

# DEVELOPMENT MANAGEMENT COMMITTEE 22<sup>nd</sup> May 2023

**Case No:** 21/00076/FUL

**Proposal:** CONSTRUCTION OF A DUAL USE CYCLE/PEDESTRIAN PATH FROM SUTTON VILLAGE ACROSS THE MEADOWS TO THE NENE VALLEY RAILWAY STATION AT STIBBINGTON. THIS WOULD APPROX 900M IN LENGTH. THE CONSTRUCTED PATH WOULD FORM PART OF A LONGER CYCLE ROUTE, MAINLY ON PUBLIC ROADS FROM AILSWORTH TO THE NVR STATION.

**Location:** NENE VALLEY RAILWAY, WANSFORD STATION  
GREAT NORTH ROAD, STIBBINGTON

**Applicant:** MR ANDREW NASH

**Grid Ref:** 509359 297954

**Date of Registration:** 12 JAN 2021

**Parish:** SIBSON-CUM-STIBBINGTON

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## RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) because the Officer recommendation of approval is contrary to the Parish Council recommendation of refusal.

### 1. DESCRIPTION OF SITE AND APPLICATION

#### Site and Surroundings

- 1.1 The site comprises a dismantled railway line between the southern end of Lovers Lane in Stibbington and Wansford Station on the Nene Valley Railway (NVR). It largely follows an established field boundary before crossing the River Nene, close to the railway station. More particularly, this application relates to the unsurfaced informal path between the pedestrian bridge and the Old Great North Road. Both the bridge and signal box are Grade II Listed. The site is in Flood Zone 1.

#### Proposal

- 1.2 This is a cross boundary application with most of the works falling within the local authority area of Peterborough City Council. The project proposes the construction of a dual-use cycle/pedestrian path from Sutton Village to the north across the

meadows to the Nene Valley Railway Station at Stibbington. This would be approximately 900 metres in length. The constructed path would form part of a longer cycle route, mainly on public roads from Ailsworth located further to the east via Sutton to the NVR station. Members should note that the application within the local authority area of Peterborough City Council was originally refused but was allowed at appeal. Therefore, the scheme now benefits from planning permission.

- 1.3 Only the very final part of the route, the end of the Nene Valley Railway footbridge alongside the railway bridge over the River Nene, is within Huntingdonshire District Council's area (the boundary between Huntingdon District Council and Peterborough Council runs along the centre of the River Nene here). This very final part of the route is what the application in front of members relates to.
- 1.4 This application seeks planning permission for surfacing works to widen and level out the unsurfaced informal path between the pedestrian bridge and the Old Great North Road. The path is to be 2.5m wide and constructed with asphalt.
- 1.5 Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.
- 1.6 The application is supported by the following documents;
  - Photographs of the site
  - Design and Access Statement
  - Heritage Statement
  - Ecological Impact Assessment
  - Supporting Statement
  - Image of Proposed New Steps at Wansford Station
  - Statements from various local organisations who support the proposals

## 2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20<sup>th</sup> July 2021) (NPPF 2021) sets out the three objectives – economic, social and environmental – of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: *‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).’*
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;

- achieving well-designed, beautiful and safe places;
  - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2021 (see section 3.4 below) are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

### 3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1: Amount of Development
  - LP2: Strategy for Development
  - LP4: Contributing to Infrastructure Delivery
  - LP5: Flood Risk
  - LP7: Spatial Planning Areas
  - LP11: Design Context
  - LP12: Design Implementation
  - LP14: Amenity
  - LP15: Surface Water
  - LP16: Sustainable Travel
  - LP17: Parking Provision and vehicle movement
  - LP30: Biodiversity and Geodiversity
  - LP31: Trees, Woodland Hedges and Hedgerows
  - LP34: Heritage Assets and their Settings
- 3.2 Supplementary Planning Documents (SPD) and Guidance:
- Huntingdonshire Design Guide Supplementary Planning Document (2017):
  - Developer Contributions SPD (2011)
  - Huntingdonshire Landscape and Townscape Assessment (2007)
  - Cambridgeshire Flood and Water SPD 2017
  - Huntingdonshire Tree Guidance Note 3
  - Annual Monitoring Report – Part 1 (Housing) 2019/2019 (October 2019)
  - Annual Monitoring Report – Part 2 (Non- Housing) 2018/2019 (December 2019)
  - RECAP CCC Waste Management Design Guide (CCC SPD) 2012
- 3.4 The National Design Guide (2021)
- \* C1 - Understand and relate well to the site, its local and wider context
  - \* I1 - Respond to existing local character and identity
  - \* I2 - Well-designed, high quality and attractive
  - \* B2 - Appropriate building types and forms
  - \*M3 - Well-considered parking, servicing and utilities infrastructure for all users

