



Meeting: **SPECIAL PLANNING COMMITTEE**
Date: **TUESDAY 13 SEPTEMBER 2016**
Time: **3.00 PM**
Venue: **COUNCIL CHAMBER**
To: **Councillors J Cattanach (Chair), D Peart (Vice Chair),
Mrs L Casling, I Chilvers, J Deans, D Mackay, C Pearson,
P Welch and B Marshall.**

Agenda

1. Apologies for Absence

2. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

3. Chair's Address to the Planning Committee

4. Suspension of Council Procedure Rules

The Planning Committee are asked to agree to the suspension of Council Procedure Rules 15.1 and 15.6(a) for the Committee meeting. This facilitates an open debate within the Committee on the planning

merits of the application without the need to have a proposal or amendment moved and seconded first. Councillors are reminded that at the end of the debate the Chair will ask for a proposal to be moved and seconded. Any alternative motion to this which is proposed and seconded will be considered as an amendment. Councillors who wish to propose a motion against the recommendations of the officers should ensure that they give valid planning reasons for doing so.

5. Planning Applications Received

- 5.1 2016/0950/FUL - Tadcaster Bridge, Bridge Street, Tadcaster
(pages 1 to 22 attached)
- 5.2 2016/0915/LBC - Tadcaster Bridge, Bridge Street, Tadcaster
(pages 23 to 38 attached)

Gillian Marshall
Solicitor to the Council

Dates of next meetings
12 October 2016
9 November 2016

Enquiries relating to this agenda, please contact Janine Jenkinson on:
Tel: 01757 292268, Email: jjenkinson@selby.gov.uk

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Items for Special Planning Committee
13 September 2016

Ref	Site Address	Description	Officer	Page
2016/0950/FUL	Tadcaster Bridge, Bridge Street , Tadcaster	To alter the upstream elevation of the existing River Wharfe Bridge at Tadcaster by the addition of a cantilevered footway to provide 1.8 metre footways and a 7.3 metre wide carriageway over the bridge.	JOCA	1-22
2016/0915/LBC	Tadcaster Bridge, Bridge Street , Tadcaster	Listed building consent for proposed widening of the carriageway and footpaths over the existing Tadcaster bridge over the River Wharfe using a cantilever concrete slab on the upstream elevation of the bridge which will allow the addition of street lighting across the bridge whilst the repair of the flood damage is carried out	JOCA	23-38



APPLICATION SITE

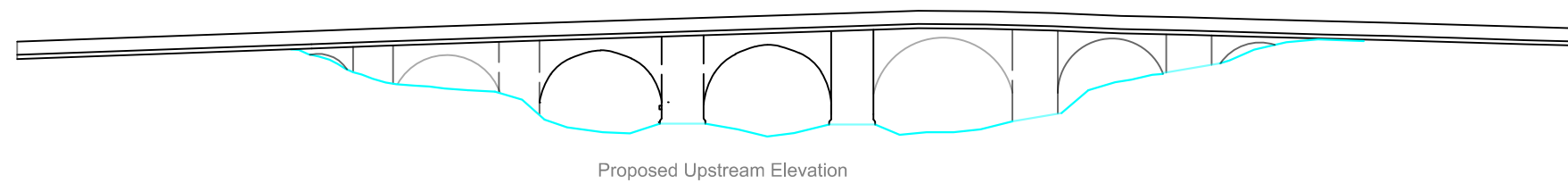
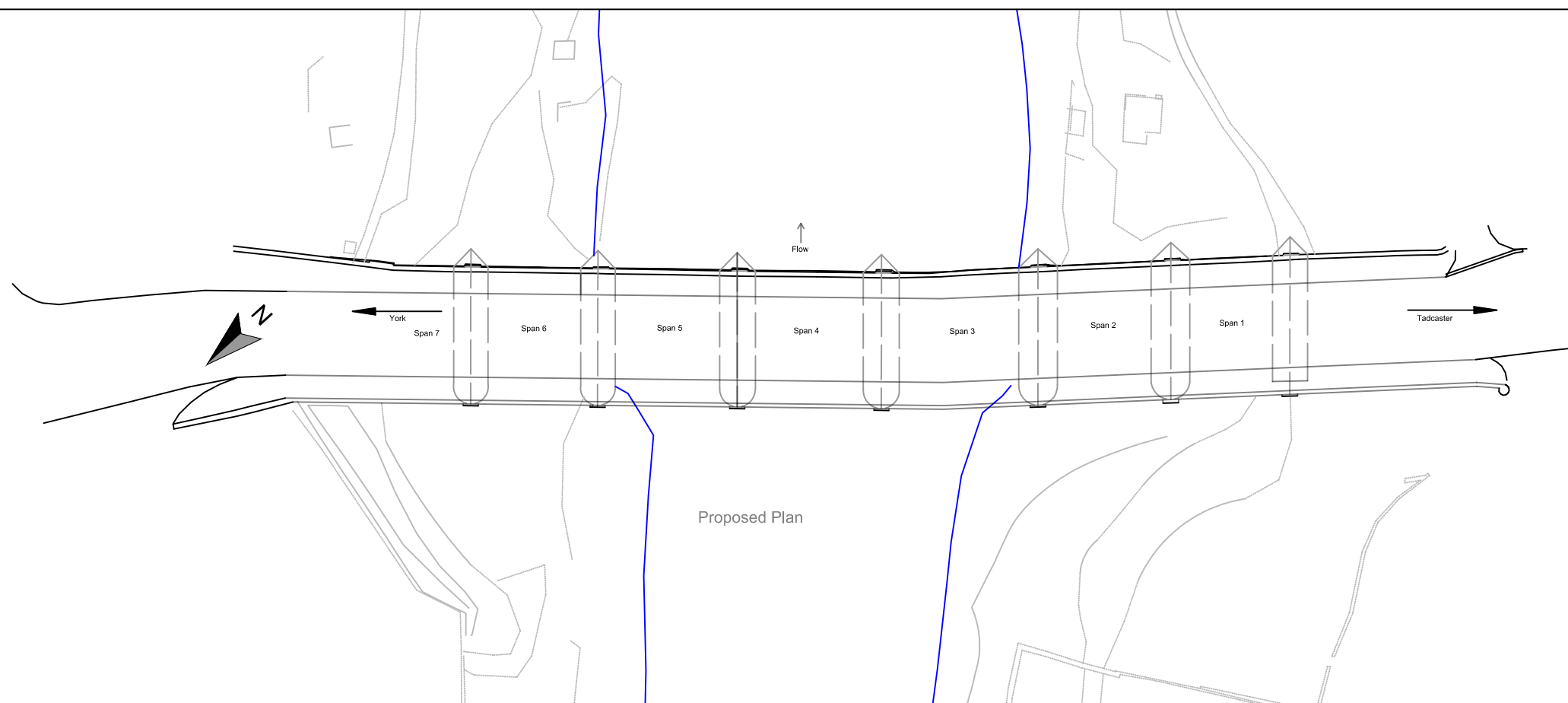
Item No: 2016/0950/FUL

