AGENDA ITEM NO. 7

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: **DEVELOPMENT CONTROL – 17 DECEMBER 2008**

BY: **HEAD OF PLANNING AND DEVELOPMENT**

SUBJECT: **Steppingstone Footbridge, Spalding**

PURPOSE: **To Consider Planning Application H16/1149/08**

Application Number: **H16/1149/08** **Date Received:** **7 November 2008**

Application Type: **Prior Approval Determination**

Description: **Replacement Footbridge**

Location: **Steppingstone Footbridge, Spalding**

Applicant: **Network Rail** **Agent:**

---

1. REASON FOR COMMITTEE CONSIDERATION

Issues raised warrant Committee consideration.

2. PROPOSAL

The application seeks prior approval for the submitted details, under the provisions of Part II of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 – Development Under Local or Private Acts or Orders.

In this case the details relate to a replacement bridge (to replace Steppingstone Bridge) which links Park Road to Kings Road across the railway line and associated land.

The existing bridge is a 3 span Victorian cast iron and metal structure spanning a total length (including later steps) of 67 metres. The replacement bridge will have a single span of 21.8 metres with a 'dog legged' staircase at either end giving a total length (not counting the staircase returns) of 31.25 metres. The bridge will be constructed 4.7 metres above ground.

The proposed bridge comprises a steel truss single span having a footpath deck width of approximately 2.00 metres and solid sides of approximately 1.4 metres. The bridge has been previously located at Aylesbury Station and has been transported to the site ready for use.

Te proposal makes no provision for disabled or cycle access, but the applicant has stated that such provision could be made at a later stage.

3. SITE DESCRIPTION

As previously stated, the site is presently occupied by Steppingstone Bridge which spans the active railway lines and associated railway land. Immediately to the west of the site is Britannia Gardens. The westernmost steps of the new bridge will be situated partly to the rear of No. 34 Britannia Gardens.

Steppingstone Bridge forms part of a wider public footpath network linking Park Road to Kings Road and the town centre.

4. RELEVANT PLANNING POLICIES

If this were an application for planning permission the following policies would be relevant.

The Development Plan

Lincolnshire Structure Plan, July 2006
Policy M8 – Cycling.
Policy M9 – Pedestrians.

South Holland District Local Plan, July 2006
Policy SG14 – Design and Layout of New Development
Policy SG15 – New Development Facilities for Road Users, Pedestrians and Cyclists.
Policy SG17 – Protection of Residential Amenity.
Policy EC13 – The Northern Expansion Area.
Policy EN4 – Development Affecting Listed Buildings.
Policy LT3 – Recreational Routes, Public Right of Way, Disused Railway Routes
Policy TL1 – Safeguarding Road Routes.
Policy TL2 – Cycling, Cycleways.

5. RELEVANT PLANNING HISTORY

None.

6. REPRESENTATIONS

The deadline for representations is 15 December 2008 – The following have been received to date – any further representations received after report finalization will be reported verbally.

Ward Member	Cllr R Gambba-Jones - Understood that SHDC as LPA has little genuine control over outcome. This makes it difficult to identify specific policies, but I believe the following sections of the Local Plan have some relevance: Chapter 8 – paragraph 8.1 – Need to reduce use of motor car. - paragraph 8.6 – includes provision of walking and cycling. Policy TL1 – safeguarding road link between Station Road to Pinchbeck Road.

More specific concerns are:

- no intention to provide disabled/pedestrian friendly access to bridge.
- Seeks to block a protected road route.

Acknowledge that the bridge requires urgent replacement, but the new bridge:

- Fails to address the vast majority of existing shortcomings.
- No ease of access to cycles, prams, pushchairs, wheelchairs or disabled scooters.
- 'Passive' access should be included now.
- Network Rail should be requested to discuss additional funding for disabled access with LCC as part of Community Travel case for Spalding.
- Properly designed, the bridge would be a major thoroughfare linking large residential area to town and reducing car travel.
- Claiming extra cost not justified because of current low footfall is an unsound argument given present state of bridge, which puts off many potential users.
- Concerned over shorter bridge span and placing town centre staircase in middle of land owned by Network Rail.
- Will make disabled friendly access ramps difficult, particularly if Network Rail have other ideas for the land.
- If proposal goes ahead, would ask for legal agreements to retain sufficient land for future provision of disabled access spiral or sloped access ramp. Should also be required to make land available to SHDC/LCC for provision of disabled access.
- As proposed the bridge will prevent future road links.
- Fear that Network Rail will seek to do no more than they have to.

