The only acceptable path in a sensitive riparian setting would be made of natural stone/ gravel based substances or possibly

geogrid. The flexi pave surface has an artificial man-made appearance and would ruin the naturalness of the river valley.

- The width of the route will encourage cyclists to go too fast and will have an equivalent impact to building a road through the valley. This is at odds with the landscape character value and peacefulness of the valley. The wideness of the proposed path and speeding bikes along the valley poses a threat to wildlife. A narrower path may mean cyclists have to dismount to accommodate pedestrians or oncoming cyclists but I feel that considerate and gentle cycling is vital if any cycle path is going to be built in such a sensitive environment.
- Removal of riparian vegetation to make way the 3m wide path would increase flood risk. I consider the proposed extent of vegetation removal to be unsustainable and to increase flood risk even if porous surface is used on the path.
- The proposed cycle path is of inappropriate scale for such a sensitive setting. The significant loss of habitat and clearance which the proposed route would require in a narrow and confined river valley area would in our opinion be highly detrimental for the sustainability, ecology and lovely character of the Ladybrook Valley. If a cycle path is built here it should be far narrower, made of natural materials, without cleared verges and all construction machinery should operate within the footprint of the path.

1 commenting, outlining that:-

- The paths width is totally disproportionate and completely out of keeping with the area(s) through which the route will pass. A 3m track almost triples the width in sections of the existing path and will look like a flexipave 'motorway' has been driven through areas that in spring and summer are a mass of vegetation and tree lined. Traffic volume whether pedestrian, cyclist or horse rider does not warrant a track this wide, it's not as though there will be constant bi-directional flow. A narrower track would lessen its impact and reduce costs. A more subtle colour would further lessen its visual impact.
- Very few, if any horses will use the bridleway. Where are the horses coming from since there are no stables anywhere along the route? The section of the LVT from Ladybridge Road to Queens Road originally had a dedicated bridleway, still visible in parts but is now basically overgrown due to lack of use, and again will be the case.
- The application claims that 'the proposed layout follows an existing PRoW for most of the route, though it is a little wider than the original. The immediate surroundings to the path will, after a season of planting, growth and maintenance, look very similar to how it looks at present.' It is doubted that this will be the case.
- Concern is raised about the apparent lack of access control in the area of Sandringham Road playing fields which already suffers from off-road bikes and the occasional quad bike blasting along the fields, LVT and on to public roads. On the section between Ladybridge Road and the footbridge at Calderbrook Drive there appears to be only 'A' frame barrier (Ladybridge Road) yet there are at least six other potential points of entry to the path, these are -  
Calderbrook Drive

Bowmont Close  
Warwick Close \*  
Sandringham Road \*  
Twining Brook Road \*\*  
Crossefield Road \*

(\* - These access points currently have barriers of a design which do not prevent motor bike access) (\*\* - Access path here is wide enough for a small car). This new paved track will be viewed only as a 'fun' place to ride illegal bikes/vehicles.

2 in support assert the following:-

- The Greater Manchester Cycling Campaign support this scheme, which will provide a useful addition to cycling facilities in this part of Stockport. It should not be seen however as a substitute for an on road route. There is a need for a link between the scheme and the CCAG1 scheme along Manchester Road. We feel that, even at this stage, a signed route from Brookfield Road, using quiet streets, should also be included.

- I particularly like the ramp from Bramhall Park Road down on to the new cycle way along Ladybrook Valley.

### **CONSULTEE RESPONSES**

Drainage Engineer – In principle we are happy with the proposals and sufficient concern and effort has been made to understand the flood risk and the potential impact of the path to the environment. Further mitigation steps maybe required in the detailed design.

There is no specific drainage information for us to comment on. However we are not concerned that is needed at this stage. The proposals highlight and address consideration for drainage and materials proposed seem to be acceptable with further detailed attention required to levels in relation to the flood plains. The strategy seems to be clear in the assessment of risk.

The application is considered and in this case we would be happy to see conditions in light of the efforts to promote sustainable techniques to provide drainage for the path and to balance/ replace any loss of potential flood storage with the imposition of the path. The detail design should assess levels and mitigation measures. There is opportunity to incorporate swales, landscape features, rain garden or even ditches where space is narrow.

