

Ogwell to Newton Abbot Town Centre Shared Use Path

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that:

- (a) the construction of the Beverly Way, Ogwell to Steppes Meadow, Newton Abbot, Shared Use Path be approved at an estimated cost of £208,502;**
- (b) any land required for the scheme be acquired by negotiation and if necessary, by Compulsory Purchase Orders and associated statutory orders;**
- (c) the scheme be constructed in stages as the legal agreements are made with the relevant landowners. The overall route (set out in Appendix 1) consists of:**
 - (a) improvements at the junction of Steppes Meadow with the A381 to be approved to construction (detailed in Appendix 2);**
 - (b) a new shared use path between Beverley Way and the existing path in Bakers Park to be approved to construction (Appendix 3);**
 - (c) further smaller scale improvements from Beverley Way/A381 to Bunting Close to be approved to design and consultation;**
- (d) Steppes Meadow, Newton Abbot and the linking footway between Bunting Close, Ogwell and the A381 Totnes Road are advertised under the Highways Act 1980 be converted to Highway Maintainable at Public Expense (HMPE) (see Appendix 1);**
- (e) the Head of Planning, Transportation and Environment be given delegated powers, in consultation with the Chair of HATOC and the Local County Councillor(s), to make minor amendments to the above.**

1. Background/Introduction

The A381 between Ogwell and Newton Abbot is a busy road (average daily traffic of around 15,000 vehicles) with existing footways not wide enough to support cyclists and a carriageway of insufficient width to provide cycle lanes. On one uphill section on a bend the road is less than 5.5 metres wide and adjacent to a rock face. This makes the ascent towards Ogwell extremely challenging, dangerous and unsuitable for cyclists.

It has therefore been identified that shared use path improvements are required to provide a sustainable link between Ogwell Village and Bakers Park (to meet existing routes into Newton Abbot town centre), avoiding the A381 Totnes Road corridor.

This scheme helps deliver this route, providing a key link across three privately owned parcels of land: The old West End Nurseries site, National Trust Bradley Manor, and Teignbridge District Council land at Bakers Park. Beyond Bakers Park, Newton Abbot town centre can be accessed by cyclists and pedestrians via a dedicated shared path adjacent to the River Lemon.

Planning Permission was granted for the first phase of the cycleway scheme in January 2019 (planning application PP-07256739, 18/02305/DCR3) and landowner discussions are moving towards agreement.

2. Proposal

To help provide a safe walking and cycling route between Ogwell and Newton Abbot, a new off-road shared use path is proposed. Appendix 1 shows the proposed scheme.

Section A (Appendix 2)

In the eastern corner of Bakers Park, wheeling ramps will be provided on the steps so that cyclists can access the lower level path which leads to the bridging point of the River Lemon where, once crossed, the existing cycle route leading to the town centre can be accessed. It is appreciated that more experienced cyclists may want to use the existing advisory cycle route along Steppes Meadow to reach the bridge or to join the main road. To provide for this, a junction improvement connecting the park to Steppes Meadow is also proposed (see Plan B13009/17, Appendix 2).

Section B (Appendix 3)

A new 3-metre-wide shared use path will connect Beverley Way to an existing path within Bakers Park, which in turn links to Steppes Meadow (see Plan B13009/11B, Appendix 3). The gradient of the route varies from flat to a maximum of 1:12. Along the 1:12 ascent from the Bradley Manor Drive to Beverley Way, two level 'resting points' will be made available.

Section C

To complete the link into Ogwell a further phase of the scheme will provide improvements to the footway along a stretch of the A381 between Beverley Way to the path linking to Bunting Close (see Appendix 1).

The proposed route is intended for use by pedestrians and cyclists only with no equestrian or vehicular access, apart from maintenance and emergency vehicles.

For the whole route to be the responsibility of the Highway Authority two sections of infrastructure at either end of the scheme need to be formalised as Highway Maintainable at Public Expense (HMPE), these are:

- Steppes Meadow, Newton Abbot (see Appendix 1). It has not been possible to identify the landowner of this section of road. As Devon County Council show this road as an advisory cycle route it follows that conversion to HMPE should proceed. Teignbridge District Council share the desire to formalise the land as HMPE.
- Path linking Bunting Close and Totnes Road, Ogwell (see Appendix 1). When the Ogwell estate was constructed in the 1980s the linking path between Bunting Close and Totnes Road was never adopted as HMPE, likely due to an oversight at the time.

