

PLANNING COMMITTEE – 29 MARCH, 2006

REPORT OF THE DEVELOPMENT CONTROL MANAGER

MISCELLANEOUS ITEM

06/1998/042 CONSTRUCTION OF INFRASTRUCTURE WORKS INCLUDING ROADS, SEWERS & DRAINAGE/FLOOD ATTENUATION WORKS (PHASE 2), COTFORD ST LUKE

Members may recall that the above development was the subject of a Miscellaneous Report to the Planning Committee on 2 March, 2005,

The original Master Plan following the grant of outline planning permission at Cotford St Luke envisaged a footway/cycleway in the general vicinity of the public footpath around the western side of Burge Farm linking to the footpath leading to the lane which connects Burge Farm with Tithill Lane to the north. Subsequent reserve matters permissions provided for this footway/cycleway. As the housing development proceeded, it became apparent that the developers, Cofton, had provided the footway/cycleway within the area approved for residential development. Accordingly, the footway (1.5 m wide) was repositioned beyond the residential development, but there was insufficient room between the residential development and the top of the bank of the adjacent stream to also provide a separate cycleway. At the 2005 meeting. Members were very concerned that the required width for a footway/cycleway could not be provided and requested that further negotiations be undertaken. It was resolved that the Development Control Manager be requested to enter into further negotiations with both the developers and the Environment Agency with a view to the full 2 m width for a combined footpath/cycleway being provided along its full length.

Subsequent to the Committee decision, a site meeting was held with representatives of the developers, the Environment Agency and the County Highway Authority. The outcome of that meeting was that further discussions took place to look into the technical feasibility of providing the link to the required width. This revealed that these works cannot be implemented without restricting the floor and volume of the existing ditch. The Environment Agency has stated that restrictions of this nature would not be acceptable.

Although it is unfortunate that a full width footway/cycleway cannot be provided for this small 50 m length of development, the path is hard surfaced to 75% of the normally required width and will merely link with a narrow gravel public footpath beyond the Cotford St Luke development. In view of the discussions that have taken place, in particular the views of the Environment Agency, I consider that encroachment into the area of the adjacent ditch to provide the additional 0.5 m width of footway/cycleway would be inappropriate.

RECOMMENDATION

That the situation be noted and the submitted amended plan be APPROVED under the minor amendment procedure.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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