The included documentation is useful and acceptable at this stage. The detail design must now tackle recommendations made in the flood assessment report in the application.

Environment Agency – comments will be reported orally to Members.

Greater Manchester Ecology Unit – The proposed path route goes through a grade B Site of Biological Importance: One Oak Farm. Pre-application site meetings considered ways of minimising the impact of the works to the SBI and these

measures have been incorporated into the design and the accompanying Habitat Management Plan. The Habitat Management Plan includes details of the construction phase mitigation measures for the whole route. These are largely satisfactory.

Some the proposed planting schedules do include species not locally native to Stockport, such as yew and basil, and would need amending. In addition there does not appear to be any details on the long term management and monitoring of the woodland and grassland areas to be created. This matter therefore requires clarification.

For the construction phase of the proposals, notwithstanding the changes required to the planting schedules, the works should be undertaken in strict accordance to with the Habitat Management Plan and a condition to this effect should be attached to any permission, if granted.

Tree Officer – There are legally protected trees within this site or affected by this development (Acru Works, Demmings Lane, Cheadle 2001, Tenement Lane, Cheadle Hulme 1966, Bramhall Park No.7 1974 & Bramhall Park No.6 1974). The development will result in the loss of a number of trees, however, subject to conditions to secure replacement planting/landscaping and the protection of retained trees during constructions works, no objections are raised.

Highway Engineer – The upgrading of the footpath route to a permanent cycle path will afford significant accessibility improvements to the general area. In terms of construction I am satisfied with the design and specification for a hard surfaced route that will drain naturally. Status changes where necessary will presumably follow due legal process and I therefore raise no concerns. Crossing points on adopted highway are proposed and these will be delivered by the highway authority along with all necessary signage.

Subject to the development being completed in accordance with the submitted details there is no need for any highway conditions. On this basis, no objections are raised.

Public Rights of Way Officer – no comments received.

## **ANALYSIS**

The site lies within the Green Belt and Landscape Character Area and comprises in part an Area at Risk of Flooding, Strategic Recreation Route and Site of Biological Importance as identified on the Proposals Map of the SUDP Review.

The main issues for consideration are therefore the principle of the proposed development including the impact on the Green Belt/Landscape Character Area; impact on flooding and impact on ecology and trees.

### **Principle of Proposed Development**

Policy L1.7 of the UDP 'Recreation Routes: Maintenance and Expansion of Network' states that *'all existing and proposed routes should be appropriately surfaced,*

*signposted and waymarked and kept free from obstruction. The Council will negotiate for extensions and additions to the network and improvements in the standard of routes’.*

The supporting text to this policy acknowledges that the Borough is relatively well provided with recreation routes however much work remains to be done to bring existing routes up to an acceptable standard. In view of the limited resources available the maintenance and improvement of the existing network will be the Council's first priority. Particular emphasis will be given to the maintenance and enhancement of existing routes along the length of the river valleys, following the riverside wherever possible.

Policy L1.8 of the UDP ‘Strategic Recreation Routes’ states that *‘the Council will safeguard and enhance the network of Strategic Recreation Routes shown on the Proposals Map.’*

These policies are supported by Core Strategy policy CS10 ‘An Effective and Sustainable Transport Network’ which states that *‘the Council will continue to provide a network of safe, good quality walking and cycling routes and other Rights of Way’.*

In support of their application and in response to objections, the applicant advises the following:-

- There is a need for the route to be located within the Ladybrook Valley to provide improved routes for cyclists and pedestrians in and around the Borough. This is important to Stockport MBC as they are continually seeking to make cycling and walking safer and more of an attractive travel option and it is a key priority which also promotes healthier lifestyles.
- There are currently few high quality cycle routes provided in and around Cheadle Hulme district centre and there are gaps in the existing cycle network. This scheme proposes a set of measures which have been developed to address these issues by improving access to, from and around Cheadle Hulme, Cheadle, Bramhall Park and Bramhall for cyclists.
- The proposals have been designed to join gaps in the existing cycle network and create cycle routes that are attractive for less experienced cyclists linking to the wider cycling network which includes improving access to local schools and transport links which are part of a wider strategy, including a cycleway.
- This route has been chosen as it is located away from residential areas, there is an existing Public Right of Way (PRoW) and it is situated close to a number of other PRoW and trail linkages that are cycle friendly and so allows access to the cycle network through non-formalised routes.
- The enhanced route proposals aim to provide a recreation facility for local residents, day visitors, staying visitors, commuters and educational groups and an important link into the town and countryside for pupils of local schools and housing estates.