3. Options/Alternatives

The process of delivering the scheme has evolved over a number of years with numerous options considered. The search has identified the current route via Beverley Way as the preferred option.

There are no alternatives to consider regarding the course of the route. The National Trust will not consider any other crossing point over their land apart from that stated in this report.

4. Consultations/Representations/Technical Data

Planning Permission for the first phase of the scheme was sought and approved by Devon County Council in January 2019. Discussions with landowners have taken place over a period of several years. Ogwell Parish Council have also been involved in discussions since the inception of the scheme.

The Planning Permission has been granted but is subject to an Ombudsman investigation. Construction will not commence unless this is resolved, and the Planning Permission remains.

These discussions will remain ongoing as the scheme progresses.

5. Financial Considerations

The cost of the section of the scheme to be delivered by Devon County Council is £208,502. It is planned to be funded as follows:

Funding source	Prior Years Spend £	2019/20 £	2020/21 £	Total £
S106 developer contributions	48,502	10,000	32,340	90,842
Community Infrastructure Levy (CIL)*	0	0	45,000	45,000
Local Transport Plan grant	0	0	72,660	72,660
Total	48,502	10,000	150,000	208,502

*Note the CIL contribution is the subject of a funding agreement between Devon County Council and Teignbridge District Council.

6. Environmental Impact Considerations (Including Climate Change)

Ogwell is approximately 1 mile from the edge of Newton Abbot town centre and is therefore within convenient walking and cycling distance; however, the links are currently poor. With significant new development, there is an opportunity to encourage active travel for work, education or leisure purposes (improving links to Bakers Park). The route will reduce unnecessary short distance car journeys and facilitate travel by low carbon, sustainable alternatives, that will improve the local links enabling economic growth while helping to improve the health and fitness of local residents.

No positive drainage will be required to deal with rainwater, which will be allowed to drain away naturally into the surrounding area. Porous bitumen surfacing will be used over the areas constructed using a tree root protection construction method.

The Devon County Council Ecology Team have carried out a Phase One Habitat Survey along the proposed route, the details of which are included in the planning application. The report details potential impact on species present on the route and recommends measures to mitigate the effect of the scheme.

A report by Devon Tree Services is included within the planning application. Construction of the route will generally be of a standard footway construction using bound bituminous materials laid on a compacted stone sub-base. However, areas beneath Category “A” and “B” trees will be constructed using the tree root protection system.

7. Equality Considerations

The proposed shared use path would enable pedestrians and cyclists of a wider range of abilities and confidence levels to access Newton Abbot town centre via active and sustainable modes. An Impact Assessment has been completed for the scheme which will be published on Devon County Council’s website.

8. Legal Considerations

In order to construct the scheme a legal agreement will be required with the three landowners involved as follows:

- The owner of the old West End Nurseries site has submitted a planning application to Teignbridge District Council for five dwellings along the north west side of Beverley Way, at Land to The Rear of Beverley Way (16/03113/FUL). The section of the shared use path across this land (to the rear of No.10 Totnes Road) has been included as part of the planning application for this site. Planning approval of this application would secure a condition for delivery of this section of the route.
- The National Trust (Bradley Manor) are in a position to provide Devon County Council with an agreement for the path to cross their land, and final negotiations will proceed on approval of this report.
- Teignbridge District Council (Bakers Park) have been working very closely with Devon County Council in the delivery of this shared use path, therefore this agreement should not present a problem.

9. Risk Management Considerations

A Stage 1 Road Safety Audit has been completed and the issues and recommendations raised have been addressed. A Stage 2 Road Safety Audit is currently being undertaken.

There is a risk that the residents located near to the proposed route may experience problems accessing their properties during works. Access will be maintained as far as possible during construction, however there may be key operations such as resurfacing that may temporarily obstruct access. Residents will be notified in advance of any such disruption. Post construction, the existing residential accesses will operate as normal.

The section through the old West End Nurseries site is to be delivered as part of the Land to The Rear of Beverley Way development application. If the development does not come forward and therefore does not provide the conditional section of shared use path, CPO powers may be required to acquire the land in order to complete the route.

Planning permission for the route from Beverley Way to Steppes Meadow has been granted but is subject to an Ombudsman investigation. Construction will not commence unless this is resolved, and the Planning Permission remains. These discussions will remain ongoing as the scheme progresses.

10. Public Health Impact

The proposed shared use path will improve cycle and pedestrian safety, encouraging more people (commuters, school children and local residents) to walk and cycle more often, increasing physical activity and boosting health and wellbeing.

