

**19/05794/R9FUL**

## **Consultations and Notification Responses**

### **Ward Councillor Preliminary Comments**

**Councillor Marten Clarke** Given the number of objections please bring this application to committee for determination. I understand that the disused railway between HW and BE has been reserved for the provision of a footways and by cycle track between High Wycombe and Bourne end. Thus the application conforms to the Council's long standing plan.

### **Parish/Town Council Comments/Internal and External Consultees**

#### **High Wycombe Town Unparished**

##### **Arboriculture Spatial Planning**

Comments No objection to plans and Arboricultural Impact and Method Statement including Tree Protection Plans.

The proposal for new cycle and foot paths including the access points to and from Bassetsbury Lane, London Road, Bowden Road and the former allotment site have taken the route of least resistance in regards to trees with minimal losses which for the most part are low quality. The proposal as to installing a footpath along the front of the former allotment to the eastern section fronting Bassetsbury Lane follows the old fence line and would only see the loss of low quality small or scrub trees. The proposal to move or realign the fence would not have any detrimental impact on the retained trees. The tree data table put forward reasonable recommendations regarding the management of trees given, historically, the limited management that has historically been undertaken.

Overall the proposals retain and provide adequate tree protection measures taking into consideration the installation of ramps, steps, crossings, cycle way and footpaths.

Recommend a condition that development is built in accordance with the Arboricultural Method Statement and Tree Protection Plan accompanying this application.

##### **Crime Prevention Design Advisor**

Comments: Unable to support the application because of concerns that the development of this footpath could have a negative impact on crime and ASB and police resourcing.

The key concerns are secluded route, limited surveillance, need for regular maintenance of trees, currently low level of legitimate activity throughout the day to deter crime and ASB. Adequate connectivity to shops etc. (this is not a view shared by the highway authority).

##### **Lighting**

Proposal to light the footpath will suggest this is promoted as a safe pedestrian route during hours of darkness. The police would not wish it to be promoted as a safe footpath. Lighting is only likely to facilitate those intent on crime

Existing issues. There is already evidence of anti-social behaviour, fly tipping, graffiti and potentially rough sleeping. Calls for service currently include public order, vehicle crime and anti-social behaviour incidents. An upgraded footpath/cycle route might have a positive impact on these issues but only if there is significant legitimate usage.

##### **County Highway Authority**

Comments: No objections subject to suggested conditions.

Although this planning application seeks to create a shared footway and cycle way atop the former High Wycombe to Bourne End trackbed, you will recall that the Highway Authority required the implementation of such a feature in order to address pedestrian safety issues arising from the

planning application proposing the erection of 40 residential park homes on the Bassetsbury Lane allotment gardens site (18/06767/FUL).

Specifically, it was discussed that there was a section of Bassetsbury Lane devoid of a footway for a 100m section along the southern boundary of No.41 Bassetsbury Lane. This section is poorly lit and flanked on each side by tree canopies. Given that there would be no other route for pedestrians travelling between the development proposed and London Road, it would ordinarily have been a reason upon which to lodge a highway safety objection.

However, during the application's determination period, the applicant approached the Highway Authority with proposals to upgrade the trackbed. In addition to providing pedestrian links for the allotment development to access bus services on London Road, it also delivers a section of footway/cycleway in accordance with Policy DM4 of the WDC Delivery and Site Allocations Plan.

### **Ecological Officer**

Comments: 1<sup>st</sup> comments

DRAWINGS REFERENCED:

- Ecology: Wildlife Checklist Assessments (from Biodiversity in Planning Website),
- B.J.Unwin Tree documents
- Design and Access Statement

The proposals have the potential to have a variety of impacts on protected wildlife, these include artificial lighting, which can affect nocturnal species, felling of trees and destruction of bat roosting and bird nesting opportunities, ground works which could affect burrowing animals such as badgers.

The site lies adjacent to Funges Meadow and I have seen bats and birds on and adjacent to the site, the site is also adjacent to the river wye which is an internationally rare priority habitat. Insufficient information has been submitted to assess the impact of the proposal.

RECOMMENDATION(S) Additional information is required i.e. a Preliminary Ecological Appraisal (in line with CIEEM guidelines) needs to be produced. Potentially bat surveys will be required which include inspection of possible locations for roosting bats and likely emergence and return surveys. Badgers and Kingfishers are known to be present in the area and need to be considered. Once results from these assessments/surveys are complete, it will be possible to understand the potential impacts and opportunities of the proposals and draw up mitigation/compensation and enhancement measures.

This a natural corridor and so negative impacts on wildlife must be minimised. The type of lighting proposed has the potential to have an adverse impact upon nocturnal species. The need for lighting could be reduced by taking a more holistic approach to the management of the corridor. There are many ash trees on the banks which are becoming affected by ash dieback, these trees will become an increasing problem from a safety perspective. Reduction of the number of trees (perhaps turning some into 'eco pollards') will also increase the amount of light reaching the path and the surveillance it receives and reduce future maintenance costs

If lighting is still considered necessary, it would be possible to have low level lighting which directs light down to the path. This will minimise the impact on wildlife.

CONCLUSION. More work needs to be undertaken and submitted before the proposals can be fully assessed.