- The route will be accessible by a range of non-motorised users such as cyclists, pedestrians and equestrians and will be developed to accord with current national and local transport policies and guidelines.
- A range of key facilities and services, including public transport links, health and education uses will also be accessible from the application site.
- The use of the existing Ladybrook PRow and extending this to a bridleway has been progressed as this will provide a safer route option for vulnerable users (i.e., walkers, cyclists and equestrians) who may choose to commute to work or undertake leisure pursuits between Bramhall, Cheadle Hulme and Cheadle.
- Within the consultation process, a number of residents and Ward Councillors asked if the Council could investigate the possibility of using the Ladybrook Valley between Bramhall Park and Demmings Road as this links into the National Cycle Network (NCN) 558).
- The current Ladybrook Public Right of Way (PRow) is quite narrow and overgrown in most parts. The proposed enhancement of the route for a cycle path will enable multiple users safe access and appropriate continued management of the site. The applicant believes that this is realistically the most achievable and workable solution which will be centred on main 'spine' of the route, becoming dedicated as a bridleway which is in line with current design guides and transport policy. The proposal to widen the footways to 3 metres accords with the Greater Manchester Cycle Design Guidance. The proposal is therefore considered safe as there is sufficient space to extend the current path to 3m in the most part.
- The applicant ruled out the option for a 'definitive footpath with dedicated parallel cycle track' as this would be unacceptable to walkers in that this option would have also meant segregating the path which would lead to an increase in the width of the surfacing leading to additional costs. The applicant also rejected the option for a 'dedicated cycle track with a footpath status subsequently rescinded' as this would mean the Public Right of Way would be deleted from the definitive map. Although the target users are cyclists, the core aspirations of sustainable travel and, more importantly, the aims and objectives of the Stockport Rights of Way Improvement Plan will be greatly enhanced by choosing a status that will allow multiple users to enjoy the improved links between Cheadle, Cheadle Hulme and Bramhall.
- The Greater Manchester Cycle Design Guide states that a shared use path should have a width of 3 metres which the proposed Ladybrook Valley Cycle route would be adhering to. The path will also contribute in addressing health, including air quality, issues: the numbers of people nationally and regionally adversely affected by poor air quality, particularly from transport, has recently achieved a high profile of which, this matter needs to be tackled by Stockport urgently.
- In terms of safety, to safely and legally facilitate access for vulnerable users within the Ladybrook Valley, the bridleway option is considered most suitable and the minimum width the Council recommends for a bridleway is 3m.

- 'A frames' / horse stiles are proposed at some of the accesses to the Ladybrook Valley where these can be accommodated. The applicant recognises that these measures may not prevent all motorised two wheelers from accessing the bridleway, however Greater Manchester Police have been consulted regarding the scheme and they fully support its implementation. If anti-social behaviour does occur then this should be reported to Greater Manchester Police.

All of the above comments made by the applicant are noted and Members are advised that the enhancement of this recreation route accords with saved policies L1.7 and L1.8 of the UDP as well as Core Strategy policy CS10 all of which seek to provide and enhance recreation routes and the cycle network. It should also be noted that the proposed works will afford and improve disabled access to the Ladybrook Valley from Blenheim Road, Ladybridge Road (both sides), Twining Brook Road, Sandringham Road, Bowmont Close, Warwick Close, Birtles Close and Demmings Road. No element of these planning policies would preclude the route being upgraded to bridleway status to allow it being used by equestrians as well as cyclists and pedestrians.