\* H1 - Healthy, comfortable and safe internal and external environment

For full details visit the government website [Local policies](#)

#### **4. PLANNING HISTORY**

- 4.1 20/01026/FUL - Construction of a dual- use cycle/pedestrian path from Sutton Village across the meadows to the Nene Valley Railway Station at Stibbington, including cattle grids, a new 3m wide timber cycle/footbridge over field drain and new flight of steps with wheeling channel to the footbridge across the River Nene - Refused but allowed on Appeal. APP/J0540/W/21/3287810

#### **5. CONSULTATIONS**

- 5.1 Sibson-cum-Stibbington Parish Council - Are opposed to the application on the grounds of major flooding issues and the cycle path extending beyond Sutton has been refused.

Officer Note: The Parish Council have been contacted advising that as the application involves such a small area of hardstanding within HDC's area and permission was granted at Appeal for the works within Peterborough City Council's area would they be prepared to remove their objection. The Parish Council still object on flooding grounds.

- 5.2 Local Highway Authority – No objection.

Subject to a condition regarding the construction of the pedestrian link where it crosses the public highway

- 5.3 Conservation Team - No objection.

The bridge is a grade II listed building and the signal box is also a grade II listed building. Whilst the works elsewhere in the scheme are more extensive the only works proposed within this district appears to be resurfacing works to widen and level out the existing unsurfaced informal path between the pedestrian bridge over the river Nene and the edge of the great north road. This work falls within an area of informal carparking.

The works proposed will not cause harm to the bridge or the signal box.

#### **6. REPRESENTATIONS**

- 6.1 One letter has been received supporting the application for the following reasons:

- The proposed route between Sutton and Stibbington mainly follows what was previously a railway line and therefore

continues to utilise this route as a transport solution. A solution that is needed in the area to provide safe cycling access to nearby population centres.

## **7. ASSESSMENT**

- 7.1 When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.
- 7.2 As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".
- 7.3 In Huntingdonshire the Development Plan consists of:
- Huntingdonshire's Local Plan to 2036 (2019)
  - Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
  - Neighbourhood Plans – the application site does not fall within an area covered by a neighbourhood plan.
- 7.4 The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor* [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.
- 7.5 The main issues to consider as part of this application are:
- Principle of Development
  - Design, Visual Amenity and impact on the surrounding area
  - Impact upon heritage assets
  - Residential Amenity
  - Highway safety
  - Flood Risk and drainage
  - Biodiversity

### **Principle of Development**

- 7.6 The site is located within the open countryside and the proposal is part of a large scheme to provide a dual use cycle/pedestrian path.
- 7.7 Local Plan Policy LP10 (Countryside) states: *that all development within the countryside must:*
- a. Seek to use land of lower agricultural value in preference to land of higher agricultural value*
  - i. Avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible*
  - ii. Avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land*
  - b. Recognise the intrinsic character and beauty of the countryside*
  - c. Not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others*
- 7.8 Policy LP10 of the Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in the other policies of this plan.
- 7.9 Policy LP16 relates to Sustainable Travel and states that new development will be expected to contribute to an enhanced transport network that supports an increasing proportion of journeys being undertaken by sustainable travel modes.
- 7.10 This application relates to works which form part of a wider strategy for a proposed cycle and pedestrian route from Sutton village to Wansford Station with only a small area of works falling within the Huntingdonshire Area. Whilst the works elsewhere in the scheme are more extensive the only works proposed within this district involve resurfacing works to widen and level out the existing unsurfaced informal path between the pedestrian bridge over the river Nene and the edge of the great north road. The remainder of the proposal falls within Peterborough City Council where permission has been granted at appeal for the works.
- 7.11 Given the nature of the proposal and as it is part of a wider strategy for a proposed cycle and pedestrian route from Sutton village to Wansford Station, Officers consider the proposal complies with Policies LP10 and LP16 of the Local Plan. The principle of development is therefore considered acceptable, subject to all other planning matters being addressed.

