Name of Committee: Regulatory Committee

Date of Committee: 23 February 2010

Report Title: A429 Coventry Road, Kenilworth - Construction of a Pedestrian Footbridge/Cycleway

Summary: This application is for the construction of a pedestrian footbridge over the A429 (Coventry Road) in Kenilworth which incorporates a pedestrian footpath and cycleway.

For further information please contact: Mohammed Nasser, Planner
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Would the recommended decision be contrary to the Budget and Policy Framework? No

Background Papers:
- Planning Application – Received on 12/1/10.
- Network Rail Consultation Response – received on 14/1/2010.
- Local Resident Comments – received on 18/1/2010.
- Local Resident Comments – received on 26/1/2010.
- County Council Landscape Architect Consultation Response – received on 1/2/2010.
- Local Resident Comments – received on 2/2/2010.
- Local Resident Comments – received on 3/2/2010.
- Museum Services (Archaeology) Consultation Response – received on 5/2/2010.
- Local Resident Comments – received on 5/2/2010.

CONSULTATION ALREADY UNDERTAKEN:

- Other Committees: Details to be specified
- Local Member(s): Councillor D Shilton – no comments received as at 9/02/10.
- Other Elected Members: Details to be specified
Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

Chief Executive

Legal
I Marriott – comments incorporated.

Finance

Other Chief Officers

District Councils
Warwick District Council – no comments received.

Health Authority

Police
Police Architectural Liaison Officer – no comments received.

Other Bodies/Individuals
Kenilworth Town Council – no comments received.
Museum Services (Ecology) – no comments received.
Museum Services (Archaeology) – no objection.
Network Rail – no objection.

FINAL DECISION YES

SUGGESTED NEXT STEPS:
Details to be specified

Further consideration by this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation
Regulatory Committee – 23 February 2010

A429 Coventry Road, Kenilworth - Construction of a Pedestrian Footbridge/Cycleway

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a pedestrian footbridge over the A429 Coventry Road, Crackley, Kenilworth subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

Application No : W2038/10CC003

The Proposal : This application is for the construction of a pedestrian footbridge over the A429 (Coventry Road) in Kenilworth which incorporates use for pedestrians cyclists.

The Agent : Carolyn Cox, Warwickshire County Council, Environment and Economy, Barrack Street, Warwick, CV34 4SX.

The Proposer : Warwickshire County Council, Shire Hall, Warwick, CV34 4RR.

Site & Location : Coventry Road (A429), Crackley, Kenilworth.

Grid Reference : 429712, 273523.

See plan in Appendix A

1. Application Details

1.1 Planning permission is sought for the construction of a pedestrian footbridge that would cross the A429 (Coventry Road) at Crackley, Kenilworth. The proposed pedestrian footbridge would form a link between the Berkswell Greenway and Kenilworth Common therefore connecting to approximately 10km of shared footway/cycleway between Kenilworth, Berkswell and Coventry. The proposed footbridge would be located in the same location as a former railway bridge as the greenway footpath follows the route of a disused railway line which was
situated on a raised embankment which crossed over the Coventry Road (A429).

1.2 The footbridge design will be constructed from steel to an approximate span over the A429 of 40m with minimum headroom of 5.7m from the footway at road level to the bridge deck. This will allow the structure to comply with highway design standards and negate the requirement for height clearance markers on the bridge structure itself. The parapets are designed to be 1.4m in height whilst the bridge structure will include reinforced concrete abutments which are to be clad in brickwork suited to the locality.

1.3 The footbridge deck is to be constructed 3m in width to accommodate a shared cycleway and footpath, the surfacing of which is to be of a slip resistant material and is to coordinate with the adjoining fine yellow granite chip macadam shared footpath/cycleway. The footbridge railings are proposed to be constructed to a minimum height of 1.4m so as to accord with relevant safety standards whilst the colour of the footbridge has yet to be determined.