Address: Tadcaster Bridge, Bridge Street, Tadcaster

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Notes:

1. Drawing shall not be scaled. Only written dimensions shall be used.



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AMENDMENTS

PROJECT: TADCASTER BRIDGE
FLOOD DAMAGE RECONSTRUCTION
PLANNING CONSENT - PROPOSED UPSTREAM ELEVATION

DRAWN:- PR

CHECKED:- JDS

DATE: AUGUST 2016

SCALE: 1:500

DRAWING NO. NYCC/180/013



Report Reference Number 2016/0950/FUL

Agenda Item No:

5.1

To: Planning Committee
Date: 13th September 2016
Author: Jonathan Carr (Interim Lead Officer – Planning)
Lead Officer: Jonathan Carr (Interim Lead Officer – Planning)

APPLICATION NUMBER:	2016/0950/FUL	PARISH:	Tadcaster Town Council
APPLICANT:	North Yorkshire County Council	VALID DATE:	11 August 2016
		EXPIRY DATE:	06 October 2016
PROPOSAL:	To alter the upstream elevation of the existing River Wharfe Bridge at Tadcaster by the addition of a cantilevered footway to provide 1.8 metre footways and a 7.3 metre wide carriageway over the bridge.		
LOCATION:	Tadcaster Bridge, Bridge Street , Tadcaster		

This application has been brought before Planning Committee due to the level of public interest in the proposal.

Summary:

The application seeks planning permission for alterations to the storm damaged road and foot bridge over the River Wharfe in Tadcaster. The proposals involve widening the carriageways and two footways by means of a concrete cantilever on one side of the bridge deck, with repositioning of the wall and parapet outwards to the edge of the widened deck. The elevation would be finished in stone to match the existing appearance. 4 lighting columns on this side are also proposed

The bridge is grade 2 listed and stands within the Tadcaster Conservation Area. There are listed cottages to the north west of the bridge.

Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would cause less than substantial harm to the special the architectural and historic interest of the listed bridge, and to the character and appearance of the conservation area.

Having also paid special regard to the desirability of preserving the building and its features of a special architectural or historic interest, and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the less than substantial harm to both is considered to be outweighed by the public benefits of the proposal. This is even when considerable importance and weight is attached to the harm identified and acknowledging that even less than substantial harm to a designated heritage asset creates a strong presumption against granting planning permission.

The proposal complies with local and national planning policy in all other respects. No other planning considerations are identified that would warrant refusal of the application.

Recommendation

This planning application is recommended to be APPROVED subject to conditions detailed in Paragraph 3 of the Report.

1 Introduction and Background

1.1.1 Tadcaster Bridge comprises a substantial Grade II Listed stone built structure dating from the Late 18th Century with earlier origins crossing the River Wharfe in a prominent location within the Tadcaster Conservation Area. The structure was subject to substantial damage involving the partial failure of sections of two arches with associated areas of parapet on the north eastern up-stream side following on from a severe flooding event in December 2015. Listed Building Consent and planning permission are now sought for the reconstruction and widening of the bridge to include a 7.3 metre wide carriageway with 1.8 metre wide pathways through the provision of a stone clad cantilevered concrete deck secured on the northern upstream side of the Bridge.

1.2 The Proposal

1.2.1 Planning Permission is sought for the reconstruction and widening of the bridge to include a 7.3 metre wide carriageway with 1.8 metre wide pathways through the provision of a stone clad cantilevered concrete deck secured on the northern upstream side of the Bridge.

1.3 Planning History

1.3.1 Recent planning history in relation to the bridge of relevance:-

- CO/2004/0580 Application for listed building consent to carry out works to strengthen the bridge parapet in connection with flood defences

1.4 Consultations

1.4.1 Council's Heritage Advisor

Describes the significance of the bridge in its location, its history and development and widening from the original late 17th century structure. In assessing the proposals, the advisor points out the Historic England's reference to the aesthetic significance of the bridge. The response refers to the revised plans received which reduce the width of the footways from 2.0 m to 1.8 m each.

The retention of the cutwaters in their existing form and location is considered to greatly reduce the harm to the architectural and historic interest of the bridge which would have been caused by the initial scheme proposals. The cantilever would however still extend close to the outer edge of the cutwaters, and would oversail the domed tops. The large section submitted does not accurately reflect this (show much less of an overhang).

The advisor states a clear and convincing justification has been provided for the widening of the footways. It suggested that the footways be finished in materials to make them reality distinguishable from the bitumen carriageway, such as rectangular cut paving.

The advisor does not consider that the case for widening the carriageway accords with the latest guidance for reducing traffic dominance and improving pedestrian and cycle safety. As the increased width would cause additional harm to the special characteristics of the bridge, and to the appearance of the bridge within the conservation area, this part of the proposals does not comply with policy requirements and cannot be supported. It is considered that the Design Manual for Streets 2 should be the reference for changes to the carriageway here, (rather than the Design Manuals for Roads and Bridges used by the applicant), whereby a 5.5 m minimum width carriageway is suggested on two ways roads for HGVs or buses crossing, rather than the 7.3 m proposed in the application. It is felt that there is therefore no identifiable public benefit from widening the carriageway.