### **Design, Visual Amenity and impact on the surrounding area**

- 7.12 Policy LP11 of the Local Plan states that proposals will be supported where it is demonstrated that they positively respond to their context and draw inspiration from the key characteristics of their surroundings, including the natural, historic and built

environment. Policy LP12 of the Local Plan states that proposals will be supported where they contribute positively to the area's character and identity and where they successfully integrate with adjoining buildings, topography and landscape.

- 7.13 The proposed development within Huntingdonshire's area is limited to surfacing works to widen and level out the unsurfaced informal path between the pedestrian bridge and the Old Great North Road. This would involve the levelling off the ground and the laying of a small area of tarmac between the existing pedestrian bridge and the Great North Road. Officers recommend a condition to ensure the proposal is built as per the materials on the plans.
- 7.14 Overall, the proposal would respond positively to its context within the countryside setting. The proposal is therefore considered to accord with Policies LP10, LP11 and LP12 of the Local Plan.

### **Impact on Heritage Assets**

- 7.15 Both the bridge and signal box are Grade II Listed.
- 7.16 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.17 Para. 199 of the NPPF set out that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. Para. 200 states that *'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'*
- 7.18 Local Plan Policy LP34 aligns with the statutory provisions and NPPF advice.
- 7.19 The Conservation Team have been consulted and advise the works proposed will not cause harm to the bridge or the signal box. Officers agree with this given the minor nature of the proposal. The proposal would therefore preserve the setting of the nearby Listed Building in accordance with policy LP34 of the Local Plan, and paragraphs 199 and 200 of the NPPF (2021) in this regard.

### **Residential Amenity**

- 7.20 Policy LP14 states that a proposal will be supported where a high standard of amenity is maintained for all occupiers of neighbouring land and buildings.
- 7.21 Given the minor scale and nature of the proposal, Officers consider that the proposed development and its use would not have any significant adverse impacts upon residential amenity. The proposal therefore accords with Policy LP14 of the Local Plan.

### **Highway Safety**

- 7.22 Policy LP17 of the Local Plan seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
- 7.23 The Highway Authority has confirmed that there are no objections to the proposal from a highway safety and access viewpoint subject to a planning condition requiring the pedestrian link is constructed in accordance with the Cambridgeshire County Council construction specification. Therefore, the proposal is unlikely to have any adverse effect on the public highway in accordance with Policies LP16 and LP17 of the Huntingdonshire's Local Plan to 2036.

### **Flood Risk and Drainage**

- 7.24 The Parish Council has objected on grounds of major flooding issues.
- 7.25 Policy LP5 of the Local Plan to 2036 seek to steer new developments to areas at lowest risk of flooding.
- 7.26 The application site is situated in Flood Zone 1 based on the Environment Agency Floods Maps and the Strategic Flood Risk Assessment (2017) and is therefore at low risk of flooding.
- 7.27 The proposed development in this area only involves a small area of tarmac.
- 7.28 Officers note that the Planning Inspector considered flood risk for the rest of the scheme under Peterborough City Council application 20/01026/FUL paragraph 6 of the appeal decision "*that the proposal complies with local and national planning policy, is categorised as a water compatible development, would not increase the risk of flooding elsewhere and the site can be appropriately drained.*"
- 7.29 Officers note the concerns raised by the Parish Council. However, taking all of the above into account, including the size and nature



of the proposal, the relevant planning history and that the site is in Flood Zone 1, Officers consider the proposal would be acceptable in terms of flood risk in accordance with Policy LP5 of the Local Plan to 2036.

## **Biodiversity**

- 7.30 Policy LP30 of the Local Plan requires development proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. The Policy also requires development proposals to ensure no net loss in biodiversity and provide a net gain in biodiversity where possible. Policy LP31 of the Local Plan states a proposal will be required to demonstrate that the potential for adverse impacts on trees, woodland, hedges and hedgerows has been investigated. A proposal will only be supported where it seeks to conserve and enhance any existing tree, woodland, hedge or hedgerow of value that would be affected by the proposed development.
- 7.31 The application is accompanied by an Ecological Impact Assessment which covers the entire stretch of works (including the Peterborough City application). The proposed development in this area only involves a small area of tarmac and will therefore not have any material impacts upon biodiversity or any trees and hedges due to its limited nature, in accordance with Policies LP30 and LP31 of the Local Plan, The Wildlife and Countryside Act (1981) and the Habitats and Protected Species Regulations (2017).