#### Impact on the Landscape Character Area/Green Belt

Saved UDP policy LCR1.1 'Landscape Character Areas' states that *'development in the countryside will be strictly controlled and will not be permitted unless it protects or enhances the quality and character of the rural areas. Where it is acceptable in principle development should:-*

- (i) be sensitively sited, designed and constructed of materials appropriate to the landscape character area in which it is located and*
- (ii) be accommodated without adverse effect on the landscape quality of the particular character area.*

*Development proposals in the countryside should meet the following requirements, where relevant:-*

- (iii) protect or improve existing recreational land so as to maintain or enhance the predominantly informal recreational role of the countryside around Stockport;*
- (iv) not impede and where possible improve public access for all to the countryside;*
- (v) protect or enhance the natural environment in accordance with policies in chapter 3*
- (vi) conserve or enhance buildings, structures or remains which contribute to the history or character of the area, in accordance with policies in chapter 4 and*
- (vii) improve the appearance of the countryside, notably by removing or screening unsightly existing development, by making waterside areas more attractive or through additional landscaping.'*

Saved UDP policy LCR1.1a 'The Urban Fringe Including the River Valleys' states that *'proposals for development in the urban fringe should protect, conserve and improve the landscape quality and natural history of the locality and encourage development of a variety of attractive landscape types. Development should help create a landscape which is capable of absorbing the pressures associated with urban recreation. Where appropriate the Council will seek to establish a 'countryside'*

*character and development proposals should maintain or enhance the predominantly informal recreational role of the Landscape Character Areas covered by this policy.*

*Access to the urban fringe including the river valleys, for all people including those with disabilities and using all transport modes, should be enhanced. Riverside and other long distance walking routes and access for all water users should be protected and completed.'*

The supporting text to this policy confirms that the river valley areas should contribute to recreational use and that the emphasis of the river valley projects has been on informal recreation.

The flexipave material proposed to surface the pathway will be of a flecked appearance and will provide a bound porous surface that enables access through the Valley at all times of the year for those on foot, bicycle, in a wheelchair or on a horse. This surface treatment together with the lack of formal edging will present an informal appearance to the route and one which is considered to be in keeping with the Landscape Character Area. The applicant advises that this surface will prevent rutting and erosion which makes the existing path difficult to use in poor weather conditions. Access to motorised modes of transport will be restricted at various points along the route. Adjacent to the route the existing landscaping will be retained beyond the pathway proposed and enhanced by additional planting (further details of which can be secured by way of a condition).

It is considered that the method of surfacing the route together with the landscaping proposed will result in a development that is appropriate to the area and can be accommodated without adverse impact on the character of the area. The existing informal recreational use of the land will be maintained and enhanced and public access will be improved for all non motorised transport modes and the disabled.

On this basis, it is considered that the proposed development is in compliance with saved policies LCR1.1 and LCR1.1a of the UDP Review.

Saved policy GBA1.2 'Control of Development in Green Belt' confirms that '*Forms of development other than new buildings, including changes in the use of land, will not be permitted unless they maintain openness and do not conflict with the purpose of including land in the Green Belt*'.

This approach to development in the Green Belt is supported by para 90 of the NPPF which states that '*certain other forms of development are also not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purpose of including land in Green Belt. These are:-.....engineering operations*'

The development proposed clearly amounts to an engineering operation and is therefore appropriate in Green Belt terms provided it maintains openness and can be demonstrated that it does not conflict with the purposes of including land within the Green Belt.

Para 90 of the NPPF lists the purposes of including land within the Green Belt as to:-



- Check the unrestricted sprawl of large built up areas
- To prevent neighbouring towns from merging into one another
- To assist in safeguarding the countryside from encroaching
- To preserve the setting and special character of historic towns and
- To assist in urban regeneration by the recycling of derelict and other urban land.

In response to this policy position Members are advised accordingly:-

- It is not considered that the resurfacing of an existing path will impact on the openness of the Green Belt.
- The proposed development will not result in the sprawl of a large built up area. The surfaced footpath will be wider than that existing in most parts, however, will follow the same route and will be surfaced in materials appropriate to its setting. The route will be in the main screened by existing trees and landscaping which will be enhanced as part of the development proposed. This could not be concluded to constitute urban sprawl.
- Following the same route as that existing, the proposed development will not result in the merging of neighbouring towns nor will it encroach into the countryside beyond that existing.
- The site is not located adjacent to or within a historic town and
- The development is required on this site; it cannot be located elsewhere outside the Green Belt or within an urban area. As such, it will not prejudice urban regeneration.