The proposed lighting (4 lighting columns) would be incongruous to the character of the bridge and the character and appearance of the conservation area. Less harmful ways of providing lighting should be explored, such as integrating it into the bridge deck at low level. This approach would preserve the bridge's historic character and cause less harm to the wider area. Any proposals for lighting should be covered through a condition.

Revisions to show a reduced depth of string course are suggested, details of which and of rebuilding the parapet could be subject to condition of approval.

Care must be taken in retaining and restoring (if affected by the works) the special area around the northwest pillar of the bridge. This area is enclosed by historic buildings, some of which are listed (no 2 Bridge Street and nos 1-11 Wharfe Bridge Terrace) and the intervening floorscape is of historic stone setts. This area provides access to the terrace and a pedestrian route to the riverside walk on the west bank. Its use and amenity value contributes to the setting of the adjacent buildings, and to the character and appearance of the conservation area. A landscape plan should be provided through conditions to demonstrate that the area will be preserved.

In summary it is requested that to meet requirements of the NPPF paragraphs 132 and 134, the overhang of the cantilever should be reduced given there is no identifiable public benefit to increasing the carriageway width.

1.4.2 The Ainsty Internal Drainage Board

Raises no objection in respect of the proposal.

1.4.3 The Environment Agency

Comments are to be reported

1.4.4 North Yorkshire Police Architectural Liaison Officer

Raises no objection to the proposal from a designing out crime perspective. The Traffic Management Officer has also commented that it would be advantageous for a road safety audit be carried out with regard to the footway tie-ins and accesses at either end of the bridge.

1.4.5 Historic England (HE)

Raises no objection in principle to the proposal, stating that it understands the rationale behind the widening and acknowledges that this will cause some harm to the heritage significance of the bridge. HE refers to the requirements in National Planning Policy Framework that harm to the significance of heritage assets needs to be fully justified and minimised as far as possible. HE recognises the wider public benefits the bridge provides in connecting the communities either side of the bridge and the contribution to the wider economic vitality of the town, but states it is essential that the authority is satisfied a clear and convincing justification has been provided for the works and the design details have taken opportunities to minimise the level of harm to the heritage asset.

1.4.6 The Council for British Archaeology

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported to the meeting.

1.4.7 The Ancients Monuments Society

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.8 The Georgian Group

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.9 The Victorian Society

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.10 North Yorkshire County Council Historic Team

Raises no objection to the proposal.

1.4.11 North Yorkshire County Council (Highway Authority – Rights of Way)

Requests an informative that no works be undertaken that would permanently or temporarily obstruct the right of way adjacent to the development.

1.4.12 North Yorkshire County Council (Highway Authority)

States it is clear the need for the application has arisen from the damage caused to the Tadcaster Bridge in the December 2015 floods. It is also evident that the County Council have taken the opportunity afforded by this enforced work on the bridge to review its

appropriateness to accommodate the needs of current day pedestrians, cyclists and vehicles. The Local Highway Authority (LHA) welcomes this proposal.

The pre-flood bridge had sub-standard footway and carriageway widths. The proposed widening has been designed to Design Manual for Roads and Bridges (DMRB), which it is considered is the appropriate standard for an A class road in this location. Manual for Streets (MfS) is the other nationally recognised design standard for roads with speed limits below 40mph. There is an overlap between the two standards. To assist developers and highways Engineers in determining which of these standards to apply the County Council has formally adopted a Matrix based on “place” and “movement” functions.

The vehicular demands of the A659 at this location are dominant and even with the widened carriageway footways it is considered this will not be sufficient to provide a “place” function which could justify the application of MfS standards. The application of DMRB as the design standard is appropriate and in accordance with NYCC’s adopted policy.

Standard conditions relating to onsite parking, on-site storage and construction traffic during development, routing of construction traffic are recommended

1.4.13 Ramblers (Wetherby and District)

States it is important the bridge is repaired as soon as possible, and that the original bridge was dangerous as pedestrians as it was too narrow for modern traffic, and the space for pedestrians very limited. The proposals appear to retain as far as possible the features of the bridge

1.4.14 Tadcaster Town Council

Was consulted with regard to the proposal on 11th August 2016. Views will be reported at the meeting.

1.4.15 The Society for the Protection of Ancient Buildings

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.5 Publicity

1.5.1 The application was advertised by site notice and neighbour notification and Press Notice. The 21 day publicity period for comments expired on 5th September

1.5.2 45 representations in support have been received in respect of the proposal. Comments are summarised:-

- The narrowness of the bridge’s footways is dangerous (personal injuries are referred to).
- The narrowness of the carriageway as well as the footways has in the past caused accidents including a pedestrian fatality
- The current closure is causing major problems for the town and the bridge needs to be reopened as soon as possible. The closure has caused delays for residents, increased travel time, increase car journeys and affected shops and businesses

- The opportunity should be taken to bring the bridge up to a safe standard. It essential I the footways are widened to improve safety for wheelchair, pushchair and mobility scooter users.
- Concerns and comments about the narrowness of the bridge have been registered with the Town Council for many years, and it is in the public interest to widen the bridge
- Despite a lack of recorded accidents the opportunity should be taken to prevent them
- The widening of the bridge will improve the prosperity of the town

2. Report

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

2.2 Selby District Core Strategy Local Plan

The relevant Core Strategy Policies are:

- SP1 Presumption in favour of Sustainable Development
- SP18: Protecting and Enhancing the Environment
- SP19: Design Quality

2.3 Selby District Local Plan

Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework. As the Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, the guidance in paragraph 214 of the NPPF does not apply and therefore applications should be determined in accordance with the guidance in Paragraph 215 of the NPPF which states " In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".

The relevant Selby District Local Plan Policies are:

- ENV1: Control of Development
- ENV3 Control of Outdoor Lighting
- ENV24: Alterations to Listed buildings
- ENV25: Control of Development in Conservation Areas

- T7 Provision for cyclists

2.4 National Guidance and Policy – National Planning Policy Framework (NPPF), National Planning Practice Guide (NPPG)

2.4.1 On the 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF replaced the suite of Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) and now, along with the Planning Policy Guidance (PPG), provides the national guidance on planning.