2. Background to the Proposal

2.1 The proposed footbridge over the A429 forms a key element of the overall Connect2 Kenilworth Project that will physically link the town of Kenilworth to Berkswell via the greenway and to the University of Warwick. The scheme will eventually provide over 10kms of high quality, largely traffic free, walking and cycling ways.

2.2 A Connect2 Kenilworth Steering Group was set up to ensure that local stakeholders were engaged from inception of the scheme through to completion, not just of the footbridge but the entire route. This Steering Group is chaired by Councillor J Whitehouse and comprises a variety of interested parties which include, County, District and Town Councillors, representatives from the University of Warwick, Friends of Kenilworth Greenway, Crackley Residents Association, Kenilworth Footpath Preservation Group, Cyclist Touring Club, Coventry Cycling Campaign, Sustrans and others and meets every three months, or more regularly according the overall schemes progress. There is a wider group of interested people and organisations who receive progress updates, Steering Group reports and national and local Connect2 newsletters whilst bi-monthly articles also appear in the local press.

2.3 The overall bridge structure design was chosen by public vote after a three day public exhibition was held in Kenilworth in October 2009. This allowed members of the public to acknowledge their preferred choice from three bridge structure designs and to also select from three colour options. The consultation received 303 completed responses with postcode analysis showing that 93% of respondents were Kenilworth residents. 53% of total respondents to the consultation opted for bridge design A ‘plain bridge’ whilst bridge design B gained 24% and bridge design C achieved 20%. This public consultation exercise resulted in bridge design A being formally chosen and submitted for planning approval.
3. Consultations

3.1 Warwick District Council – no comments received.

3.2 Kenilworth Town Council – no comments received.

3.3 Councillor D Shilton – no comments received.

3.4 Police Architectural Liaison Officer – no objection.

3.5 Museum Services (Ecology) – no comments received.

3.6 Museum Services (Archaeology) – no objection.

3.7 Network Rail – no objection.

4. Representations

4.1 Four letters received from local residents stating their concerns about the proposed footbridge. The main points are summarised below:-

(i) The footbridge and therefore the opening up of the greenway would afford views into local residential properties therefore resulting in a loss of privacy and possible security issues.

(ii) The possibility that the footbridge may impact negatively upon existing drainage/flooding issues in the immediate vicinity of the bridge location.

(iii) That local residents would wish to see improved landscaping (vegetation planting) of boundaries between residential dwellings and the footbridge/footpath in order to alleviate security concerns and the potential loss of privacy.

(iv) Concerns that during the construction phase of the footbridge and greenway Redthorne Grove would be obstructed by construction traffic associated with the proposed development.

(v) Concerns over noise nuisance from the footbridge’s slip-resistant surface.

4.2 A petition which contains 13 local residents signatures, objects to the proposed development on the following points;

(i) The footbridge and therefore the opening up of the greenway would afford views into local residential properties therefore resulting in a loss of privacy and possible security issues.

(ii) The possibility that the footbridge may impact negatively upon existing drainage/flooding issues in the immediate vicinity of the bridge location.

4.3 The Kenilworth Society has put forward an objection to the proposed development on the following point:-
(i) “We believe that the quality of the design is poor [footbridge] and not suitable for such an important location”. “We asked for a stronger and more original design in keeping with the bridge’s position at a prime entrance to Kenilworth”.

5. Observations

5.1 The proposed footbridge has been proposed to provide a safe crossing point thereby reducing potential safety hazards that might discourage both cyclists and pedestrians from using the route.

5.2 The proposed footbridge is to be constructed from steel and is considered to be a suitable material that is typically found in the streetscape. The proposed footbridge design has been chosen as it performs its function (i.e. a crossing point over the A429) and not as a ‘gateway’ to Kenilworth as some parties may have wanted. It is considered that the footbridge has been designed in a sensitive manner so that the design causes less visual impact when approaching it from either direction along the A429. As such it is considered that the proposed development accords with policy DP1 (Design and Layout) from the Warwick District Local Plan, also in that proposal it does “integrate with existing paths, streets, circulation networks and patterns of activity” and “adopts appropriate materials and details”. Also, as has previously been discussed, the proposed footbridge design was chosen after public consultation, which indicated that this was the preferred bridge design.

