

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1101-23 **Applicant:** Network Rail Infrastructure Ltd

Proposal: Repairs and refurbishment works to St Johns Road Footbridge

Location: St Johns Footbridge St Johns Road Spalding

Terminal Date: 1st February 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2023

Sections 12 and 16 of the National Planning Policy Framework (December 2023) (NPPF)
Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

This listed building application is for repairs and refurbishment works to the St Johns Road Footbridge, Spalding.

The full list of proposed individual works is extensive and as such may be found within the schedule of works included in drawing CC0946-AMD-01-XX-DR-C-0003 P02.

Major elements of the proposal include;

- Replacement of treadboard along the length of the bridge, to be replaced with accoya timber boarding base, with plywood topper, coated in anti-slip GRP.
- Repairs to staircases including; replacement (like for like) of the timber treads, to be coated in anti-slip GRP and strengthened with steel packing plates, all fixed with new flat headed bolts.
- Installation of corduroy cast concrete slabs at the base of each staircase.
- Replacement of T-braces throughout.
- Installation of overplates throughout to create additional strength and rigidity.
- Strengthening via packing plates to various weak points throughout, including to the bridge piers.
- Repairs to or replacement of corroded metal throughout the structure and at various positions.
- Existing paintwork to be stripped and structure to be repainted to match the existing colour scheme.

Site Description

The St Johns Footbridge is a grade II listed, wrought iron, latticed bridge spanning the rail line through spalding.

Historic England describes the bridge like so:

"Railway footbridge. c1860, for the Great Northern Railway Co. Wrought iron and timber. Bridge has two square corner towers, one at either end, made up of two round-headed arches each with four corner girders joined by lattice work cross pieces. These supports have curved and splayed bases. There are another 5 further round headed supporting arches of similar design which carry the bridge decking. Single long flights of steps lead up to the main corner towers with iron lattice balustrades and newel post made up of four corner girders with curved and splayed bases. Curved and stepped section leads from corner towers to main bridge span which has continuous lattice balustrade and arched external supports. The deck turns direction at the centre.

This is an very rare and large scale example of an railway footbridge built of an unusual wrought-iron construction."

Currently, the bridge is in a visually poor condition, with failing paint and extensive visual corrosion, with swollen and warped baseboards along the walkway. The wider area is characterised almost entirely by later C20th residential development.

History

H16-1003-03

Repaint the footbridge Holly Green. Approved on 23-12-03.

Consultation Responses

Lincolnshire County Council as Lead Local Highways and Flood Authority

No objections - The LCC Public Rights of Way team supports the proposal to repair the bridge, which receives heavy foot traffic.

South Holland District Council Environmental Protection Team

No objections, but requests that the applicant be required to inform the SHDC Environmental Protection team and local residents prior to the commencement of works due to the likely need for

out of standard hours work and the potential for noise disturbance.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be a material risk to the value or significance of the heritage asset presented by this proposal. All of the proposed repairs are sympathetic in terms of material match and also visual impact, which shall be minimal. Previous pre-application schemes for this proposal suggested use of extensive composite materials unsympathetic to the nature of the listed asset, such as composite base boarding on the footway. It is therefore appreciated that the applicant has corrected this matter for the formal submission and proposes to use more appropriate alternative conducive to the conservation of the asset.

Furthermore, the bridge is in a visually poor condition, and therefore, promotion of the restoration of this asset is of key importance. The Local Planning Authority considers the proposal to not represent a substantial altering of the character of the asset; proposing only spot repairs in non-obtrusive and discreet positions and the replacement of materials either like for like, or contemporary materials enhanced to promote longevity and robustness.

Paragraph 205 of the NPPF categorises harm to heritage assets within 3 classes; substantial harm, total loss, or less than substantial harm. Due to the reasoning above, this proposal is considered by the LPA to amount to less than substantial harm. As confirmed by Paragraph 208 of the NPPF, where a development proposal can be considered to represent 'less than substantial harm', the harm should be weighted against the public benefits of the proposal, including securing the structure's optimal viable use. It should be noted that the structure is a public infrastructure asset, vital for pedestrian transport over the town's rail line. Therefore, any harm to the asset is weighted against the substantial public benefit inherent to maintaining this structure for public use. In this instance, due to the enhancing effect that the restoration of the bridge would have, the impact of the proposal is neither considered negative nor does it outweigh the public benefit of the proposal.

Residential Amenity

The Local Planning Authority does not consider there to be any risk of a material impact upon residential amenity caused by this proposal. The proposal does not seek dimensional or layout alterations to the structure and therefore, there is no enhancement or extension to the pre-existing overlooking and overshadowing impacts upon the residential properties below the bridge's span.

The Local Planning Authority does consider that the construction works could represent a temporary risk to residential amenity due to enhanced noise generation on site. However, the construction works shall be limited to reasonable hours by means of condition.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3, and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (December 2023). Therefore, the recommendation is to approve.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not

including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.