2.4.2 The NPPF introduces, in paragraph 14, a presumption in favour of sustainable development. Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".

2.4.3 The NPPF and the accompanying National Planning Practice Guidance provides guidance on wide variety of planning issues the following report is made in light of the guidance of the NPPF.

2.4.4 The sections in the NPPF most relevant to this proposal are:-

- Section 4 Promoting sustainable transport
- Section 12 Conserving and enhancing the historic environment

2.5 Key considerations:-

- Statutory requirements in relation to Heritage assets
- Impact upon the significance Character and Appearance of the grade 2 Listed Bridge;
- Impact upon the Character and Appearance of the Tadcaster Conservation Area.
- Pedestrian and Highway safety
- Sustainable Travel
- Flood Risk
- Ecological impact

2.6 Statutory Requirements

2.6.1 In addition to policies in the NPPF to protect heritage assets, the Local Planning Authority has a statutory duty under s16 (2) (or s66 (1)) of the Planning (Listed Buildings and Conservation Areas) Act 1990, if it is an application affecting a listed building or its setting, "to have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses" . In relation to conservation areas, there is also a duty under s.72 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Case law has made clear that when deciding whether harm to heritage asset is outweighed by the advantages of a proposed development, the decision-maker must give considerable importance and weight to desirability of avoiding such harm. There is a "strong presumption"

against the grant of planning permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give considerable importance and weight to conserving of the heritage asset. This means that even where harm is less than substantial, the protection of the designated asset must still be afforded considerable importance and weight, and should be afforded more weight than if it were simply a factor to be taken into account along with all other material considerations.

2.7 Significance of the Listed Bridge the Tadcaster Conservation Area and the Adjacent Listed Buildings

2.7.1 The submitted Heritage Statement describes the significance of the bridge as a designated heritage asset. Tadcaster Bridge forms a crossing of the River Wharfe centrally placed within the town of Tadcaster and occupying a prominent place within the Tadcaster Conservation Area. It marks the site of a crossing dating back in to the medieval period if not earlier. The present Bridge is datable to two main phases with the downstream side dating to the late 17th Century but following an earlier medieval form. The upstream side comprises a second conjoined structure on the upstream side added in the late 18th Century to widen the Bridge to allow for the passage of turnpike road traffic under the instructions of the York Architect and Surveyor John Carr. The two elements have different characteristics, The earlier bridge has a decorative archivolt detail and carved keystones over each arch and the piers have triangular cutwaters with a chamfered tops; the late C18th bridge has massive semi-circular cutwaters terminating in quarter domes, and the splayed parapet ends in a cylindrical stone drum on the North west side of the river.

2.7.2 Further works to improve and strengthen the deck of the bridge were undertaken in the 1970s. The parapets may be later replacements as they do not appear consistent with the other phases of the bridge works. Despite its original age the bridge was listed in 1985 as Grade 2 rather than 2* or 1, which may be reflective of the alterations. However the grade does not alter the requirements of local policy or NPPF in considering the significance of the structure when determining applications for alterations. The Bridge is prominent in the context of views of the Conservation Area and 15th Century Church, and the setting of a row of listed 18th century houses to the north west represents an embodiment in stone of the physical development of the town since the Medieval period. The significance of the bridge as an asset also arises from its aesthetic qualities and observable phases of construction which display different architectural characteristics. It is not only an essential part of the route through the picturesque market town but a key contributory feature to the historic character of the town centre. Further significance derives from the involvement of John Carr, the eminent 18th century Yorkshire born architect, in its evolution ,

2.7.3 The Tadcaster Conservation Area is characterised by a densely packed area of development incorporating a mix of brick stone and individual timber framed buildings forming the basis of the original medieval market town to the west of the Wharfe with the remains of a some suburban development on the eastern bank. The Late 18th and 19th Century brewery buildings fringe the central core to the north west and south west. Tadcaster Bridge along with the former high level railway viaduct dating to the 19th Century and the 15th Century parish church define the eastern edge of the Conservation Area by virtue of their visual

relationship. In the 18th century the town enjoyed heightened prosperity and many of buildings along the main street date from or were refronted during this period. The bridge reinforces that historic character. Some of buildings are 2/3 storeys and the bridge provides a welcome break in the urban fabric, providing green vistas up and down the river which contrast with the high degree of enclosure within the town's main street either side of the river. This contribution is of high townscape value and reinforces special interest due to the 18th century origins.

2.8 Proposal

2.8.1 The proposal arises from a major collapse event on 29th December 2015 when a large section of the north east facing 'upstream' side of the Bridge collapsed into the River Wharfe during a major flooding event. The bridge has been closed since.

2.8.2 A detailed options appraisal has been submitted in terms of the widening work to the carriageway and footpaths including costs within the Heritage Statement. A total of six options have been explored, as detailed in the Heritage Statement. The options ranged from a straight repair of the bridge to building separate footbridges or replacing the entire bridge. The options considered either result in significant and unacceptable harm to the affected heritage assets (the bridge itself and the conservation area), or failed to meet the aspirations of the community and council to address the identified safety issues with the narrow bridge.

2.8.3 The proposed works involve reconstruction of the upstream side of the Bridge, to reinstate the lost piers and cutwaters and accommodate a stone clad concrete cantilever. The applicant states that the collapse inadvertently presents an opportunity to provide more appropriate structure to address the specific needs of the town in terms of movement within it, with improvements to comply with national standards. for improvements to classified 'A' roads. The scheme involves increasing the width of the footways on each side, increasing the carriageway and adding four lighting columns to the upstream side.

2.8.4 As originally submitted the pedestrian footways were to be widened to 2.0m from the existing 1.2 m and 1.37 m to 2.0 m each, and the existing vehicular carriageway (6.1m narrowest to 6.85 m at widest) widened to a uniform 7.3 metres. A comprehensive lighting scheme involving Victorian style columns is also suggested.