## **Conclusion**

- 7.32 This application is for surfacing works to widen and level out the unsurfaced informal path between the pedestrian bridge and the Old Great North Road. As outlined in this report, the application is part of a larger scheme to provide a dual cycle/pedestrian path and associated earthworks from Sutton village across the meadows to the Nene Valley Railway station at Stibbington which was allowed at appeal.
- 7.33 The proposed development is considered to be acceptable as it would not have an adverse impact upon the countryside, amenity and highway safety, would have a neutral impact upon heritage assets, and would not harm biodiversity or have any issues with regard to flood risk.
- 7.34 Having regard to all relevant material considerations, it is concluded that the proposal would accord with local and national planning policies. Therefore, it is recommended that planning permission be granted.

**8. RECOMMENDATION - APPROVAL subject to the following conditions:**

- Time limit
- Approved plans
- Materials as stated on application form/ plans
- Pedestrian link to be constructed in accordance with Cambridgeshire County Council specification requirements

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388424 and we will try to accommodate your needs

**CONTACT OFFICER:**

Enquiries about this report to **Lewis Tomlinson Senior Development Management Officer** – [lewis.tomlinson@huntingdonshire.gov.uk](mailto:lewis.tomlinson@huntingdonshire.gov.uk)

**From:** [wendy.gray](#)  
**To:** [Control, Development \(Planning\)](#)  
**Subject:** Nene Valley Railway Wansford Station Great North Road (ref 21/00076/FUL)  
**Date:** 23 November 2021 12:20:14

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Sibson-cum-Stibbington are opposed to the above application for the following reasons:

Major flooding Issues.  
Cycle Path extending beyond Sutton has been refused.

Wendy Gray  
Parish Clerk

**From:** [Charlie Newman](#)  
**To:** [Amanda McSherry](#)  
**Cc:** [Cary Murphy](#); [Jennifer Wallis](#)  
**Subject:** Re: FW: Nene Valley Railway, Wansford Station, Great North Road (21/00076/FUL)  
**Date:** 25 April 2023 18:43:43  
**Attachments:** [image001.png](#)

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Hi Amanda.

Thanks for getting in touch. I can confirm that the Parish Council uphold its objection due to flooding.

Kind regards  
Charlie Newman

**Sibson cum Stibbington Parish Clerk**  
**E:** [sibson.cum.stibbington@gmail.com](mailto:sibson.cum.stibbington@gmail.com)

On Tue, 25 Apr 2023 at 11:45, Amanda McSherry  
<[Amanda.McSherry@huntingdonshire.gov.uk](mailto:Amanda.McSherry@huntingdonshire.gov.uk)> wrote:

Charlotte

I apologise I think we have been using an old email address to try and contact the Parish Council about this planning application.

Please can I ask the Parish to let us know whether they maintain their objection and then we will take the application to the Development Management Planning Committee for determination or whether in view of the appeal decision they would be happy to remove their objection and we could determine the application under delegated powers.

Please let us know how you wish to proceed.

Many Thanks

Amanda

Amanda McSherry

Development Management Team Leader (North)

T: 07720 173664

Development Services,  
Huntingdonshire District Council,  
Pathfinder House,  
St. Mary's Street,  
Huntingdon.  
PE29 3TN

**Please be advised that the comments contained within this Email represent the informal opinion of an officer of Huntingdonshire District Council. These comments are made without prejudice to the eventual determination of any planning application that may be submitted.**



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**From:** Jennifer Wallis  
**Sent:** 27 March 2023 12:45  
**To:** '[wendy7wansford@gmail.com](mailto:wendy7wansford@gmail.com)' <[wendy7wansford@gmail.com](mailto:wendy7wansford@gmail.com)>  
**Subject:** Nene Valley Railway, Wansford Station, Great North Road (21/00076/FUL)

Wendy,

I have been allocated the above application to deal with as part of the backlog team and I am in the process of going through the file. I understand that Amanda McSherry wrote to you on 10<sup>th</sup> February 2023 regarding the comments received on the application from Sibson-cum-Stibbington Parish Council (copy of e-mail attached).

