Allerdale Borough Council

2/2012/0668

Reference No: 2/2012/0668
Received: 22 August 2012

Proposed Development: Construction of a 2.5m wide shared surfaced cycle track plus verges, 5.9km in total length - Resubmission

Location: Adjacent to the B5300 Road from Mayport Golf Club to Allonby, Maryport

Applicant: Mrs Yvonne Craig, Cumbria County Council

Drawing Numbers:
- CS056264_DGA_001_REV1 - Location 'Red Line' Plan - 1 of 5
- CS056264_DGA_002_REV1 - Location 'Red Line' Plan - 2 of 5
- CS056264_DGA_003_REV1 - Location 'Red Line' Plan - 3 of 5
- CS056264_DGA_004_REV1 - Location 'Red Line' Plan - 4 of 5
- CS056264_DGA_005_REV1 - Location 'Red Line' Plan - 5 of 5
- CS056264_DDE_001_REV1 - Detailed Route Alignment And Surfacing Plan 1
- CS056264_DDE_002_REV1 - Detailed Route Alignment And Surfacing Plan 2
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- CS056264_DDE_006 - Junction 1 Maryport Golf Club Entrance
- CS_056264_DDE_007 - Junction 2 Crosscannonby Minor Road Crossing
- CS056264_DDE_008 - Junction 3 Blue Dial Farm
- CS_056264_DDE_009 - Junction 4 North Allonby
- CS/056264 - Route Surface - Macadam
- HC3502100/01/018/REV5 - Line Of Proposed Layout
- CS056264_AW_001_REV1_LANDOWNER1 - WALL - Landowner 1 - Wall Arrangement
- CS056264_AW_001_REV1_LANDOWNER2 - BANK - Landowner 2 - Earth Bank Arrangement
- CS056264_AW_001_REV1_LANDOWNER2 - WALL - Landowner 2 - Wall Rebuild
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- CS056264_DDE_013 - Wooden Fingerpost
- CS056264_DDE_014 - Wooden Kissing Gate
Constraints:
Settlement Limit HS5
Drumlin
Hadrians Wall Setting, CO24
Flood Zone 2
Flood Zone 3
English Nature Conservation Area
COUNTY_WSITE, MARYPORT TO ALLONBY COAST
COUNTY_WSITE, ALLONBY
Conservation Area, ALLONBY
ASCA Area

Policies:
National Planning Policy Framework

Regional Spatial Strategy
Policy CNL1 - Overall Spatial Policy for Cumbria
Policy DP1 - Spatial principles
Policy DP2 - Promote sustainable communities
Policy DP7 - Promote environmental quality
Policy EM1 - Integrated enhancement and protection of the region's environmental assets
Policy RDF3 - The Coast
Policy RT9 - Walking and cycling
Policy W6 - Tourism and the visitor economy
Policy W7 - Principles for tourism development
Cumbria and Lake District Joint Structure Plan
Policy E37 - Landscape character
Policy E38 - Historic environment
Policy EM16 – Tourism

Allerdale Local Plan
Policy CO13 - The setting of a Conservation Area, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO19 - Protection of Scheduled Ancient Monuments, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO2 - Design of alterations in Conservation Areas, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO20 - Surveys of Archaeological Sites, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO21 - Proposals affecting archaeological sites, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO22 - Protection of archaeological remains, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO23 - Archaeological sites within Hadrians Wall, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CO24 - Protection of setting of Hadrians Wall, Allerdale Local Plan, Adopted 1999 (Saved)
Policy CZ1 - Location of coastal development, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN19 - Landscape Protection, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN20 - Protection of AONB, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN21 - AONB Management, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN25 - Protecting the open countryside, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN28 - Protection of County Wildlife Sites, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN31 - Safeguarding RIG's, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN32 - Protecting wildlife protected by law, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN33 - Safeguarding local nature sites, Allerdale Local Plan, Adopted 1999 (Saved)
Policy EN34 - Protecting significant wildlife habitats, Allerdale Local Plan, Adopted 1999 (Saved)
Policy L1 - Health, sport, recreation, cultural and education services provision
Policy L3 - New leisure/community facilities, Allerdale Local Plan, Adopted 1999 (Saved)
Policy TR11 - Provision for cyclists, Allerdale Local Plan, Adopted 1999 (Saved)
Policy TR13 - Provision for pedestrians, Allerdale Local Plan, Adopted 1999 (Saved)
Policy TR9 - Access for disabled people, Allerdale Local Plan, Adopted 1999 (Saved)