2.8.5 The existing parapet on the upstream side would be resited to edge of the cantilever to replicate the existing treatment of edge of the elevation. As originally submitted the existing pillars and cutwaters were to be extended in height to meet the new cantilever, to tie the cantilever into the structure to provide both structurally and visually. This would have removed the quarter dome upper parts of the cutwater.

2.8.6 Notwithstanding the original Heritage Statement comments, officers raised concerns that this would result in the loss of historic architectural detail from the existing structure.

2.8.7 Following discussions the proposal now involves widening each of the footways to 1.8 metres, and widening the carriageway to 7.3 m. In summary the revisions as involve:-

- A new bridge deck projecting approximately 1.5m beyond the existing face of the bridge arches, terminating almost in line with the central cutwaters

- Dismantling and rebuilding the parapet in stone to a similar design as existing but with a deep string course.
- The cutwaters retaining their distinctive form i.e. the upper parts of the bull nose cutwaters would no longer be removed and replaced by a cylindrical form to meet the underside of the cantilevered deck.

2.8.8 With this amendment the cantilever at its widest point would not reach the outer most width of the cutwaters, and so the cutwaters would retain their rounded tops returning into the bridge. The Heritage Statement and Design and Access Statement contain some discrepancies in referring to the original scheme, and a 1.8m cantilever rather than 1.5m extension as now proposed.

2.9 Impact upon the architectural and historic interest of the listed bridge

2.9.1 Local Plan Policy ENV1 says in considering proposals the council will take account of, inter alia, the effect on the character of the area, the potential loss or adverse effect up significant buildings... or other features important to the character of the area,, the extent to which the needs of disabled or other inconvenienced persons have been taken into account and any other, material considerations. Policy ENV3 requires lighting schemes to represent the minimal level required for security and/or operational purposes, to minimise glare or spillage and to not prejudice highway safety or not significantly adversely affect local amenity. Policy ENV 24 of the Selby Local Plan indicates that development would not be permitted where it would have a detrimental impact upon the character, fabric or setting of a Listed Building. This policy should be given limited weight due to the conflict between the approach taken and that set out within the NPPF, with the latter's emphasis on conserving the significance of designated heritage assets and the balancing of harm to heritage asset against the public benefits of the proposal. Specifically paragraph 128 requires the significance of affected heritage assets to be described (including any contribution made by their setting) in submissions, so as to understand the potential impact of the proposal on their significance, and paragraph 129 requires local planning authorities to assess the particular significance of any asset that may be affected, including by development affecting the setting of an asset. Paragraph 131 says that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

2.9.2 Core Strategy policy SP18 states that the high quality and local distinctiveness of the natural and manmade environment will be sustained by:

1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.

2. Conserving those historic assets which contribute most to the distinct character of the District and realising the potential contribution that they can make towards economic regeneration, tourism, education and quality of life.

2.9.3 Policy SP19 states inter alia, that proposals for all new development will be expected to contribute to enhancing community cohesion by achieving high quality design and have regard to the local character, identity and context of its surroundings including historic townscapes, settlement patterns and the open countryside. It sets out key requirements for development to achieve including to:-

b) Positively contribute to an area's identity and heritage in terms of scale, density and layout;

c) Be accessible to all users and easy to get to and move through;

d) Create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts;

h) Minimise the risk of crime or fear of crime, particularly through active frontages and natural surveillance;

2.9.4 National Planning Policy as outlined in paragraph 132 of the National Planning Policy Framework indicates that in considering the impact of a proposed development great weight should be afforded the asset's conservation. The more significant the asset the greater the weight afforded. At the same time paragraph 133 indicates that where a proposed development would lead to either substantial harm of or loss to a designated Heritage Asset then the presumption must be that Consent will be refused unless a substantial public benefit can be demonstrated that would outweigh that loss or harm. Paragraph 134 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

2.9.5 The widening of the bridge as proposed would by its nature alter the appearance of one side of the bridge, resulting in an overhanging element. In pure elevation, given the retention the rounded tops of the cutwaters, the resiting of the parapet and the stone cladding to the side of the cantilever, the bridge would appear little different but a new shadow line across the cutwaters and adjoining masonry would be cast by the cantilever. From below or at an oblique angle when viewed from the north west, the overhang itself would be evident and there would be some shadowing of the cutwaters below by the cantilever. The underneath of concrete deck would be visible from lower views. From above and from the highway itself, the cantilever would be less evident but the additional highway width i.e. the distance between the side parapets would be notable compared to the existing. In views from the older the downstream side, the bridge would not alter in appearance and the much of the arches untouched other than repairs to weathering. The deck has previously been replaced in the 1970's.

2.9.6 As raised by the Heritage Advisor, It is considered that the currently proposed Victorian lighting columns would be incongruous with the character of the bridge and would not preserve the setting of the bridge which is provided by the river corridor and views from the

footpaths and buildings along it. Less harmful ways of integrating lighting into the bridge which would preserve its historic character should be secured by condition.

2.9.7 Overall the alterations would it is considered result in some harm to the significance of the bridge through the disturbance of the historic fabric, and the alterations to produce a cantilever which would overhang and overshadow the cutwaters and disturb the visual aesthetic as referred to by Historic England and the Council's Heritage Advisor. This harm is largely limited to one side of the bridge and the significant majority of the bridge would remain unaltered, it is not considered that the harm is substantial. However less than substantial harm is identified and there is a consequent strong presumption against the development. The harm identified must be given considerable weight.

2.10 Impact upon the significance (character and appearance) of the conservation area and setting of adjacent listed buildings

2.10.1 Policy ENV25 of the Selby Local Plan indicates that development within a Conservation Area will be permitted provided the proposal would preserve the character or appearance of the Conservation Area and in particular would not adversely affect the setting of the area and in particular views into and out of the area and the proposed external site works are compatible with the character and appearance of the area. National Planning policy in relation to proposed alterations to designated heritage assets and the assessment of their impact is as described in section 2.9 above.

2.10.2 Views of the bridge from the conservation area on the downstream side would remain unchanged by the proposal as this elevation is not affected. The bridge's contribution to setting of the conservation area the bridge from this side would also remain unchanged.