I do not appear to have a response from you saved on the file. I would therefore be grateful if you could advise whether the Parish maintain their objection given the appeal decision referred to by Amanda.

Your early response would be appreciated so that I can conclude the application.

Kind Regards

Kirsty McMahon

On behalf of

Jennifer Wallis

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Charlie Newman

**Sibson cum Stibbington Parish Clerk**

**E:** [sibson.cum.stibbington@gmail.com](mailto:sibson.cum.stibbington@gmail.com)

# Development Management Committee



Scale = 1:1,250

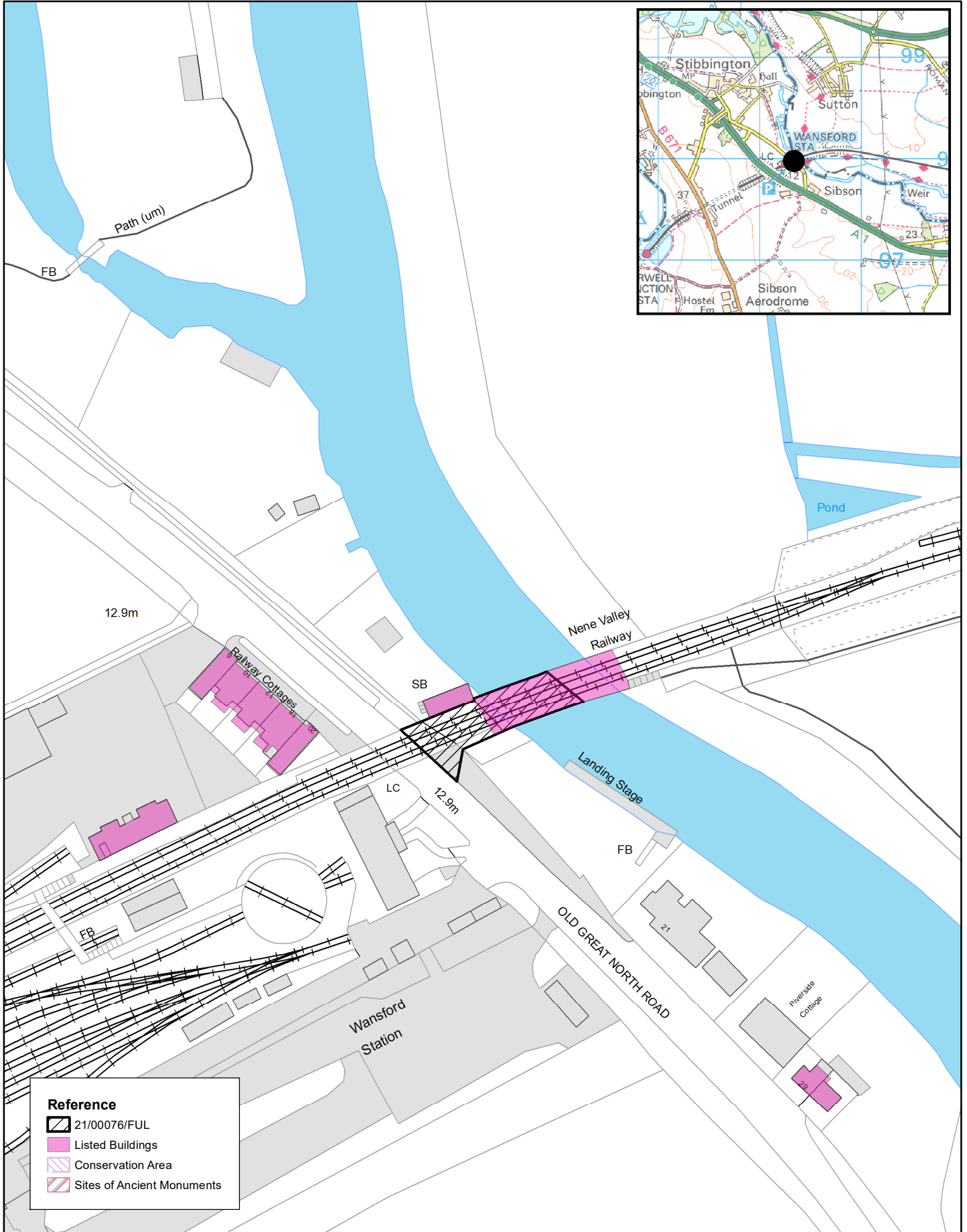
Date Created: 10/05/2023

Application Ref: 21/00076/FUL





Location: Sibson-cum-Stibbington



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Ordnance Survey HDC 10002322