Relevant Planning History: A screening opinion has been issued by the Local Planning Authority following the submission of the planning application. This opinion stated that the proposal did not constitute EIA development.

There is a concurrent application to the Planning Inspectorate relating to works to common land, under the Commons Act 2006.

Representations: Oughterside and Allerby Parish Council - No objections.

Crosscannonby Parish Council – Object and feel a judicial review may be necessary. Access and egress points would require cyclists to cross the B5300 on particularly dangerous parts of the road where accidents frequently occur. The route on the plan is environmentally unfriendly in that it crosses a wildlife site for badgers, foxes and a variety of bird species. The proposal would provide access to the area for travellers and car burners. The route passes through impenetrable ground hiding an old tip and used for quarrying. Much of the route would be below the B5300, restricting views of the AONB. The intervening scrub would impair views out, making lone cyclists vulnerable. A better option would be to follow the line of the Allerdale Ramble, to the seaward side of the B5300, avoiding the need to cross the road and avoiding wildlife damage.

This Parish Council considers it inappropriate for the planning application to be determined before the planning inspectorate site visit of the 13th November.

The Parish Council indicates that a judicial review may eventually be necessary.

Allonby Parish Council – support the cycle track.

Solway Coast AONB Officer – full support to the proposal.

Cumbria Rigs – no objection

Public Rights of Way Officer – No comments received.

Environment Agency – No objection. The route may require works within 8m of a main river which will require Flood Defence consent from the Environment Agency. We would recommend that the layout of the path and subsequent landscaping of excavated materials is carefully contoured to avoid altering natural overland surface water flow paths, which can increase flood risk locally.
**County Council Highways** – Fully support, subject to conditions, in particular details of the crossing points of the B5300.

**Natural England**
Landscape - This application falls within Solway Coast Area of Outstanding Natural Beauty, we do not believe that this development will impact on the purposes of the AONB designation.

Coastal Access - We support the above proposal in helping to deliver the first stretch of coastal access in Cumbria (Allonby to Whitehaven), which will form part of the new National Trail around the whole of the coast of England. In addition the England Coastal Route (ECR) will also follow all or part of this proposed route. It will also help to create better, safer, more accessible and sustainable opportunities for cyclists and other users travelling between Maryport and Allonby. We have already been liaising with the project team at the County Council throughout the development of the project and the design of the cycleway itself; consequently we have no additional comments to make about the design elements of the track.

Ecology - We welcome the Ecological Implementation and Management Plan which outlines the measures which will be taken to minimise ecological impacts during the construction and future management of the proposed cycle path. Should planning permission be given, the proposal should be carried out in strict accordance with the details in this report and all other submitted documents.

**Environmental Health** - No comments received.

**County Archaeologist** – The proposed cycle track lies in an area of high archaeological sensitivity and potential. It runs in close proximity to several Roman sites that are legally protected as Scheduled Monuments and form part of the Hadrian’s Wall World Heritage Site. The 17th century saltpans, which are also protected as a Scheduled Monument, and numerous Roman and later archaeological remains that are not legally designated, lie adjacent to the cycleway.