11. Summary/Conclusions/Reasons for Recommendations

The proposal effectively addresses the need for a safe pedestrian and cycle connection from Ogwell to Newton Abbot town centre and has been developed over a number of years. The proposed path represents the optimal alignment to enable delivery of this route, providing infrastructure that improves safety for travel by sustainable modes, minimises car use and supports healthy lifestyles.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Newton Abbot South, Newton Abbot North and Ashburton & Buckfastleigh

Local Government Act 1972: List of Background Papers

Contact for enquiries: Richard Kingsley-Smith

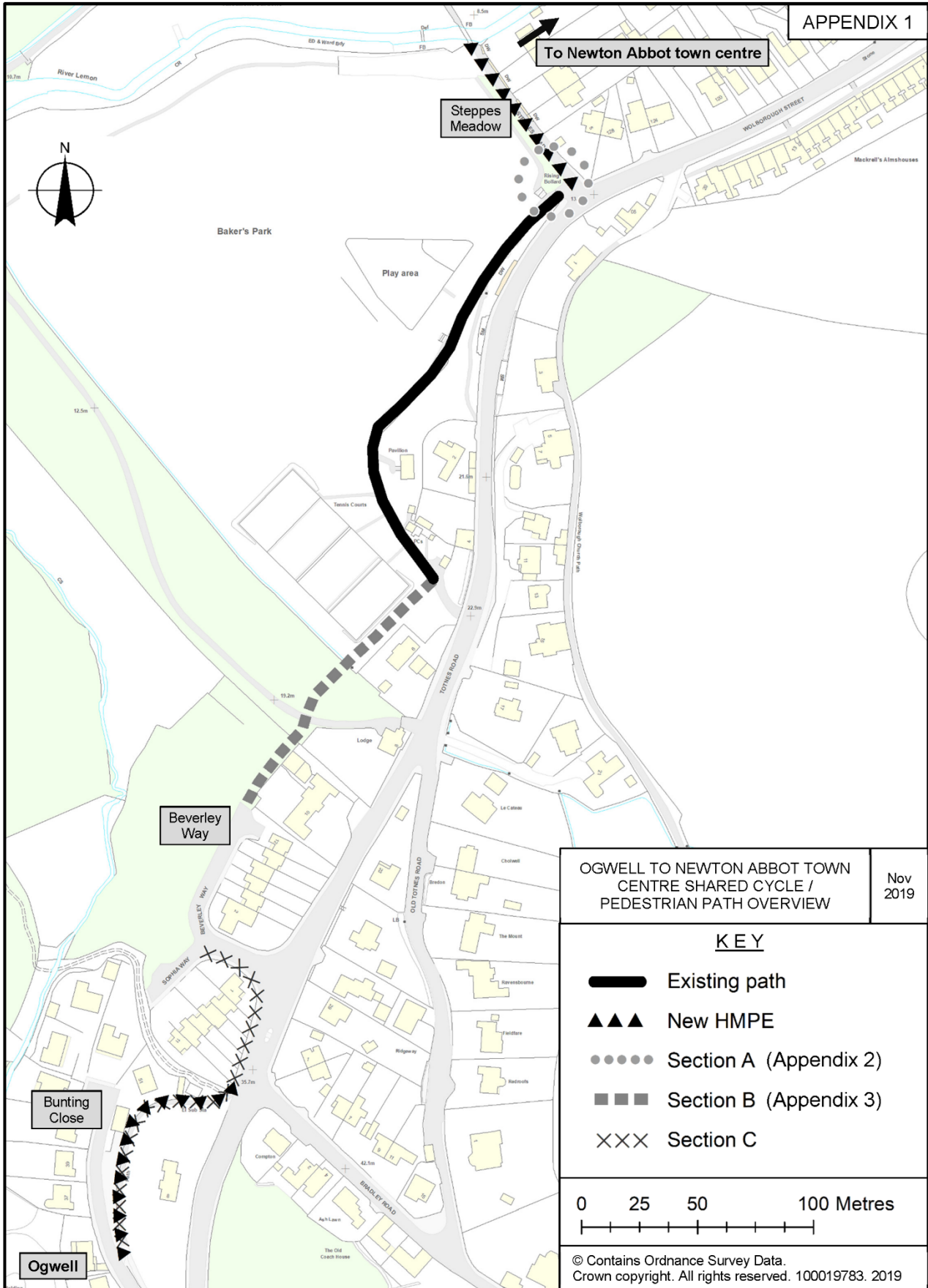
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Tel No: 01392 383000