### **Ecological Officer**

Comments:2<sup>nd</sup> comments

DRAWINGS REFERENCED:

Ecological Appraisal

COMMENTS: A thorough appraisal has now been undertaken. It suggests that no further surveys are required but mitigation and enhancement measures are necessary. With reference to the enhancements it is suggested that some of those recommended in section 8 of the report have been

incorporated into a Landscape Scheme (Robert Turner, per comms). This has not been included with what has been submitted.

RECOMMENDATION(S) I am satisfied that subject to recommended ecological mitigation and enhancement measures, the proposals can avoid harm and provided benefits to wildlife. Mitigation and Enhancement measures can be detailed in documents submitted subject to a pre start condition and which must be aligned with a submitted landscape scheme.

Condition required to secure ecological enhancements.

#### **Buckinghamshire County Council (LLFA; SuDS)**

Comments: 1<sup>st</sup> Response 10 May 2019

LLFA objects to the proposed development due to the absence of a site-specific flood risk assessment and supporting drainage information/

Comments: 2<sup>nd</sup> Response 31<sup>st</sup> July 2019

LLFA maintains their objection to the proposed development due to insufficient information regarding the proposed surface water drainage scheme

Comments: 3<sup>rd</sup> Response 11<sup>th</sup> February 2020

LLFA removes their objection to the proposal subject to recommended conditions.

#### **Environment Agency (south-east)**

Comments: 1<sup>st</sup> response 07 May 2019

Objection – sites lies partially within Flood Zones 2 and 3 and in the absence of a Flood Risk Assessment (FRA) it is not possible to understand the flood risks posed by the development.

Comments: 2<sup>nd</sup> response 19 August 2019

Objection – the FRA does not adequately assess the flood risks posed because it fails to assess the impact of climate change and also fails to demonstrate if there will be any loss of floodplain storage.

Also there should be no light spill onto the Rover Wye or the Wycombe March Brook and a Construction Environment Management Plan (CEMP) to show that the river will be protected during the works. This is mainly with reference to the proposed ramp construction at Bowden Lane, which is very close to both rivers.

Comments: 3<sup>rd</sup> response 06February 2020

Remove their objection on fluvial flood risk grounds subject to conditions

#### **Cadent Gas Ltd Plant Protection Department**

Comments: No comments received.

#### Representations

##### Amenity Societies

##### Chiltern Society

- The assessment of the potential impacts on biodiversity and the identification of opportunities to avoid, minimise and mitigate these and take opportunities to enhance biodiversity is not sufficient.
- Particular concern is the installation of lighting which will have an adverse impact on nocturnal wildlife
- A comprehensive ecological assessment is required to demonstrate that the biodiversity of this corridor will not be damaged
- Improving cycle links would be better achieved by taking forward measures proposed by Gomm Valley applicants.

## Comments received

32 comments have been received objecting to the proposal:

1. Path is tranquil and peaceful which will change with the upgraded path
  2. Residents of Sierra Road facing the embankment will be affected through loss of privacy and intrusion
  3. Negative impact on local habitats
  4. Lighting will cause loss of privacy, pollution and negative impact on wildlife, increase light pollution
  5. Likely to attract more crime
  6. Lack of adequate ecological assessment
  7. Already well used path by walkers, dog owners and local residents
  8. The ramp to Sierra Road is at a blind corner which will lead to accidents
  9. Path will be used by moped riders
  10. Unwanted and unnecessary with negative effect on the neighbourhood in terms of anti-social behaviour and accidents
  11. Surfaced path is not an improvement but an act of urbanisation which will damage the character of the area
  12. It is currently a functional facility
  13. Information submitted is not accurate in terms of wildlife and trees and hedges
  14. Should seek advice from Chiltern Rangers about the impact of the proposed footpath
  15. Loss of rural character
  16. Has a proper tree survey been undertaken, identifying trees to be removed and those to be retained and safeguarded
  17. Proposal came forward only to allow development of adjacent former allotments site but with little added benefit to the public
  18. Cyclists travelling between Bassetsbury Lane and London Road are already well catered for using Bassetsbury Lane and Chestnut Avenue
  19. Pleasant walkway in a natural state which will be spoiled
  20. Waste of public funds
  21. It is not part of a wider strategy but merely an ill thought out suggestion
  22. Sierra Road the wrong position for an access point. A better position would be the old Homebase site
  23. No provision to prevent access by small motorcycles or mopeds
  24. There is already a bicycle path that runs nearly parallel to the proposed path through the Wye Dene development
  25. A full environmental impact assessment should be conducted to identify the impact on wildlife.
  26. As an adjacent property sharing a boundary it will lead to loss of privacy because of the height difference
  27. More access points will increase the popularity of the path for anti-social behaviour
  28. Need to consult Environment Agency in respect of impact on chalk stream
  29. Proposed gradients are steeper than published recommendations for footpaths and cyclepaths
  30. Decision has been pre-determined.
- Comments received after removal of links to Sierra Road
31. Without lighting the path cannot be safe
  32. No lighting where the path will meet London Road.
  33. Amendments make the path less accessible to the Park Home residents

3 comments have been received supporting the proposal.

1. Great idea, we need more footpaths and cycleways
2. Lack of facilities for safe cycling whether for leisure or commuting
3. Positive step towards a proper network of paths and a sensible use of a derelict facility
4. Impact on wildlife will be minimal
5. It is a derelict railway line and does not have a rural character
6. Lighting must be provided
7. A usable path would discourage anti-social behaviour