The applicant has helpfully involved myself and English Heritage in pre-application consultations and has commissioned an archaeological desk-based assessment and two archaeological walkover surveys of the route. As a result of these discussions and archaeological work, the proposed route has been designed to avoid the majority of the known archaeological remains and minimise the below ground impact of the construction ground works. There remain three areas of particular known
archaeological sensitivity along the proposed cycleway route. It will cross the line of a Roman road, pass very close to the possible site of a Roman signal tower, and pass through remains associated with the 17th century saltpans. In terms of impact to the Roman road and 17th century saltpans, information included in the application indicates that the below ground disturbance of the cycleway will be sufficiently limited to warrant mitigation through the implementation of an archaeological watching brief. Research has shown that the site of signal tower has been subject to considerable 20th century quarrying and so again mitigation through an archaeological watching brief is considered appropriate.

The applicant has taken sufficient measures to avoid the heritage assets of highest archaeological sensitivity and, where possible impact on archaeological remains of lesser significance is unavoidable, the implementation of an archaeological watching brief is regarded an appropriate mitigation response. I recommend that the archaeological watching brief should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of a condition in any planning consent.

English Heritage – The applicant has avoided areas of highest sensitivity for archaeological interest, such that for those areas that will be affected, an archaeological watching brief is considered to be appropriate. As such, English heritage does not wish to object to the proposal. Detailed comments provided as to how the applicant has worked with the conservation bodies to address the concerns raised in relation to the earlier withdrawn application.

Access Officer – No objections.

Conservation Officer – No comments received.

Cumbria Wildlife Trust – No comments received.

Cumbria Constabulary - No comments received.

The application has been advertised by site notice, in the press, and by neighbour letter.

18 letters of representation have been received, including comments from Cumbria Tourism.

Cumbria Tourism strongly supports the proposal which will improve the quality of the visitor experience, improve the quality and safety of the cycle route along Hadrian’s Wall, and increase its use. This in turn will bring benefits to the area, in terms of increased visitor spending, sustaining jobs and health benefits to
the local community.

12 letters of support:
- Country lanes are a nightmare by bike
- Essential to promote an area of historic interest.
- Used by locals and tourists, helping the local economy and to fight obesity.
- A great asset to the local community.
- A safer route that will encourage more people to cycle. The main road is intimidating and a number of near misses have been witnessed. A safer route for children to cycle also.
- Visitors have been deterred from cycling on the main road after one or two trips.
- Significant boost to visitors to Maryport

1 letter of comment:
- No objection providing the path is not used for racing or speed cycling, and that the route does not come within 10 yards of the beck at the Reading Rooms which would impact on privacy.

4 letters of objection:
- Do not support the section through Allonby when the B5300 with its 30mph speed limit offers a perfectly good existing route.
- The proposed route will result in conflict with others such as small children and dog walkers. All beach users would have to cross the new route, causing a hazard to the cyclists also. No designated priority.
- The narrow footbridge at the northern edge of the village is not suitable for mixed traffic.
- Not aware of any re-current problems between cyclists and other road users. Segregating the traffic flow may increase the speeds of both groups.
- Would not increase numbers as already a well used route.
- Would reduce opportunity sales for roadside shops.
- Track building could disturb the marram grass that protects the green from erosion.
- Detrimental to the value of property where the track is very close.
- Little room for pedestrians to the front of Broadway
- Sand and shingle may not be sufficient on which to form the cycle track.
- There are rights of way across the green for cottagers and householders of Allonby.
- Motorbikes and cars may try to use the track.
The proposal is for the construction of a 2.5m wide multi user path for pedestrians and cyclists. The proposed track is 5.9km in length, stretching from Maryport to Allonby and would form National Cycle Route 72 – Hadrian’s Cycleway. The general route would extend to either side of the B5300. From the junction of Maryport Golf Course to Blue Dial Farm, the track would be positioned to the eastern side of the B5300 (landward side), from Blue Dial Farm to Allonby, it would be positioned to the western side of the B5300 (seaward side). As such, the proposed track would require two crossing points over the B5300, as well as a crossing of the C2008, the road to Crosscannonby. Two small bridges would also be necessary for crossing watercourses.

1.7km of the track will be soil treated with a bound mixture and a bound crushed stone surface in a natural stone colour. The remaining 4.2km will be asphalt standard cycleway surface in accordance with the British Standard.