Background Paper	Date	File Ref.
None		

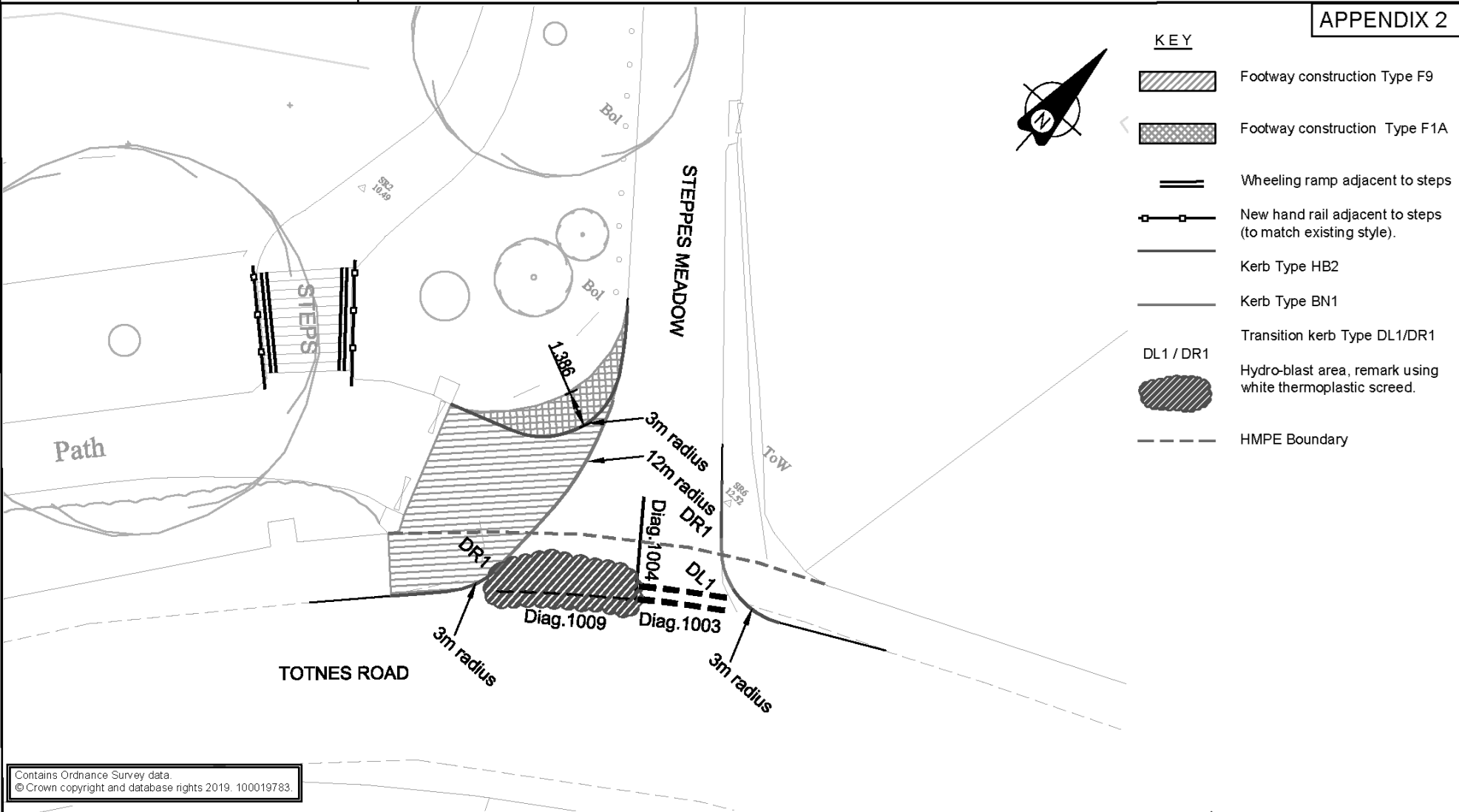
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**Appendix 1
To PTE/19/43**