On the basis of the above it is considered that the development will not impact on openness and does not conflict with the purposes of including the land in the Green Belt. As such, the development is compliant with saved policy GBA1.2 and para 90 of the NPPF.

#### Impact on Ecology and Trees

The current route passes through a Grade B SBI: One Oak Farm. The applicant advises that this route is very wet in places and becomes extremely muddy during the winter months. To avoid the worst affected areas, users walk a variety of routes which in turn impacts on the existing habitat and ground flora. The proposed path with a proper porous surface will encourage users not to stray off the designated route hopefully minimizing further damage to the surrounding SBI.

The application site was surveyed to a distance of 30m to either side of the proposed route to ascertain the presence of protected species such as bats, amphibians, badgers, riparian mammals and breeding birds. The main habitat types present across the length of the route were noted as including semi-improved grassland, tall ruderal, scrub, broadleaved woodland and flowing water.

During the course of the survey, other than a Kingfisher, no protected species were observed. The earth banks offer suitable burrowing habitat for water voles in discrete locations although none were recorded. No evidence of otter presence was observed nor were potential holt/lying up sites located. Waterbodies within the vicinity of the survey corridor were assessed as to their potential to support great crested newts. The reservoir and the dry pond are considered to offer suboptimal great crested newt aquatic habitat and therefore the risk of great crested newts being present and affected by the proposed works is considered negligible. A number of trees with features potentially suitable for use by roosting bats were identified during the survey and the woodland and river corridor provide optimal bat foraging habitat. The woodlands provide suitable sett building habitat for badgers although disturbance levels are relatively high (e.g. from dog walkers) and this may explain an absence of badger field signs.

The submitted Ecology Report concludes that:-

- The scheme has the potential to cause damage to woodland habitats, through direct loss of the habitat and through increased disturbance of the remaining areas. The most notable impacts to woodland habitat are likely within One Oak Farm SBI, through the upgrading of the existing path and provision of a new access through the woodland from Dorset Avenue. Any agreed scheme within the woodland would need to be developed and implemented under a Woodland Method Statement to ensure adverse impacts are minimised and appropriately mitigated for.
- Adequate compensatory measures to offset impacts to the woodland (including the SBI habitat) will also need to be provided. This can include compensatory planting and habitat improvement works such as removal of non native trees and shrubs (e.g. sycamore and Himalayan balsam) and details of subsequent management. Enhancement measures to achieve nature conservation gains include introducing a coppicing regime, planting of native woodland ground flora and erection of bat and bird boxes.
- Impacts associated with the loss and disturbance of grassland habitats can be mitigated and offset by improving existing grassland habitats: implementing an appropriate management regime to increase diversity and benefit biodiversity.
- The new cycle route/bridleway should not encroach any closer to the riverbank than the existing path in order to minimise impacts to the riparian corridor. A Watercourse Protection Plan to protect Micker Brook/Lady Brook from any adverse impact of the proposals should also be prepared to reduce the risk of pollution to the watercourse during the proposed works. It should also ensure that the river corridor remains until and unobstructed throughout the scheme (both construction and operational phases) to ensure no impact on nocturnal and riparian animals which utilise the site.
- Retained trees should be protected during the course of construction and a landscaping plan should be produced to provide replacement habitats to compensate for the loss and increased disturbance of woodland, grassland and trees. This should include provision for the future management of these habitats, in line with Policy NE1.2 and NE3.1 of the retained UDP to protect SBI and Green Chain habitats. Furthermore the landscaping plan should also include measures to

enhance these areas to increase biodiversity, and to ensure the proposed scheme is in accordance with the relevant planning policy and legislation.