Safety measures are proposed in line with a road safety audit, including warning signs for motorists approaching the crossing points and steel cycle barriers that will slow cyclists on the approaches to the road crossing points.

Site

The site consists of a stretch of the coastline from Maryport northwards to Allonby. The site area generally consists of open access land, either side of the B5300, although the nature of this land varies, largely due to varying vegetation (dense gorse, marram grass to the dunes, open grassed areas etc).

Policy

At the heart of the NPPF is a presumption in favour of sustainable development. The National Planning Policy Framework includes a number of principles that are relevant to this proposal, including enhancing the rural economy, protecting the natural environment and conserving heritage assets. It also promotes sustainable transport and has a core planning principle the need to 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.

The newly published NPPF specifies that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework. However, the policies contained in the NPPF are material considerations which local planning...
authorities should take into account.

For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework, for Allerdale, this gives full weight to policies contained within the Joint Structure Plan. For Allerdale Local Plan policies, due weight should be given to relevant policies according to their degree of consistency with the NPPF.

In this instance, the majority of relevant Local Plan policies are consistent with the guidance contained within the NPPF and can continue to carry some weight. Where necessary, this will be discussed in more detail in the assessment below.

Assessment

The main issues arising from this proposal are considered as follows:

Community and Tourist Recreational Benefits

A number of policies at the national, regional and local levels support development which will seek to improve or extend pedestrian and cycle provision for their health and recreational benefits, as well as for the potential tourist/visitor related benefits.

National Cycle Route 72 – Hadrian’s Cycleway stretches the length of Hadrian’s Wall World Heritage Site in the North of England, from the Glannaventa Roman Bath House at Ravenglass to the Arbeia Roman Fort and Museum at South Shields. It has links to the Sea to Sea (C2C), Coast & Castles South, Pennine Cycleway (North Pennines) and the Three Rivers cycle routes.

The supporting information submitted with the application indicates that this multi-user path for pedestrians and cyclists will complete a missing link for this National Cycle Route for ‘off-road’ facilities, because at present the route directs users along the main Maryport to Allonby road (B5300). The need for the off-carriageway route was originally identified in a Review of the Cumbria Cycleway (Cumbria County Council 1998). This report referred to the safety implications of using the B5300 which has a narrow carriageway, with no footpaths, yet many vehicles travel at high speed (National Speed Limit applies, reducing to 30mph at Maryport/Allonby). Various other studies have noted the route as vital to the wider cycle network, both in terms of improved safety and bringing opportunities for tourism and economic growth.

The support of Cumbria Tourism is noted.
Natural England has confirmed that in relation to coastal access, they support the proposal in helping to deliver the first stretch of coastal access in Cumbria (Allonby to Whitehaven), which will form part of the new National Trail around the whole of the coast of England. In addition the England Coastal Route (ECR) will also follow all or part of this proposed route. It will also help to create better, safer, more accessible and sustainable opportunities for cyclists and other users travelling between Maryport and Allonby.

Whilst the safety implications of the proposed track and crossings will be discussed in more detail below, it is considered that a designated off road route between Maryport and Allonby, removing cyclists from the B5300 would be a significant improvement in safety terms, which would be likely to result in more people using the multi-use track, particularly families with smaller children.

It is considered that the proposal will positively contribute and be in accordance with policy L1 of the RSS, which promotes health and recreational facilities, policies W6 and W7 which seek to promote the tourism and visitor economy. The proposal will accord with Local Plan policies TR11 and TR13 relating to improved pedestrian and cycle facilities, as well as policy L3, which is supportive of new leisure or community facilities.

Further, an improved pedestrian and cycle route will contribute to more sustainable transport, improve health, social and cultural wellbeing for all, and deliver community and cultural facilities and services, in accordance with the aims of the NPPF.

