

# Agenda Item 5

This is a generic advice / response agreed by Leicestershire Local Access Forum to be given to planning authorities and or developers. Elements may be omitted depending on their relevance to any particular situation and points may be added regarding specific applications after email or other consultations with the members of the Planning & Travel Committee.

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The Leicestershire Local Access Forum (LLAF) wishes to make what we trust you will find constructive suggestions for when considering planning applications and local plans. Planners are quite constrained by national guidelines but still have sufficient discretion to make a difference in a number of areas of concern.

The LLAF is an independent statutory body, set up as a result of the Countryside and Rights of Way Act (CRoW) 2000, and exists to represent the interests of everyone concerned with access to the countryside and the public rights of way network including footpaths, bridleways and byways, cycleways and areas of open access.

Section 94 of the CROW act makes it a statutory function of the Forum to give advice to a range of bodies, including local authorities, on access issues in respect of land use planning matters.

Ministers have advised that in particular forums were asked to focus on the impact and options for minimising possible adverse effects, of planning policies and development proposals in respect of future public access to land and identifying and expressing support for opportunities to improve public access, or associated infrastructure, which might be delivered through planning policies or new development.

There are three issues which we wish to highlight where the planning process can help greatly. There is an amount of overlap.

These are:

Access and sustainable travel

Open spaces for both people and wildlife

Planning for the environment.

## **Access and sustainable travel**

When considering new developments, the design of our neighbourhoods is key to promoting healthy travel habits, where local facilities such as shops, doctors, schools and other services are located to encourage routine walking and cycling.

The benefits of the footpath, bridleway and cycleway networks are multi-dimensional and have impacts on sustainable travel, green infrastructure, recreation, tourism, local economies, health and general well-being. They are an essential mechanism for linking communities and facilities if we are to reduce motorised transport and the carbon emissions that ensue. They play a major part in the development of the recreational potential of any area. It is essential to create a physical, social, economic, and legal context in which more people will be encouraged to walk more often and to walk further.

The benefits of the rights of way network should be balanced against the need to protect and enhance the ecology and landscape and enable regeneration and economic growth. These should not be viewed simply as competing demands but as a challenge to use best practice and/or innovative approaches to achieve good quality outcomes to meet each of the aspirations. The LLAF recommends that any policy includes a dedicated section that makes

specific reference to the existing network and potential improvements to it and to this end we would suggest the paragraphs in appendix 1 be included in any policy or plan.

When looking at planning applications there are a number of areas that should be considered. If we want to encourage sustainable travel and improved physical and mental health of the residents, then all developments should be designed to encourage and facilitate the taking of exercise by walking. This does not mean providing no bus service but it does mean wherever possible offering attractive alternatives.

Snickets and cut-throughs should enable people to get to facilities such as shops, schools and bus routes. We need however to look at the bigger picture beyond the actual potential development site. Does an existing right of way pass nearby or is there some green space close by? If so can a link from the site be achieved? If not within the control of the landowner could section 106 monies 'buy' a way to join the network up?

We need to ensure that in the planning of our communities, access to basic amenities and services is not dependent on car ownership but is always available to those on foot, bicycle, wheelchair and public transport.

### **Open spaces for both people and wildlife**

If we are to encourage walking we need attractive places to attract them. Green open spaces are great for wildlife and provide an outlet for residents to enjoy. If trees feature they are also 'lungs' helping counteract air pollution. Planners should always bear this in mind when permission is requested to remove trees.

The built environment has a major impact on how we travel, so planners and policymakers have an opportunity to make changes in that environment to promote healthier and more active communities. The presence of, and access to, green areas and the natural environment can help increase activity and reduce obesity. Daily physical activity is essential for maintaining health; inactivity directly contributes to 15% of deaths in the UK

Whether for walking, running or the riding of either bicycles or horses, the benefits of all kinds of access to green space have mental and general health benefits plus many economic benefits especially to rural communities by transferring money from the urban areas to the countryside. To harness these benefits a concerted and co-ordinated effort is needed from policy makers, planners, public health practitioners, health professionals, the voluntary sector, community groups, local media and the public themselves. This collaborative effort needs to identify available green spaces, make them safe and accessible for everyone, make use of them for community and group activities and prescribe their use to promote health and wellbeing. They could help treat a number of conditions, particularly mild to moderate depression. Planning can assist by either encouraging provision within developments or rejecting applications which would threaten such areas.

Larger developments are required to leave green oases but these are often overly manicured. Sewn and fertilised 'parks' are good at absorbing rainwater but rough grassland is over four times more effective and trees improve things further. Such wilder 'semi-natural' areas are also much better for wildlife. We must plan for more absorbent habitats especially in the flood plains. Wetlands and woodlands are ideal at holding back floodwaters as are moors but these are in short supply in Leicestershire. They also provide a varied landscape for residents to access and enjoy.

The National Planning Policy [NPPF] provides protection for Local Green Space although local Green Space does not have a single definition but provided it is of local significance to the community it should be protected.

All new development should produce a green infrastructure plan to show how the development can improve green spaces and corridors for people and nature, in the context of the surrounding landscape.

Even small scale developments could contribute significantly to creating and enhancing local wildlife habitat thereby encouraging people to get out into the wilder areas to see it. This may be by requiring or suggesting using native plants in landscaping schemes. Also for every tree that is removed they could be required to plant two or

even three. Developers should be encouraged to create new habitat such as woodland, wetland, wildflower meadows or other wildlife habitats and adding a green roof to new buildings is also to be encouraged

It can be a win-win situation. If we create wetland and woodland areas and green corridors linking them, we can help wildlife to migrate between populations keeping them healthier and introducing them to our gardens; can create ideal walking possibilities for the health and general well being of the population and cut down the risk of flooding all at the same time.