Pedals

Summarised:

- Disappointed at proposal.
- Not convenient for cyclists or people with prams and wheelchairs etc.
- This is such an important link that every opportunity should be taken to make it suitable and safe – including lighting.
- Hope that SHDC & LCC will take the lead in trying to persuade Network Rail to re-think details of this proposal.
- Bridge and its approaches should be lit.
- This is an important link for the town and should be suitable and safe.
- Extra use will contribute to the County Council CTZ aims of reducing car journeys and lessen parking demands in town.
- Has consideration been given to a level crossing for use by pedestrians and cyclists? This would make the crossing useable by the widest range of potential users and would also remove the bridge from the local landscape.

Economic Development Officer

No objections to replacement footbridge, but concerned over shorter bridge. This will compromise an important roadway development scheme as proposed in the Local Plan.

22 Patriot Close	Understand that approval can be refused or conditions imposed if the design would injure the amenity of the neighbourhood or there was a detrimental impact on the amenity of the neighbourhood. Would like the Council to oppose the proposal for following reasons: • Staircases at either end are discriminatory and contrary to disabled legislation. Adequate provision should be made now. • No lighting is shown. • Provision should be made for cyclists by providing cycle channels within stairs. • No mention of the footbridge being part of a public footpath. • Opportunity exists to make footpath on east side shared use with cyclists.
Applicant	Has submitted a detailed letter explaining the basis of the submission and a copy of extract of the relevant Act of Parliament dated 1845. Confirms 8 week period for determination from the date of submission.

7. MATERIAL CONSIDERATIONS

Background

This proposal has been submitted by Network Rail for a replacement to Steppingstone Footbridge. The submission is made under Part II of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 'Development Under Local or Private Acts or Orders' – which states, under Class A, that:

Development authorised by (a) a local or private Act of Parliament…. Which designates specifically the nature of the development authorised and the land upon which it may be carried out…. Is permitted development.

but: Development is not permitted if it consists of or includes – (a) – the erection, construction alteration or extension of any bridge….. unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

However: The prior approval is not to be refused…. nor are conditions to be imposed…. unless

(a) The development…. ought to be and could reasonably be carried out elsewhere on the land, or;

(b) The design or external appearance of…. any bridge….. would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

Material Considerations

The basis of the submission is set out fully above. Essentially, prior approval is being sought for the plans and specifications of the replacement bridge.

Prior approval is not to be refused (or conditions imposed) unless the design or external appearance would injure the amenity of the neighbourhood.

In this respect the Authority must disregard the desirability of retaining/maintaining the existing bridge. It is not listed, nor may it be regarded as being within the curtilage of a listed building. The station is Listed, but is situated approximately 250 metres to the south.

The amenity of the neighbourhood is the only matter which the LPA can be concerned with. In this respect:

- The bridge would be of a more modern design, but shorter than the existing bridge.
- Would contain right-angled staircases at either end – rather than 'in line' steps as at present.

Given that the site is not situated within a conservation area, however, these factors do not amount to justifiable reasons to refuse permission on amenity grounds.

The orientation of the westernmost steps will mean that they will be situated to the rear of a residential curtilage (No. 34 Britannia Gardens). This will result in increased sense of overlooking – compared to the present stair arrangements – but this is not considered to be so serious as to justify a refusal.

Other Matters

Because of the importance of this footpath link the proposal has been given similar publicity to that of a planning application. This has resulted in a number of representations raising concerns, the main ones (to date) being:

- Inadequate disabled access.
- Inadequate cycle access.
- Prejudicial to future road provision.
- Fails to address shortcomings of existing bridge.
- Could suffer graffiti.

These matters, although important, cannot however influence the Council's decision which has to be made on the narrow basis of amenity of the locality.

Before the footbridge is replaced the applicant will need to secure a diversion order for the public footpath – which will be realigned as a consequence of the new stairs. This will be a separate procedure and further representation can be made in relation to this.

Conclusions

The existing footbridge is now in need of replacement and the present proposal seeks to achieve this.

Although concerns have been raised to the proposal these are not considered to amount to justifiable reasons to refuse prior approval to the submitted details, given the narrow grounds set out in the Order.