2.10.3 On the upstream side, the cantilever would create a shadow line and as described above views of the bridge would change depending on the viewing angle. However in terms of the bridge's contribution to the character and appearance and so significance of the conservation area, its prominence and integrity at this historic crossing point would be largely retained and it would remain as the predominant stone structure albeit with an altered appearance on one side. There would be some realignment of part of the approach walls on the upstream side to allow for the foundation and approach works Again this would not be significant in terms of the character and appearance of the conservation area 2.10.4 Although it is considered the harm to the conservation area would be limited, there would nevertheless be some less than substantial harm, and so there is a consequent strong presumption against the development and the harm must be afforded considerable weight.

2.10.5 The row of 18th century houses frame the view of the 18th century bridge when looking from the north west and reinforce its heritage setting.

2.10.6 The bridge forms part of the setting of 2 Bridge Street (facing the bridge) and No1 Wharfe Bridge Terrace with its side elevation facing the bridge, at the corner. These buildings are close to the bridge, and enclose the other side of the historic access route off the main road to the river, also leading to Wharfe Bridge Terrace. They are mid 18th century buildings with later alterations, listed at Grade 2.

2.10.7 These buildings are contemporary with earlier phases of bridge. The terrace of houses along the riverbank have a close relationship with the bridge, and so when viewed from the public river walk and also in long distance views from the opposite bank, the combination of the houses and the bridge form a cohesive view of the 18th century character, which contributes greatly to the townscape interest of the wider setting of the conservation area.

2.10.8 The alterations to the bridge would lessen 18th century character of the bridge, and so there would be slight harm to the historic setting of the buildings as a result of the more modern appearance of the cantilevered bridge deck. The degree of harm would be less than substantial.

2.11 Submitted justification

2.11.1 Bearing in mind the presumption against the proposals due to the less than substantial harm to the listed building and conservation area, officers considered that the heritage statement did not provide sufficient clear and convincing justification for the scheme in terms of public benefits to outweigh this harm. The applicant was therefore challenged in respect of the justification. In particular, whilst the increased width of the narrow footways to allow safe pedestrian movement appeared to be justified, there was limited information to commend the widening of the carriageway. It could be generally considered that a narrow carriageway width acts as a traffic calming measure, and existing carriageways are often narrowed in highway schemes for this reason. The additional information supplied, in the form of an addendum to the justification in the Statement and Design and Access Statement, more clearly articulate the case for the increased width by explaining that :-

- The proposals seek to address the safety of pedestrians and cyclists when using the bridge encouraging sustainable travel for shorter trips within the town and potentially reducing car use. The current footways do not allow 2 pedestrians to comfortably pass.
- The bridge is used by HGVs travelling through the town, be it brewery traffic heading east, or delivery lorries for the Sainsbury's supermarket and other businesses just east of the bridge, and buses including those travelling to, from the bus station also just on that side of the bridge. The current width does not allow cyclists to safely use the bridge particularly when HGVs and buses occupy almost all of the available lane width, necessarily tight up to the kerb when vehicles are coming on the opposite direction.
- Pedestrian demand is high due to the bus station, doctor's surgery and supermarket being across the bridge (on the east side) from the main town centre. However there is a perceived threat and danger from large vehicles and buses close to the narrow footpaths, and so discouragement from using the bridge. There is no viable alternative route in the town centre.
- The lack of road space for cyclists is a deterrent for residents and employees to use this mode as an alternative to car travel.
- The County Council's design standards for developer funded works suggests that based on the national design standards, the most appropriate standards to follow

for this type of situation is the Design Manual for Roads and Bridges (DMRB) rather than Manual for Streets standards (as referred to by the Council's Heritage Advisor and most commonly used in residential areas or for high street locations) for the classification of road, The DMRB standards are 7.3m carriageway and 1.8m footways. The Highway Authority has also explained that the proposed widening to address the sub-standard footway and carriageway widths has been designed to Design Manual for Roads and Bridges (DMRB). Given there is an overlap between the two standards, the Highway Authority has formally adopted a Matrix based on "place" and "movement" functions.

- The key point made by the applicant and confirmed by the Highway Authority is that vehicular demands of the A659 at this location are dominant, and that even with the widened footways traffic levels are such that this will not be sufficient in safety terms, despite the categorisation as a significant "place" function in the adopted matrix, to justify the application of MfS standards. The application of DMRB as the design standard is therefore appropriate and in accordance with NYCC's adopted policy.

2.11.2 The other options considered by the applicant result in significant and unacceptable harm to the affected heritage assets (the bridge itself and the conservation area), or do not meet the aspirations of the community and council to address the identified safety issues with the narrow bridge. In light of the clear explanation and the view of the highway authority with regard to the significant safety benefits derived from the widening of carriageway, it is considered that the scheme put forward has the minimal impact on the significance of the heritage asset whilst achieving the improvements required, and there is convincing justification for the additional width proposed.

Other Matters

2.12 Highway and Pedestrian Safety

2.12.1 The applicant has set out the case for the proposed works significantly based on the potential improvements that the alterations would afford to highway and pedestrian safety. The existing arrangements in terms of passage across the bridge are not considered by the Highway Authority to be satisfactory and the current closure due to extensive flood damage provides a potentially unique opportunity to undertake improvement works for the benefit of highway users. Bearing in mind the requirements of Policy ENV1 in terms of taking account of arrangements for upgrading infrastructure, and taking account of the needs of disabled or inconvenienced persons, the works are considered appropriate in this respect. Whilst the Heritage Advisor contends that the appropriate treatment for the location in highway safety terms is to narrow the carriageway following Manual for Streets guidance, it is clear that the applicant and the Highway Authority consider that the correct approach here is to upgrade the provision for both pedestrians and vehicles. No detriment to pedestrian or highway safety is identified.