5.3 The proposed footbridge railings are designed to be at a minimum height of 1.4m which is an industry standard for footbridges designed with cycle users in mind. Further, the feedback from local residents and consultees, which state that the design of the bridges’ railings is ‘utilitarian’ and ‘municipal’ in nature, it is recommended that a condition requiring the applicant to submit full design details including measurements of the railings be imposed.

5.4 The proposed footbridge would sit on the site of an old railway bridge that was removed some decades ago. The proposed footbridge is elevated above neighbouring properties on a raised embankment, as the greenway route follows a removed railway line. The footbridge would be located in a predominantly residential area with many residential properties surrounding the footbridge’s proposed location, albeit at a lower ground level. The nearest residential property being located approximately 15m away from the proposed bridge location at a lower ground level (road level).

5.5 The proposed development has received a number of objections from local residents relating to the loss of privacy that would affect neighbouring properties through the opening up of the greenway route by the proposed footbridge. Land located either side of the footbridge is owned by Warwickshire County Council and it is considered appropriate to implement a suitable landscaping scheme to overcome residents concerns relating to loss of privacy and security. Therefore, it is recommended that a condition requiring the applicant to submit and implement a suitable scheme be imposed. As such, it is considered that the proposal accords with policy DP2 (Amenity) which seeks to ensure that
development does not adversely impact upon the amenity of nearby neighbours and land uses.

5.6 The Kenilworth Society have submitted an objection in relation to the proposal as they believe that the quality of the design is poor and that a more original design is required. Whilst this is subject to opinion it is considered that the bridge design was chosen on merit by the general public, through consultation and that the bridge design was chosen on the basis that it performs its function as a crossing point effectively and not as a prominent ‘gateway’ landmark for Kenilworth.

5.7 A further objection was put forward by local residents to the scheme in relation to drainage infrastructure of the scheme. Local residents at present have noted that there are existing problems with drainage in the area and are concerned that the proposed footbridge would adversely impact upon an existing problem. The footbridge design will require a drainage system and the applicant has proposed such a scheme. The scheme will be either a sustainable soakaway system which would store immediate storm water and then infiltrate the surrounding soil to disperse it (the size and depth of soakaway would be dependent upon the infiltration properties of the embankment) or, a traditional storm water drainage system which would collect run off from the bridge deck and then discharge it into the existing highway drainage system. As such, it is recommended that a condition requiring the applicant to submit and implement such a scheme be imposed.

5.8 As has been previously stated the proposed footbridge was put forward as part of an overall cycleway/footpath route between Kenilworth and Berkswell. During the consultation process, whereby local residents and consultees were consulted on the proposal, many residents and consultees replied showing their considerable support for the project and highlighting the fact that they believe the continuation of the greenway route through the construction of a footbridge would prove extremely beneficial for local residents and visitors alike.

6. Conclusion

6.1 It is considered that the continuation of the greenway route between Kenilworth and Berkswell would benefit many local communities along the route through increased access to the surrounding countryside, whilst helping to provide a safe, largely traffic free route into Kenilworth town centre. The proposed bridge is a simple, plain design that would not have a detrimental impact upon the visual amenity of the surrounding area.

PAUL GALLAND
Strategic Director for Environment and Economy
Shire Hall
Warwick

15 February 2010
Regulatory Committee: 23rd February 2010

Proposed Kenilworth Footbridge over A429

Produced using Warwickshire Online Mapping Browser and Toolkit (WOMBAT) Corporate GIS.
Appendix B of Agenda No

Regulatory Committee – 23 February 2010

A429 Coventry Road, Kenilworth - Construction of a Pedestrian Footbridge/Cycleway

Application No: W2038/10CC003

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.