However, it is proposed to forward all consultation responses to Network Rail in order that it is aware of the strength of feeling, in particular to disabled and cycle access, and concerns over the proposal being prejudicial to the future road proposals. In addition, Network Rail will be urged to revise the proposals (irrespective of any formal notice of prior approval) and to enter into discussions in an effort to address the concerns raised.

8.0 RECOMMENDATION

8.1 **That Notice of Prior Approval be Granted.**

8.2 **That officers write to Network Rail urging it to enter into discussions and submit revised proposals to address the concerns raised.**

Background papers:- Planning Application Working File

File Ref: H16/1149/08

Appendices: Plan A – Site Location Plan
Plan B –
Plan C –

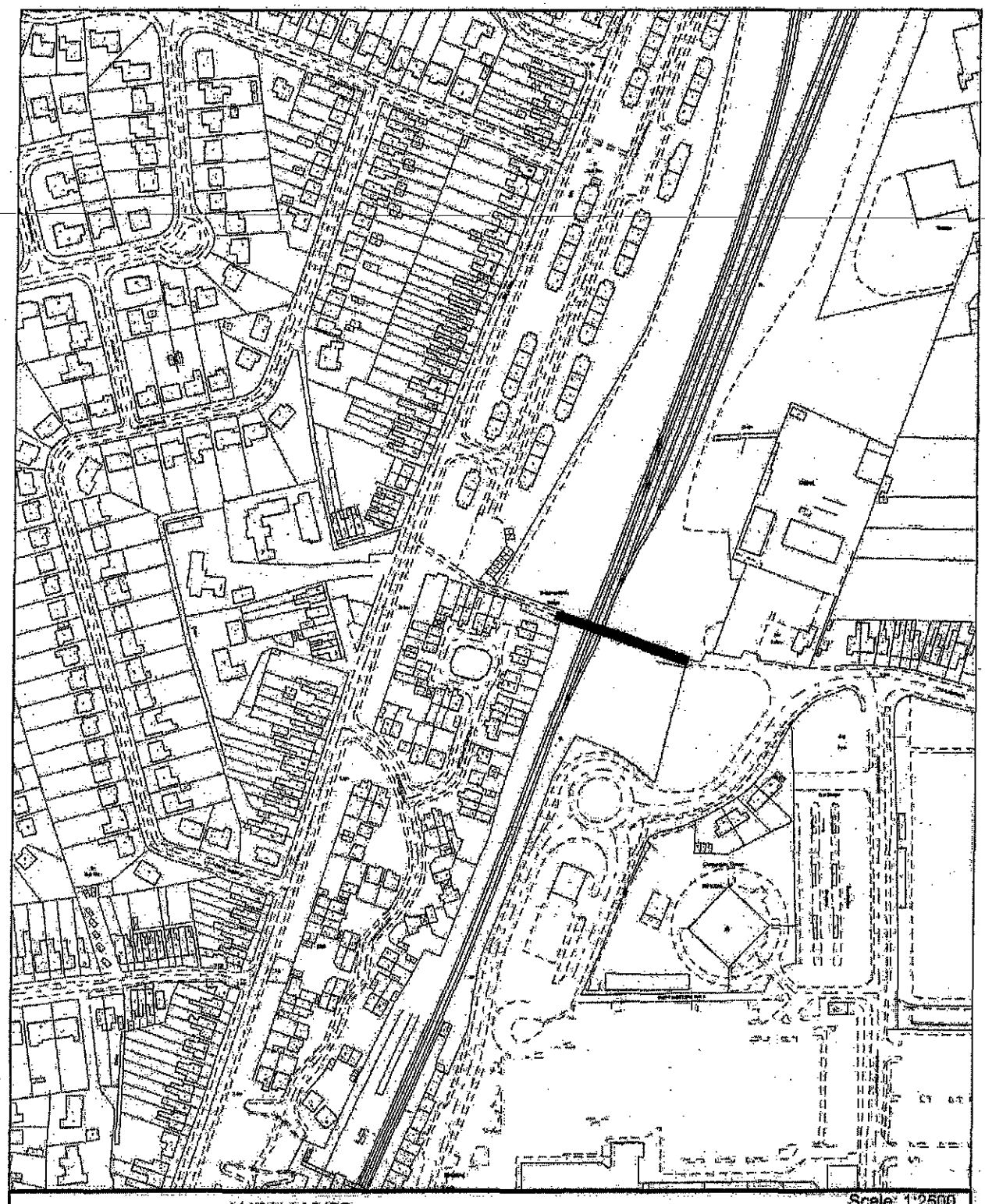
Report Author: Development Control Manager