2.13 Sustainable Travel

2.13.1 Policy T7 of the Local Plan states the council will seek to promote the objectives of the national cycling strategy by, inter alia, encouraging the development of a quality cycle route network primarily in the main larger centres of Selby, Tadcaster and Sherburn in Elmet as well as having regard to the appropriateness of promoting safe routes to outlying villages

and smaller hamlets. Further, in assessing all development proposals, special regard will be given to the opportunity of improving/creating cycle routes and providing cycle parking.

2.13.2 Paragraph 29 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Therefore whilst increasing the carriageway width may be generally considered as contrary to sustainable transport objectives in this particular case the proposals are considered to take this requirement into account by seeking to provide a safer passage across the bridge for cyclists, which is the only option given the lack of alternative crossings in the town centre.

2.14 Flood Risk

2.14.1 The site lies in Flood Zone 3. Given the nature of the existing structure and its purpose, the application has not been accompanied by a flood risk assessment. However the changes, being limited to the upper parts of the bridge, do not materially affect the extent of the structure at river or flood level and so would not increase the risk of flooding elsewhere, in compliance with the NPPF at paragraph 100.

2.15 Impact on Ecology

2.15.1 The bridge does not stand within and is not adjacent to any designated nature conservation sites. Whilst the river, adjacent banks and the bridge arches potentially provide suitable habitats for wildlife, the ongoing repair works will have been and continue to be of some disturbance. However previous ecological assessment work conducted prior to the ongoing works concluded that bat roosts under the arches of the bridge would not be disturbed. The works to implement the proposed widening would have no greater impact than the repair of the bridge which does not require planning permission or listed building consent. Further, subject to appropriate lighting being agreed that achieves the safety benefits sought with minimal visual impact, once completed the widened bridge would have no significantly greater impact on ecology than the existing bridge. No conflict with the development plan policies the requirements of chapter 11 of the NNPF arises from the development. The applicant would need to continue to have regard to the Wildlife and Countryside Act 1981 during the works.

2.16 Conclusion

2.16.1 It is concluded that the proposal accords with the development plan. Having had regard to all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development is acceptable

2.16.2 Having regard to the requirements of the NPPF to assess the level of harm resulting from alterations to or affecting the setting of a heritage asset, the revised design (for the widening with the reduced footway widths and retention of the curved upper parts of the cutwaters) is considered to constitute less than substantial harm to the significance of the bridge, nearby listed buildings and the conservation area within which it stands. As some harm has been identified, the presumption must be against approval of the application.

2.16.3 However having considered the submitted and supplemented justification, and the limited degree of harm and having attached significant weight to that harm, it is concluded on balance that the less than substantial harm to the significance of the listed building, nearby listed buildings and conservation area caused by the proposed (amended) alterations to the listed bridge is outweighed by the very significant public benefits that have been described. This is the balancing exercise required by paragraph 134 of the NPPF. This is the case even having special regard to the desirability of the preserving the building and its features of special interest, giving those matters considerable importance and weight and recognising that there is a strong presumption against granting planning permission in such cases as required by the Listed Buildings and Conservation Areas Act.

2.16.4 The narrow width of the footways clearly creates an unsatisfactory and potentially hazardous river crossing for pedestrians due to the proximity of carriageway and the inability to safely pass on the bridge. The footway improvements are clearly required for significant safety and sustainability reasons,

2.16.5 The widening of the carriageway as proposed would still result in a pinch point for vehicles on the main road through the town, but the additional width would provide some road space for cyclists and allow larger vehicles to pass each other more safely. It is considered that in this location, with the proximity of businesses served by larger vehicles and the bus station to the bridge, and the number of large employers in the town that generate frequent heavy goods vehicles trips, the public benefit of the widening as proposed outweighs the harms identified. This is the approach the Highway Authority considers to be most appropriate in this instance to address the identified highway safety concerns, rather than the narrower carriageway width advocated in the Manual for Streets guidance cited by the Heritage Advisor. With this Highway Authority advice in mind, officers consider that the widening of the carriageway from 6.85 m at its widest to a uniform 7.3m is still justified, despite this being more harmful to the significance of the heritage asset than retention of the existing width.

2.16.6 The actual and perceived safety improvements would it is considered act to encourage pedestrian and cyclist use of the crossing within the town centre.

2.16.7 The current enforced closure of the bridge does present the opportunity to address the long held concerns over the current safety of the bridge without a period of closure to carry out upgrading works in the future.

2.16.8 Subject to the imposition of conditions relating to the treatment of the stringcourse, the lighting of the bridge, materials including for the footways and the treatment of the areas around the bridge landings (if affected), the alteration in terms of heritage impacts are considered acceptable.

2.16.9 There are no other planning matters that would warrant refusal of the proposal. The proposal is considered to comply with the requirements of local and national planning policy as described , and is therefore recommended for approval subject to conditions as follows:-

3.0 Recommendation

This application is recommended to be APPROVED subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. No development shall commence until samples of all new and reclaimed materials have been submitted to and approved in writing by the Local Planning Authority, and only the approved materials shall be utilised.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

03. The development hereby permitted shall be carried out in accordance with the plans/drawings to be listed on the decision notice

Reason:

For the avoidance of doubt.

04 Notwithstanding the submitted drawings the proposed new and widened footways shall be paved with rectangular stone paving laid across the direction of travel, details of which shall have first been agreed in writing with the Local Planning Authority Large scale details (1:20 scale or larger) of the footways showing the layout and kerb edges shall be submitted to approved in writing by the Local planning Authority prior to construction of the footways

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

05 Notwithstanding the submitted section drawings, large scale details (1:20 scale or larger) of the parapet shall be provided in its new location prior to commencement of the development. The details shall illustrate the string course reduced in height to conform to its historic appearance. Similarly the parapet width and details shall match existing.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

06 Prior to their installation, full details of proposals for lighting on the bridge shall submitted to and agreed in writing be agreed with the Local Planning Authority Notwithstanding the information submitted with the application lighting columns shall not be used.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policy ENV1, ENV3 and ENV25 of the Selby District Local Plan and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

07 Prior to commencement of the development, landscape details shall be submitted to and approved in writing by the Local Planning Authority showing any alterations to the existing landscape around the bridge landing areas, in particular the area close to the northwest terminating pier. This pier shall not be moved from its current location.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policy ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

08 Notwithstanding the large scale section drawings submitted through pier 5, large scale sections (1:20 scale or larger) shall be provided through each of the cutwaters on the North West side of the bridge. Drawings shall show the new relationships between each of the bridge piers, the new bridge deck and the parapet.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policy ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

09 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

- a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
- b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
- c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

Reason:

In accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan and in the interests of highway safety.