**Reference**

-  21/00076/FUL
-  Listed Buildings
-  Conservation Area
-  Sites of Ancient Monuments

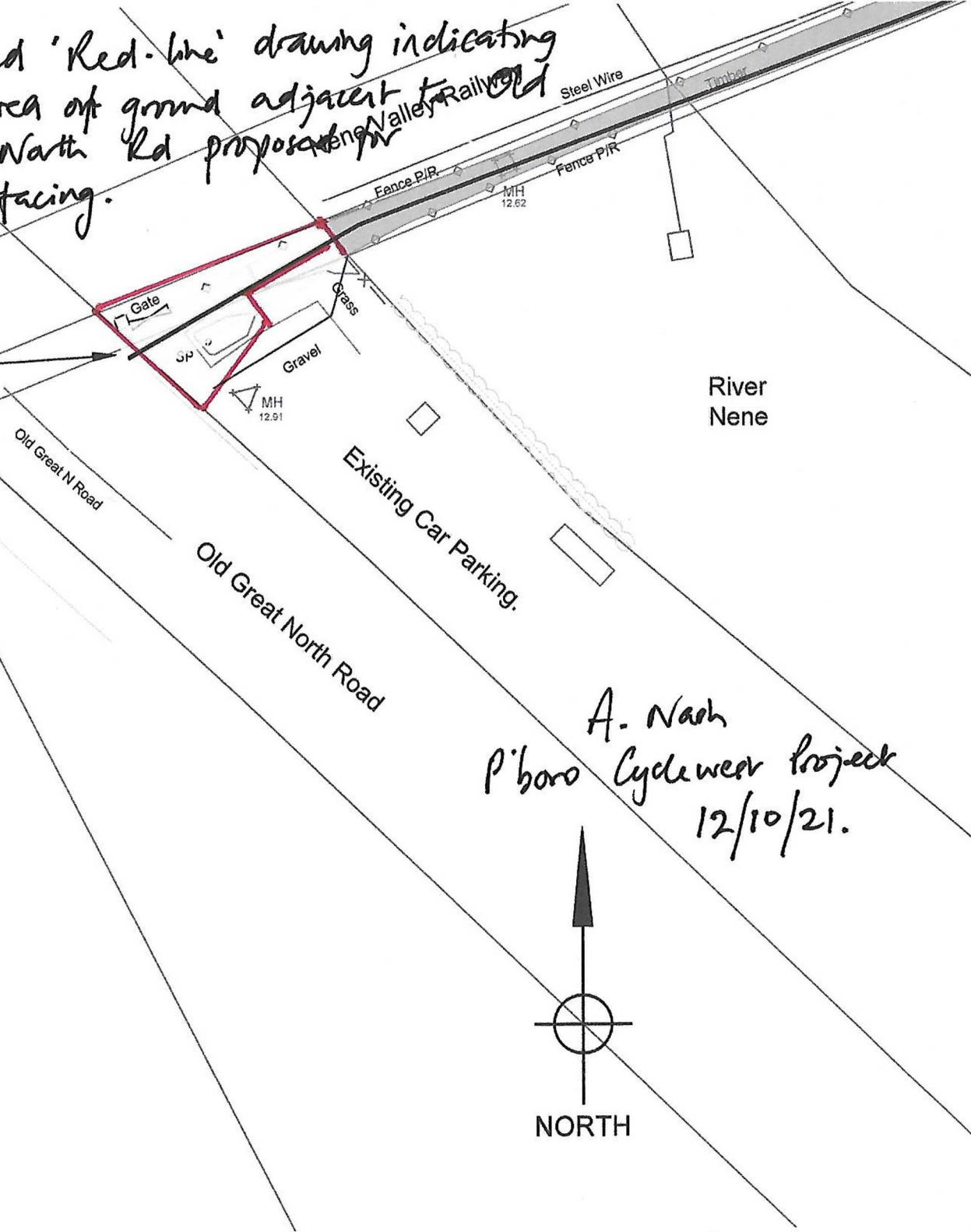




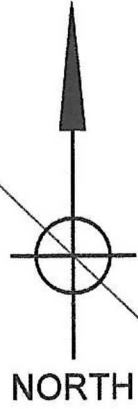
View from Old Great North Road towards river.