Local Government (Access to Information) Act 1985

Please contact Steve Williams, the Head of Planning and Development if you want more information about this report or the background papers. You can contact him:

- by post at the Council Offices, Priory Road, Spalding, Lincolnshire, PE11 2XE
- by phone on 01775 761161
- by email at info@sholland.gov.uk

Plan A



H16/1149/08

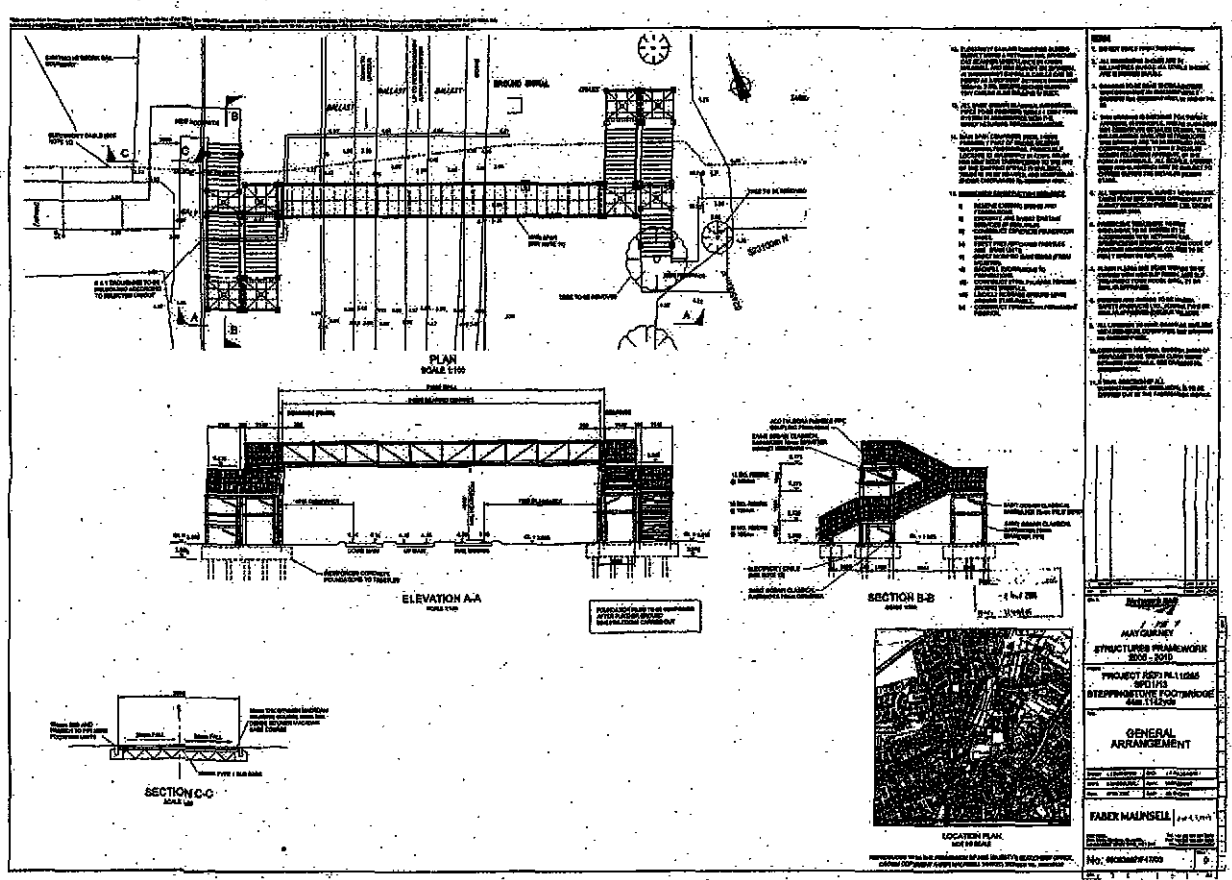
Scale: 1:2500

December 2008

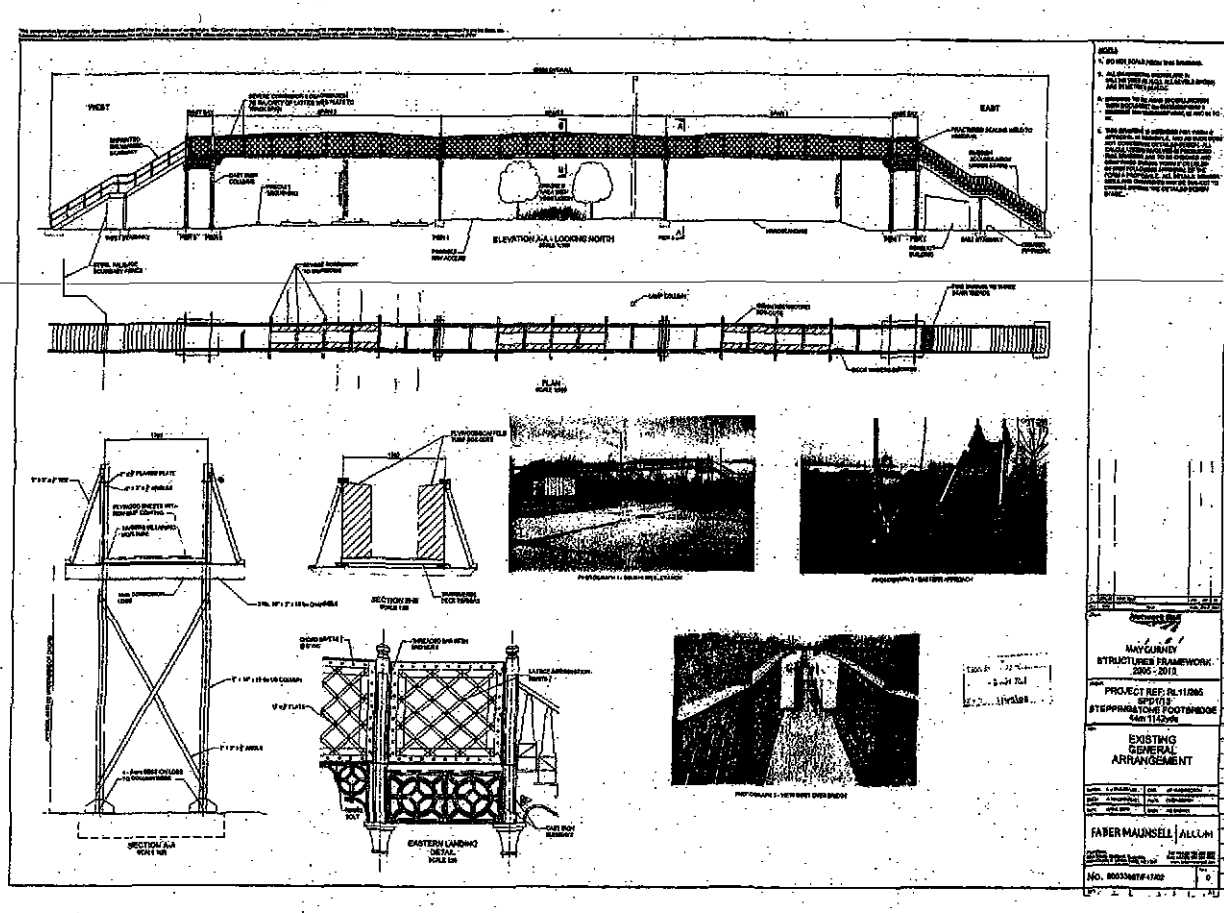
This map is reproduced from Ordnance Survey material with permission of Ordnance Survey on behalf of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Holland District Council 100018215 2008

Planning and Development
Council Offices, Priory Road, Spalding, Lincolnshire
PE11 2XE

Plan B


PLAN
SCALE 1:100
ELEVATION A-A
SECTION B-B
SECTION C-C
LOCATION PLAN
GENERAL ARRANGEMENT
FABER MAUNSELL

Plan C


WEST
EAST
ELEVATION A-A LOOKING NORTH
PLAN
SECTION A-A
EASTERN LANDING DETAIL
MAY GURNEY
STRUCTURES FRAMEWORK 2005 - 2013
PROJECT REF: RL11/085
SPD103
STEPPINGSTONE FOOTBRIDGE
44m 1142vds
EXISTING GENERAL ARRANGEMENT
FABER MAUNSELL | AECOM