- The steep earth banks along the watercourse provide suitable nesting habitat for kingfisher, which are known to be present in the area. To avoid disturbance, works should therefore be timed to avoid the nesting season, which is March-August (inclusive). This approach would also protect nesting birds in woodland and scrub habitats affected by the proposals. If timing the works in this way is not feasible however, an update survey for kingfisher will be required prior to works commencing (preferably no more than 2 or 3 days in advance of works) to ensure no active nests are present. This survey should focus on areas where the proposed route comes within 5m of the river bank.

- Similarly a pre-works check for nesting birds should be undertaken prior to any tree felling, vegetation clearance or pruning works that are scheduled during the bird nesting season (preferably no more than 2 or 3 days in advance of works). If nesting birds are confirmed to be present than works in that particular area (up to 5m away) would need to be postponed until young have fledged and/or nesting has been completed.

- Further survey of the trees offering high bat roosting potential will therefore be required prior to determination of any planning application.

- Furthermore that if evidence indicative of bat presence is discovered during the inspection survey, or the tree(s) is confirmed to have high roosting potential, it would likely be necessary to carry out night time activity surveys at the tree to determine roost status. The report suggests that this survey work would also need to be carried out prior to determination of any planning application and should be carried out by a suitably experienced ecologist at the appropriate time of year (May-September).

- To mitigate for the loss of potential bat roosting habitat (Appendix 4 shows 16 trees offering bat roost potential would be lost/directly impacted by the proposed scheme), it is recommended that bat boxes are installed on suitable retained trees. For every potential bat roost tree to be lost it is advised to provide at least two bat boxes are provided.

- A management plan should be prepared in consultation with a suitably experienced contractor to avoid spread of the invasive species recorded within the survey area. This should include measures to treat and eradicate Japanese knotweed from the site prior to works. Also timing works to avoid spread of Himalayan balsam and/or cleaning equipment and machinery before transportation away from the site to avoid seed dispersal.

- No evidence of any other protected species was recorded during the survey, however given the mobile nature of some species, the possibility remains that they may enter the area in the future. As such if at any time during works any protected species are discovered on site, work should cease immediately and advice sought from a suitably experienced ecologist and/or Natural England.

Members are advised that further surveys of the trees identified as offering moderate to high potential for bat roost were surveyed and no evidence of roosting bats were found.

It is noted that the Greater Manchester Ecology Unit have considered the application and have advised that they have no objections. The landscaping approach proposed has been amended to reflect their comments with regard to non native species and conditions can be imposed to secure further details in this respect as well as other issues highlighted by the report.

On this basis, it can be concluded that subject to the imposition of conditions, the proposed development will not have an unacceptable impact on protected species within or adjacent to the application site. The proposed development therefore complies with saved policies NE1.1 Sites of Special Nature Conservation Importance and NE1.2 Sites of Nature Conservation Importance of the UDP Review and policy SIE-3 Protecting, Safeguarding and Enhancing the Environment of the Core Strategy.

The Tree Report submitted with the application confirms that:-

- To allow the required width of path and associated working area, the loss of small and insignificant trees is envisaged, however, the aim would be to minimise the impact and retain the ambience of this area. Due to the crowded nature and lack of maintenance along the route there are very few trees of individual merit, however, some individual trees have been noted and these have been surveyed and measures will be put in place to retain them where possible.

- Where the route does come within the root protection area of trees to be retained then a “no dig” method is to be employed.

The Council’s Tree Officer has considered the report and concludes that subject to a condition to secure details of the replacement planting and protection to retained trees, the development is acceptable.

#### Flooding/Drainage

The Flood Report submitted with the application advises the following:-

- The river is prone to flooding in times of heavy rain. The Environment Agency has classified several areas around the river as Flood Zones 2 and 3. (Zone one means the area is not subject to flooding.) There are EA requirements for developments within flood zones 2 and 3. Generally planning is not granted unless there is clear evidence that there is enough mitigation in place to avert the risk of increased flooding on the site or elsewhere.

- The EA flood map shows the route mostly falls into flood zones 2 and 3. Flood plains are not to be altered in a way that will reduce the volume for flood water in the event of a flood. In cases where this cannot be avoided the lost volume must be compensated by means of swales or other storage facilities. As a minimum, the same volume must be replaced as the volume lost to the development. This is

known as flood compensation and will help avert any increased risk of flooding downstream which might otherwise result.