**Conservation of Heritage Assets**

The proposal extends through a highly sensitive area in terms of historical and archaeological interest. It is located within the immediate vicinity of a number of archaeological sites some of which are formal designations within the wider Hadrian’s Wall World Heritage Site and/or Scheduled Ancient Monuments, including: the Roman Cumberland coastal defensive system that was constructed at the time of Hadrian’s Wall, roman mile fortlets, towers and forts. A roman road is thought to run along the present course of the B5300, and the Post-medieval Crosscannonby Saltpans are positioned within this stretch of the coastline also.

The whole of the route falls within the buffer zone to the Hadrian’s Wall World Heritage Site and part of the route falls within the Allonby Conservation Area.

Given the sensitivity of the proposal in this respect, extensive consultation has been undertaken with English Heritage and the County Archaeologist prior to the resubmission of this application.
Submitted with the application is an archaeological survey, a desk based assessment and walkover survey, as well as detailed construction drawings for the track itself.

Archaeology:

Policies CO19 – CO22 of the Local Plan seek to protect archaeological remains in accordance with their significance, to ensure that sufficient information is submitted to allow development affecting sites of archaeological interest to be appropriately assessed, and to ensure appropriate mitigation measures, where development is to be supported. These policies, along with policy E38 of the Joint Structure Plan are considered to be generally in accordance with the principles of the NPPF and can continue to carry weight in the determination of applications.

In assessing the proposal against the above policies, the advice of the County Archaeologist and English Heritage are particularly pertinent.

English Heritage confirm that the impact on archaeological remains relating to the Roman occupation of this part of Cumbria, and on later salt working, will be within acceptable limits, subject to an archaeological watching brief as specified by the County Archaeologist.

The County Archaeologist is satisfied that the proposed route has been designed to avoid the majority of the known archaeological remains of high sensitivity and minimises the below ground impact of the construction ground works.

There remain three areas of particular known archaeological sensitivity along the proposed cycleway route as highlighted in the representations above. The County Archaeologist has advised that in terms of these three areas:

- Roman Road and 17th century saltpans - information included in the application indicates that the below ground disturbance of the cycleway will be sufficiently limited to warrant mitigation through the implementation of an archaeological watching brief.
- Research has shown that the site of signal tower has been subject to considerable 20th century quarrying and so again mitigation through an archaeological watching brief is considered appropriate.

The County Archaeologist has indicated that the applicant has taken sufficient measures to avoid the heritage assets of highest archaeological sensitivity and, where possible impact on archaeological remains of lesser significance is unavoidable, the
implementation of an archaeological watching brief is regarded an appropriate mitigation measure.

On the basis of this advice, the proposal is considered to comply with policies CO19 – CO22 of the Local Plan. The proposal will preserve nationally important archaeological value in accordance with policy CO19 and where there is the potential for archaeological interest of lesser significance to be affected, mitigation can be secured by condition requiring an archaeological watching brief in accordance with policy CO22.

Hadrian’s Wall World Heritage Site:

Policies CO23 and CO24 of the Local Plan seek to the physical preservation of archaeological sites which comprise the Hadrian’s Wall Military Zone WHS and its setting.

The majority of the archaeological interest discussed above, is inter-related with the international World Heritage Site designation. On the basis of the advice discussed above, particularly English Heritage who are the statutory consultee responsible for the WHS, the proposal is considered to be acceptable in relation to policy CO23, given that English Heritage are satisfied with the level of protection and preservation afforded to the archaeological interest as a result of the scheme.

Given the nature of this proposal, a long, but relatively narrow multi-user path with limited physical impact above ground level, the proposal is not considered to adversely affect the setting of the World Heritage Site, in accordance with Policy CO24.

Conservation Area:

Again, given the nature of this proposal, a long, but relatively narrow multi-user path with limited physical impact above ground level, the proposal is considered to have limited impact on the Allonby Conservation Area, preserving the historic and architectural interest. As such, the proposal is considered to be acceptable in relation to policies CO2 and CO13 of the Allerdale Local Plan.

Landscape Protection/AONB

The site falls within the Solway Coast AONB, which is a nationally important landscape designation. Policy EN20 of the Allerdale Local Plan seeks to protect the natural beauty, openness and wildness of this designation.