Amended 'Red-line' drawing indicating exact area of ground adjacent to Old Great North Rd proposed for re-surfacing.

Existing bridge over River Nene:  
All area of tarmac, about the width of one car park space, at the approach to the footbridge, while others cross the existing footbridge from the other direction.  
more than 7 metres in length to separate this area from the adjoining car park.  
up to the Great North Road.  
to the actual start of the bridge structure  
to the river access, with appropriate signage such as 'Cyclists dismount'.



A. Nash  
P'boro Cyclewear Project  
12/10/21.



Views showing existing path and grassed area to be surfaced and fenced.



View towards Old Great North Road and Wansford Station



View from Old Great North Road towards river.

Works adjacent to Old North Road linking with existing bridge over River Nene:

- the levelling of ground and creation of a small area of tarmac, about the width of one car park space, at the approach to the footbridge, to allow walkers to pause and cyclists dismount, while others cross the existing footbridge from the other direction.
- the erection of a short length of fencing, not more than 7 metres in length to separate this area from the adjoining car park. This would extend from the existing fence almost up to the Great North Road.
- the extension of this tarmac on the path up to the actual start of the bridge structure
- the re-siting of an existing post to allow better access, with appropriate signage such as 'Cyclists dismount'.

- Asphalt path surfacing of existing path, grassed area and part of parking space.
- Post and rail timber fence.
- Existing path and bridge over River Nene, besides railway.

- General Notes:
1. All dimensions in metres, unless otherwise noted.
  2. Do not scale off plan.
  3. Dimensions are to be checked by the contractor prior to commencement of work. Any discrepancy shall be reported immediately to Sustrans.
  4. Drawing based on topographical survey.
  5. Survey commissioned by: SUSTRANS
  6. Survey carried out by: PARSHLAND SURVEYS
  7. See drawing No.: PLS-190
  8. Co-ordinates based on OS grid.
  9. Levels based on OS datum (Newlyn).
  10. This drawing is to be read in conjunction with all other relevant drawings and specifications.
  11. All work shall be carried out in accordance with Peterborough City Council statutory authority and health & safety requirements and regulations.
  12. The position of services is based on information provided by other parties at the time of design and is for guidance only. It is the responsibility of the Client and Contractor to verify the exact position of any services before commencing works on site.
  13. Temporary traffic works must be undertaken in accordance with Chapter 8 parts 1 & 2 of the Traffic Signs Manual, Safety at Street Works and Road Works Code of Practice 2013 and any other relevant H&S legislation.
  14. These drawings have been produced under the CDM 2015 Regulations. The client is directed to their duties under Regulation 4 of CDM 2015.
  15. The delivery of this drawing in electronic format shall not be construed to provide any authorisation or right of the recipient or any other person to rely upon, alter or otherwise use the information provided. Any use of this information is at the sole risk and liability of the user and Sustrans assumes no liability for unauthorised use or alteration of the information contained herein.
  16. To ensure the most up to date drawings are being used the project drawing register should be referred to.
  17. This drawing has been produced to be read in colour, for the sheet size specified below. Printing or copying in black and white, or on a different sheet size may lead to misinterpretation of the design.

A	PLAN FOR HDC	NB	NB	MP	04/02/21
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Rev	Description	Drawn	Check	Appr	Date
Client:	Peterborough				
	Cycle				
	WEST				
	Project				

Keables Chambers 18 Cowgate Peterborough PE1 1NA  
01733 319 981 www.sustrans.org.uk

Project: Peterborough Cycle West

Title: PROPOSED ROUTE BETWEEN SUTTON & WANSFORD STATION SECTION IN HDC AREA

Drawn:	Check:	Appr:	Date:	Scale at A3:
MM	MB	MB	05/06/2019	1:200

Status: **PLANNING**

Drawing No:	Revision:
11965-DWG-PCW-FC-08	A