- Sustainable drainage systems (SuDS) can be used in all types of developments to provide a natural approach to managing drainage, prevent water pollution and flooding in urban areas. SuDS also create green spaces and habitat for wildlife in towns and cities. SuDS work by slowing and holding back the water that runs off from a site, some SuDS then also allow natural processes to break down pollutants. Flood storage is provided to compensate for the effects of catchment urbanisation and or to reduce flows passed downriver and mitigate against downstream flooding.

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- If the required amount of material to construct the path is placed over the existing ground levels 1093 cubic meters of flood plain will be lost over the length of the path assuming the whole path is within flood zone 2 and 3. The path may be arranged so that some parts are at existing levels and some parts are built over the existing levels. The lost volume can be calculated as necessary and provisions for flood compensation of equal measure can be provided.

- There has been no objection in principle from the EA over the proposal for a new path along the river. The EA indicated that as the chosen surface was porous and intended to generally run off to the ground either side without positive drainage, it would tend to imitate existing conditions and formal drainage discharge consents will not be required. The path was generally intended to be slightly raised above existing ground levels with shoulders of local soil. Recent EA responses regarding a similar application have highlighted EA concerns over reductions in flood zone storage by raising of ground levels in this manner. The result in that case was to provide swales alongside of equal volume to compensate. Alternatively, the path could be laid flush with existing levels but the existing material would then have to be excavated and removed off the site or moved to areas that do not fall within the flood zones 2 and 3.

In response to this Members are advised that the comments of the Environment Agency will be reported orally. The Council's Drainage Engineer in his capacity as the Lead Local Flood Authority has however considered the application and advises that subject to the imposition of conditions to secure measures to mitigate against the loss of potential flood plain, the development is acceptable. Noting this, together with the permeable nature of the surface proposed, it is not considered that the

development will give rise to an unacceptable impact in relation to flooding and drainage.

#### Other

Any formal comments received from the Public Rights of Way Officer will be reported to Members, however, as it is understood that the scheme has been drawn up in consultation with this Officer, it is not expected that any objections will be received in this respect. Conditions can be imposed to secure details of any temporary diversions to the PROW together signage advertising such diversions.

Objections relating to issues of land ownership or whether the proposed development is the correct use of public funds are not material to the consideration of this application.

Impact on land values is not material to the consideration of the application.

The cleansing of the bridleway is the responsibility of the Council.

The application has been advertised by the posting of 13 site notices at the intersection of the application site with public highways and along the route itself. The application was also publicised by way of an advertisement in the local press. It is therefore considered that sufficient publicity has been undertaken to advertise the receipt of the application.

#### Conclusion

The proposed development will enhance the existing pathway along this section of the Ladybrook Valley, improving accessibility for all and promoting the use of sustainable modes of transport, recreation and healthy living. As such it is considered that the development accords with policies L1.7 and L1.8 of the UDP Review and policy CS10 of the Core Strategy DPD.

The development is of an appropriate design in keeping with the Landscape Character Area within which the site is located, will improve recreational land and public access and will protect the natural environment. For these reasons the development is considered compliant with policies LCR1 and LCR1.1a of the UDP Review.

The development will preserve the openness of the Green Belt and will not conflict with the purposes of including land within the Green Belt consistent with policy GBA1.2 of the UDP Review and para 90 of the NPPF.

The application is supported by Ecology and Tree Surveys which conclude that subject to the implementation of mitigation measures, there will be no harm in this respect. Furthermore, as outlined in the Flood Report, the proposed surface of the path will be porous thus allowing water to soak through it and drain away naturally. Additionally, mitigation measures can also be secured to ensure that the development does not result in the loss of potential flood plain.

In considering the planning merits against the Development Plan and NPPF as a whole the proposal represents sustainable development; Section 38(6) of the

Planning and Compulsory Purchase Act 2004 requires that the application be granted subject to conditional control.

**RECOMMENDATION** GRANT SUBJECT TO THE IMPOSITION OF  
CONDITIONS