Given the nature of the proposal, it is considered that there will be limited physical impact above ground level, therefore retaining the
natural beauty and open views within the AONB. Therefore the proposal is considered to largely preserve the distinctive landscape character of the AONB, in accordance with criterion (v) of Policy EN20. The tourism and recreational nature of the proposal is supported under criterion (iv) of Policy EN20 and the benefits of improving this national cycle route are supported by criterion (ii). The heritage implications of the proposal have been discussed above.

Natural England has confirmed that they do not consider the proposal to adversely impact on the Solway Coast AONB. Further, the Council’s AONB Manager has confirmed support for the proposal.

The proposal is considered acceptable in relation to the relevant criteria of policy EN20, with limited harm identified to the natural beauty of this designation.

**Biodiversity**

The site is not located within a SSSI, SAC SPA or RAMSAR site. Salta Moss SSSI is the nearest designation located 1.4km away. The site is within the Maryport to Allonby Coast Cumbria Wildlife Site, which is a non-statutory designation and a Regionally Important Geological/Geomorphological Site (RIGG).

The site falls within an area recorded for protected species (Natterjack Toads). The submitted ecological survey, notes the potential for this species, the common lizard and breeding birds to be affected by the proposal. Specifically for the Natterjack Toad, the submitted ecological survey indicates that Cumbria contains 50% of all known UK Natterjack Toad sites (3% of all known sites). As such Cumbria (specifically the Cumbrian coast) is a highly significant area for this species. More significant populations of the species are known to exist at Silloth. The submitted ecological survey notes the species has been re-introduced along this stretch of the coastline.

The application has been supported by a Phase 1 Habitat Survey, an Ecological Site Inspection, and an Ecological Implementation and Management Plan.

Policies EN28, EN31, EN32, EN33 and EN34 seek to protect a range of ecological interests/habitats (including County Wildlife Sites, Protected Species and RIGGS).

As noted above, the Cumbria RIGGS Group has raised no objection to the application in relation to this regional designation and on the basis of this advice, the proposal is considered to be acceptable in relation to policy EN31.
Natural England has raised no objection to the proposal in respect to the conservation of the natural environment. The Ecological Implementation and Management Plan which outlines the measures which will be taken to minimise ecological impacts during the construction and future management of the proposed cycle path is considered to be acceptable, subject to a condition requiring its implementation.

No comments have been received from the Cumbria Wildlife Trust.

Due to the location of the proposal, the development does have the potential to impact on species of national importance and habitats of local and regional importance. However, the advice received to date suggests that subject to appropriate mitigation and enhancement, then the impacts of the proposal on the natural environment will be sufficiently minimised. The necessary mitigation and enhancement measures can be secured by condition. This includes temporary amphibian fencing to be erected in the hibernation period of the Natterjack Toad to ensure that this species cannot enter working areas once the hibernation period comes to an end. Also proposed is the cutting back of vegetation along the entire route of the path outside of the bird breeding season and within the reptile hibernation season.

Based on the information available, the proposal is considered to be acceptable in relation to policies EN28, EN31, EN32, EN33 and EN34. Whilst there will be some ecological impact arising from the proposal, it is considered that the mitigation measures proposed will ensure that this harm is kept to an acceptable level.

Highway/Traffic Impact

At the present time, cyclists travelling this National Cycle route share the B5300 with other motorists. Pedestrians have created various desire lines through this stretch of the coastline because much of the B5300 between Allonby and Maryport does not have footpaths. The road itself can feel relatively narrow, particularly where the banks either side are at a higher ground level, meaning there is very little verge for parts of the route.

The proposal being considered includes two crossing points for the B5300 and one for the Crosscannonby Road. This results from the proposed route being to the east of the B5300 from Maryport Golf Club up to Blue Dial Farm and then to the west of the B5300 from Blue Dial Farm to Allonby.

