

Recommendation Report for Development under Local or Private Act or Order

REF NO: BR/81/20/RAI

LOCATION: Ivy Lane Footbridge
Ivy Lane
PO22 8AE

PROPOSAL: Prior Approval under Part 18, Schedule 2 of the General Permitted Development Order 2015 for the replacement of the Ivy Lane pedestrian bridge over the railway.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This Prior Approval cannot be refused provided the Local Planning Authority is satisfied the development ought to be and could reasonably be carried out elsewhere on the land; or the design or external appearance of the building would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid injury.

This forms Part 18, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Local Planning Authority has 56 days to consider the application and this period expires on 26/05/20.

The application is to replace the railway bridge which connects Ivy Lane with Highcroft Avenue. The bridge will occupy a very similar position to the existing but with new stairways on either end projecting to the southwest. The bridge will have a 15.2m main span (20.48m total width) and have a 2m wide footpath across it. It will be a total height from track ground level of 8.6m. Access will be by a 1.5m wide footpath with new 2.4m high palisade fencing at track level to protect users.

The bridge will once again have a mesh canopy and chevaux de frise at either end. No lighting is proposed but there will be provision added should these need to be added at a future time. There is passive provision for future wheelchair ramps. The design life of the new footbridge will be 120 years, and the protective paint coatings to structural steelwork is 25-30 years' service-life with 15 years' to first maintenance.

TOPOGRAPHY

The existing bridge crosses the railway at a higher altitude than the level of Ivy Lane. It has two stepped sections below the main walkway on the Ivy Lane side. On the Highcroft Close side there is a single stepped slope up to the main walkway.

TREES

Some trees on the Highcroft Close side but none of any great

BOUNDARY TREATMENT	significance.
SITE CHARACTERISTICS	Black palisade fencing to prevent access to the railway. Existing stepped pedestrian bridge over the railway line. Concrete structure with a metal bar/mesh roof structure. Existing spikes (chevaux de frise) on each entrance to prevent access to the roof bridge. The wider site consists of a railway line surrounded by a strip of Network Rail owned operational land. The railway is surrounded by vegetation and residential properties on both sides of the railway.
CHARACTER OF LOCALITY	Residential area.

RELEVANT SITE HISTORY

BR/180/17/RAI	Prior Notification under Part 18, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 for a replacement railway footbridge.	No Objection 15-08-17
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Approval was given to a replacement bridge in a position to the south west of this (BR/180/17/RAI) but this required a separate footpath diversion order and has not been pursued further.

REPRESENTATIONS

1 letter of support:

- Very pleased to see this latest application has been altered significantly to take account of serious concerns from neighbouring residents about the proposed positioning of the previous bridge design;
- Design helps maintain status quo as regards the impact of a new footbridge on surrounding track side residents; and
- The PROW (no. 3038) has to be diverted so has an application been made to do this?

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The Council is not able to assess the impact on the PROW through this prior process.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designations applicable to site:

Within the built up area boundary;

Non-adopted highway; and
Railway property.

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

N/A.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The legislation relating to the erection of bridges such as this is contained within Part 18, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

Class A, Part 18 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows an Authority to assess these applications on two grounds:

- (1) whether the proposal could be carried out elsewhere; and
- (2) whether the design or external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid injury.

These two aspects will now be assessed.

LOCATION:

Network Rail state the footbridge has areas of heavy spalling and exposed reinforcement along with multiple areas where concrete repairs have been undertaken. It has been classified as life expired. As it is necessary to replace an bridge in a developed residential area and there are long established pedestrian links on either side, it would not be appropriate to carry out the development elsewhere.

The previous approval was for a bridge sited further to the south west and this demonstrates that the bridge could be in a slightly different position to its current alignment. The previous proposal met with heavy objection from residents whereas this proposal to use the same location has been better received with no objections and 1 letter of support. It is considered the location is appropriate.

DESIGN/APPEARANCE:

The existing bridge has a utilitarian design. The replacement bridge has a similar functional design again

in pre-cast concrete and with a metal/mesh roof and chevaux de frise on each end. Although not a visual improvement, this will not materially worsen existing harm to the amenities of the local area.

The bridge will be on a similar alignment to the existing structure, it will have limited new impact on residential amenity. The stairways will project to the south west in line with the tracks and it will be possible to look into neighbouring gardens from these but they are not designed as viewing platforms and there are already views of neighbouring residential properties from the bridge. The bridge and the stairways are fully enclosed with solid screens on either side to a height of around 1.2m and a mesh covering above and over. The impact on adjoining properties from the replacement bridge will be limited.

CONCLUSION:

It is not considered that any objection should be made to the proposed replacement bridge.

RECOMMENDATION

NO OBJECTION