Reason - To comply with the provisions of section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details submitted with the application reference W2038/10CC003 and in accordance with the approved plans comprising Plans Reference Numbers 100BFL 100840 Sheet 1 and Plan Number 2008/SD61/5 and any samples or details approved in accordance with the conditions attached to this permission except to the extent that any modification is required or allowed by or pursuant to these conditions.

Reason - To define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

3. The development hereby permitted shall not be commenced until a schedule of all external finish materials including colourings, to be used on the exterior of the structure hereby approved has been submitted to and approved in writing by the County Planning Authority. The development shall then be carried out in accordance with the said approved schedule.

Reason - To ensure the satisfactory appearance of the completed development.

4. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall include a planting plan showing existing trees to be retained along with new planting, written specifications and schedules of plants/trees noting their locations, species, sizes and proposed numbers and densities.

Reason - To ensure the satisfactory appearance of the completed development.

5. The landscaping scheme approved pursuant to Condition 4 of this permission shall be implemented in the first planting season following the completion of the development hereby approved and, unless otherwise agreed in writing by the County Planning Authority, should any plants/trees planted as part of the landscaping scheme die, be removed or become damaged or seriously diseased
within five years of the initial planting then they shall be replaced in the next planting season with others of a similar size and species.

**Reason** - To ensure the satisfactory appearance of the completed development.

6. The development hereby permitted shall not be commenced until full design details of railing design for the footbridge have been submitted to and approved in writing by the County Planning Authority. These details should include written specifications, elevation drawings and precise measurements. The development shall then be carried out in full in accordance with the said approved details.

**Reason** - To ensure the satisfactory appearance of the completed development.

7. The development hereby permitted shall not be commenced until full details of the means of surface water disposal to serve the development have been submitted to and approved in writing by the County Planning Authority. The said approved scheme shall then be installed in the approved form prior to the development being utilised by the general public.

**Reason** - To ensure that the satisfactory arrangements are made for the disposal of the foul and surface water generated by this development.

**Development Plan Policies Relevant to this Decision**

**Warwick District Adopted Local Plan. 1996 – 2011**

**DP1 – Layout and Design** – Development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. Development proposals will be expected to demonstrate that they:-

(i) harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use;

(ii) relate well to local topography and landscape features, including prominent ridge lines;

(iii) reinforce or enhance the established urban character of streets, squares and other spaces;

(iv) reflect, respect and reinforce local architectural and historical distinctiveness;

(v) enhance and incorporate important existing features into the development;

(vi) respect surrounding buildings in terms of scale, height, form and massing;

(vii) adopt appropriate materials and details;

(viii) integrate with existing paths, streets, circulation networks and patterns of activity;
(ix) provide adequate open space for the development in terms of both quantity and quality;

(x) incorporate necessary services and drainage infrastructure without causing unacceptable harm to retained features;

(xi) ensure all components, e.g. buildings, landscaping, access routes, parking and open spaces are well related to each other and provide a safe and attractive environment;

DP2 – Amenity – Development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development.

DP11 – Drainage – Development will be encouraged to incorporate sustainable drainage systems which provide for the disposal of surface water.

DP14 – Crime Prevention – The layout and design of development will be encouraged to minimise the potential for crime and anti-social behaviour and improve community safety.

SC4 – Supporting Cycle & Pedestrian Facilities – Development of cycle and pedestrian facilities will be permitted provided the benefits in terms of encouraging cycling and walking outweigh any adverse impacts.

Reasons for the Decisions to Grant Permission

The development hereby permitted accords with the relevant provisions of the development plan and there are no contrary material considerations sufficient to withhold permission. Furthermore it is considered that the social and infrastructure benefits which will result from the proposals implementation constitute sound planning reasons which upholds approval of this development.

Note: The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.