We must protect and extend natural habitats that soak up and store rainwater. We can employ these natural processes in urban areas, including water-holding habitats in the urban scene and by installing more green roofs on our houses and garages, more permeable surfaces in our towns and cities and more sustainable drainage systems to capture excess water.

### **Planning for the environment.**

Many parts of Leicestershire suffer air pollution levels close to or in excess of acceptability. When agreeing any new roads or industrial sites it is essential not to add to this problem.

Parts of the County are prone to flooding which can close off rights of way and hinder access to open spaces. All applications should be assessed for impact in this regard. Other parts of the country have suffered far worse, but homes in some areas are at risk and we must not add to the problem. There is increasing pressure to build in the flood plain of the Soar and its tributaries in particular the Rothley Brook corridor.

It is little use building flood protection barriers if it just transfers the problem downstream.

When looking at major developments flood relief basins are required but more use of planning could be made on a small scale. Wherever possible parking areas should be made of permeable material and that includes drives to domestic properties. Far too many homes are paving over front gardens for parking which stops rain being absorbed into the ground and speeds up run off. Urban areas lack the vegetated spaces needed to absorb water safely and release it slowly. Poor planning in the past has allowed too much hard landscaping. Another means of slowing this run off which planning can promote is the application of green roofs to larger constructions.

We need an integrated approach to flood alleviation and water quality issues and adverse side effects like wildlife decline. This is just as important locally as nationally and we must stop ignoring Environment Agency advice and building in the wrong places.

Where Sustainable Urban Drainage Systems (SuDS) are needed they should be designed in a way that benefits wildlife. Good SuDS schemes not only help with water management to prevent flooding but also benefit wildlife for little or no extra cost and provide attractive oases for walkers to visit.

## **APPENDIX 1**

### **Footpaths, Bridleways, Cycleways and Access Land**

1. Whenever new developments are considered it is important that improvements to the foot/bridle/cycle path network are considered. Such changes should aim to improve sustainable transport, green infrastructure, recreation, tourism, health and general well-being. Improvements will normally have beneficial impact on local economies and the aspiration should be for improvements rather than for maintenance of the status quo. Considering their public utility, footpaths have very low maintenance costs. The larger the scale of any developments, the greater should be the opportunity to enhance all aspects of the foot/bridle/cycle paths network.

2. The most important property of the network is the inter-connectedness of the network itself. Every opportunity should be taken to improve the inter-linking of the network so that it becomes more useful to the public.
3. Opportunities should be taken for giving rights of way a higher status whenever possible. For example, bridleways are legally useable by both cyclists and pedestrians whilst footpaths can only be used by walkers.
4. For the maximum public benefits, the main target groups are schoolchildren and short-distance commuters. In essence, these require direct routes from A to B. Such routes should also provide safe and pleasant access to and from public transport facilities, local shops, medical centres etc.
5. For recreation, families look for attractive circular routes. Based on the experience of the LLAF, recreational routes are preferred where they are away from traffic; beside water; with open space on one side and, whenever possible, having a good surface (pram-pushing, child-biking, walking and riding). They are most popular when free from stiles and gates.
6. New housing developments will contain a large number of dog walkers and these users need to be catered for. Circular routes of about one kilometre are most useful for these.
7. Where significant mixed foot, horse and cycling traffic is expected, the way needs to be of appropriate width to allow all traffic to pass easily and safely and, where practical, different classes of users should be provided with their own space. Wherever possible motorised traffic is to be kept separate from other users.
8. The surfaces of the foot/bridle/cycle path network should be appropriate for its use and the amount of traffic expected. Cycleways for example need an all-weather surface otherwise they soon become too muddy for general use and some bridleways can become so cut up by horses that the surfaces become difficult for use by pedestrians. These problems can be avoided by appropriate drainage and surfacing.
9. In order to assist the less able and those pushing buggies etc., gates/gaps/stiles should be as easy to use as the requirements permit. On bridleways, gates should allow operation by riders without dismounting.
10. In some circumstances, particularly in built-up areas, lighting of the foot/bridle/cycle path may be required.
11. When a development fronts an existing road, separation zones e.g. grass verges or 'behind the hedge' routes should be considered to take walkers, cyclists and horse riders away from motorised traffic. Every opportunity should be taken to create new routes and to link up with any existing routes, although care needs to be exercised in planning where users can re-access the highway.
12. New foot/bridle/cycle paths can often usefully be combined with "green wedges" and "wildlife corridors" thus also fulfilling the need to protect and enhance both the ecology and landscape.
13. Longer distance routes for those taking exercise or pursuing treks as a hobby, bring visitors into rural areas boosting local economies and to this end all opportunities should be taken to improve connectivity to local services
14. It is often thought that the rights of way network is already fixed, but this is not true. Leicestershire has hundreds of "lost ways" and informal "desire paths". Any proposed development should aim to recover these historic assets or link existing paths together. Informal paths should not be ignored just because they have no legal protection. The LLAF working with the County Council has established a wish list of many of the possibilities and these can be made available to planning authorities or developers.
15. As required by statute, Leicestershire County Council has a Rights of Way Improvement Plan which should be consulted when developments are proposed.