The application has been accompanied by a road safety audit. The supporting information states that the access will be suitable for walkers, cyclists, wheelchair users and pushchairs.
A number of objections to the proposal, including that of Crosscannonby Parish Council, relate to the safety of the proposed crossing points on the route and the preference for a route to the seaward side of the B5300 only, following the route of the Allerdale Ramble.

The applicant has indicated that a seaward route only would not be the preferred option for a number of reasons, including:

- impacts on heritage assets,
- ecology interests,
- costs associated with construction and ongoing maintenance through the sand dunes/ potential for coastal erosion
- Surfaced cycleway on the landward side away from the sand dunes would have less impact on the AONB landscape designation.

It is for the Local Planning Authority to determine the application based on the route that has been applied for and this does include two crossings of the B5300 and one at the Crosscannonby junction. The applicant is of the view that the proposed route, whilst requiring these crossings, will still be much safer than the existing route along this highway.

The Highways Authority has raised no objections to the proposal subject to a number of conditions relating to design and construction of the track, the crossing points and details of parking for construction operations. Otherwise, the Highways Authority offers its support to the proposal.

Based on this advice from the Highways Authority, it is considered that the proposal will provide an acceptable route for future users, improving facilities along this route particularly for cyclists and access for the disabled, in accordance with policies TR9, TR11 and TR13.

**Conclusion**

Although a sensitive location, particularly in relation to heritage assets, ecological interests and highways safety, it is considered that these issues have been adequately addressed and that the proposal acceptable with regards to relevant policies at the national and local level.

**Recommendation:** Approved

**Conditions/ Reasons:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this
permission.
Reason: In order to comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following plans:
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   CS056264_DDE_020_REV1 - Brunsow Beck
   CS056264_DDE_021_REV1 - Mealo House Bridge
   CS_056264_DDE_031 - Plan and Longsections (Sheet 1 of 7)
   CS_056264_DDE_032 - Plan and Longsections (Sheet 2 of 7)
   CS_056264_DDE_033 - Plan and Longsections (Sheet 3 of
3. An archaeological watching brief shall be undertaken by a qualified archaeologist during the course of the ground works of the development hereby permitted. The archaeological watching brief shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority in advance of the development commencing. Within two months of the completion of the development hereby approved, a report of the findings of the watching brief shall be submitted to the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

4. No development shall commence until an ecological mitigation, enhancement and implementation plan has been submitted to and approved in writing by the Local Planning Authority which draws together the mitigation measures, recommendations, enhancement measures and protocols contained within the submitted documents Phase 1 Habitat Survey, dated August 2009, Ecological Implementation and Management Plan, dated August
2012 and Ecological Site Inspection, dated 31st October 2011. The development shall be completed in accordance with the approved plan. Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework.

5. Construction Management Plan:
No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:
(a) Traffic Management Plan to include all traffic associated with the development, including site and staff traffic;
(b) Procedure to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from vehicles, deliveries. All measurements should make reference to BS7445.
(c) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
(d) Mitigation measures to ensure that no harm is caused to protected species during construction.
(e) A written procedure for dealing with complaints regarding the construction or demolition;
(f) Measures to control the emissions of dust and dirt during construction and demolition;
(g) Programme of work for Demolition and Construction phase;
(h) Hours of working and deliveries;
(i) Details of lighting to be used on site.
The approved statement shall be adhered to throughout the duration of the development.
Reason: In the interests of the amenity of the occupiers of neighbouring properties, in compliance with Policy EN6 of the Allerdale Local Plan, Adopted 1999 (Saved).

6. Notwithstanding the approved plans specified by condition no.2, no development shall commence until a detailed specification of the crossing point of the B5300 adjacent to Blue Dial Farm (Road crossing no.3 of drawing HC3502100/018/Rev5) has been submitted to and approved in writing by the LPA. The approved works shall be completed before the access track is brought into use.
Reason: To ensure a minimum standard of construction in the
interests of highway safety.

7. **No part of the development hereby permitted shall be commenced until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

   Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.