**Appendix 2
To PTE/19/43**

APPENDIX 2



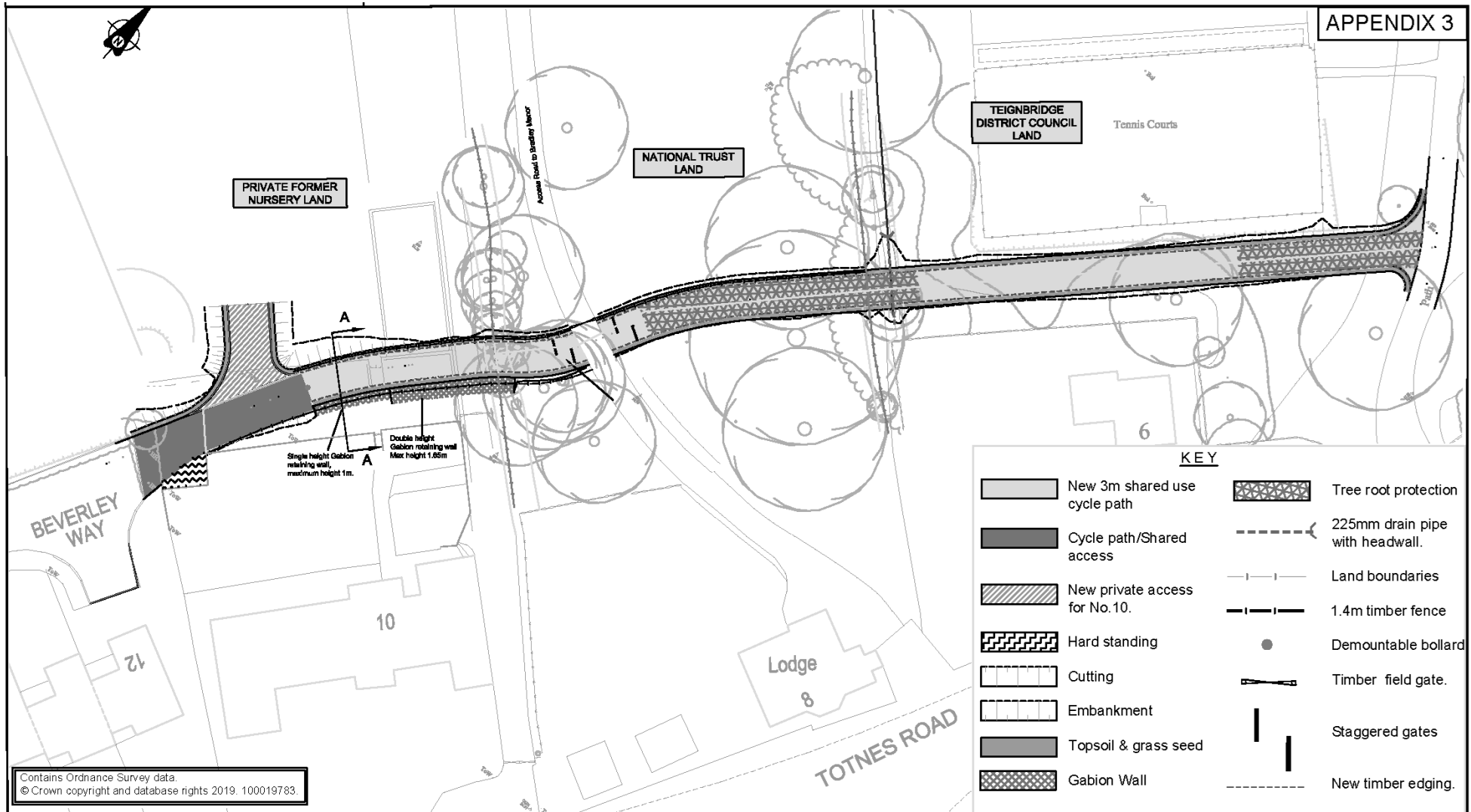
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**Engineering
Design Group**

Teignbridge HATOC
job/title/proposal
OGWELL TO NEWTON ABBOT TOWN CENTRE SHARED CYCLE / PEDESTRIAN PATH
STEPS MEADOW
WHEELING RAMP AND END OF ROUTE JUNCTION DETAILS

date
November 2019
scale
1:200
number
Section of
B13009/ 17



**Engineering
Design Group**

Teignbridge HATOC

job/title/proposal

OGWELL TO NEWTON ABBOT TOWN CENTRE SHARED CYCLE / PEDESTRIAN PATH
GENERAL ARRANGEMENT
BETWEEN BEVERLEY WAY AND BAKERS PARK PATH

date
November 2019

scale
1:500

number
Section of
B13009/ 11B