10 Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.

Reason:

In accordance with Policies ENV1, T1 and T2 of the Selby District Local Plan and in the interests of highway safety.

INFORMATIVE

No works should be undertaken that would permanently or temporarily obstruct the right of way adjacent to the development.

3.1 Legal Issues

3.1.1 Planning Acts

This application has been determined in accordance with the relevant planning acts.

3.1.2 Human Rights Act 1998

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

3.1.3 Equality Act 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

3.2 Financial Issues

3.2.1 Financial issues are not material to the determination of this application.

4. Conclusion

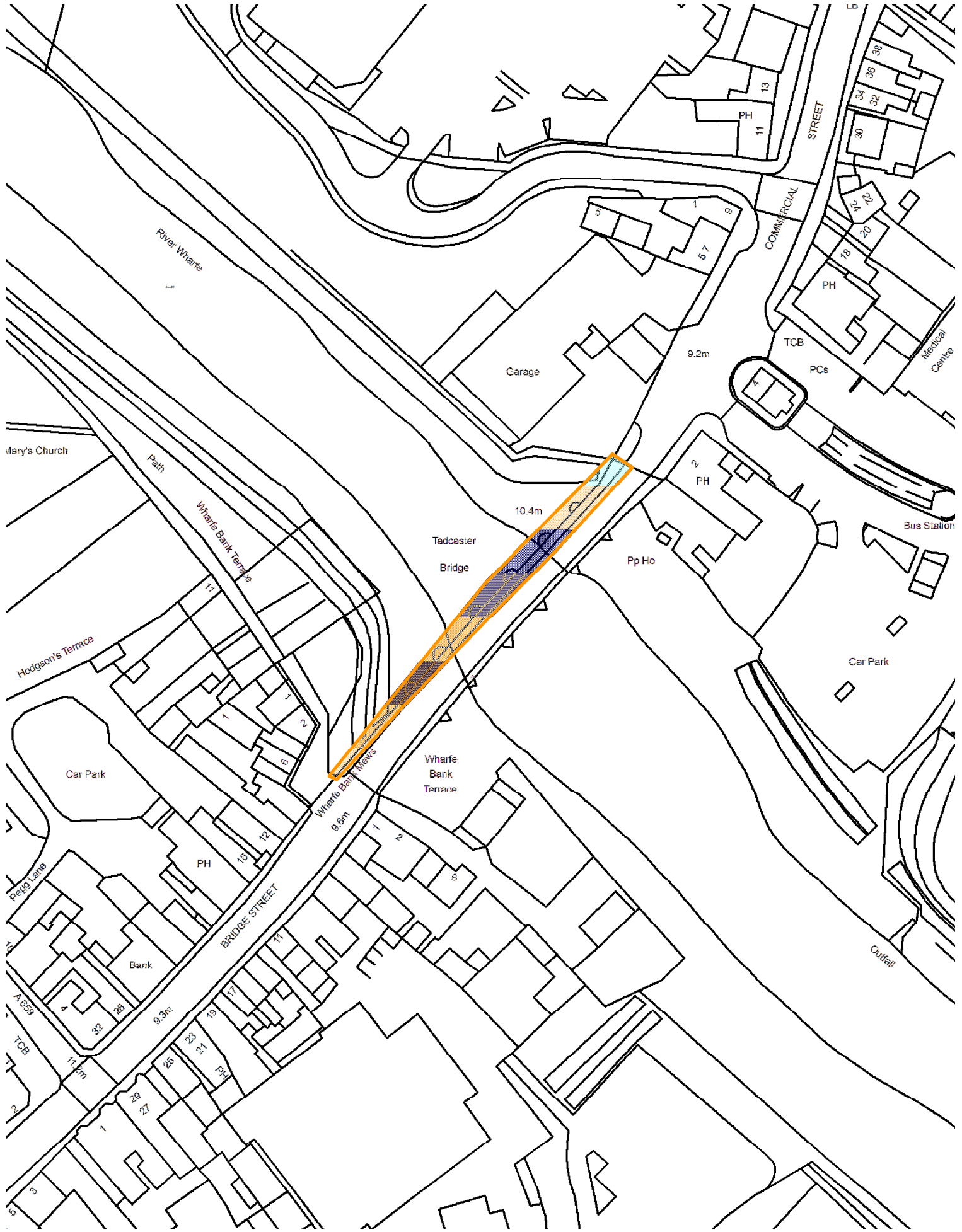
4.1 As stated in the main body of the report.

5. Background Documents

5.1 Planning Application file reference 2016/0950/FUL and associated documents.

Contact Officer: Jonathan Carr (Interim Lead Officer-Planning)

Appendices: None



APPLICATION SITE

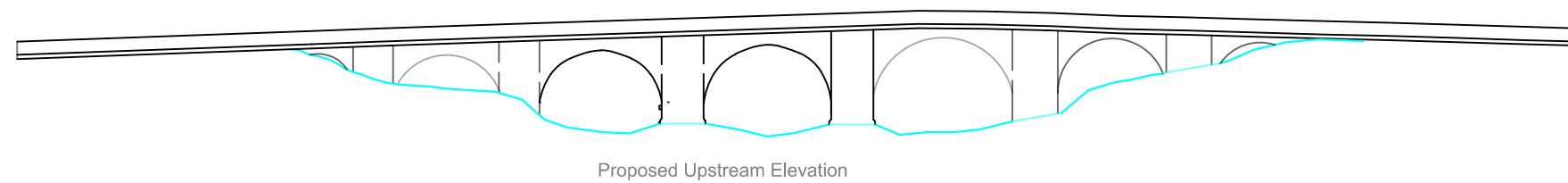
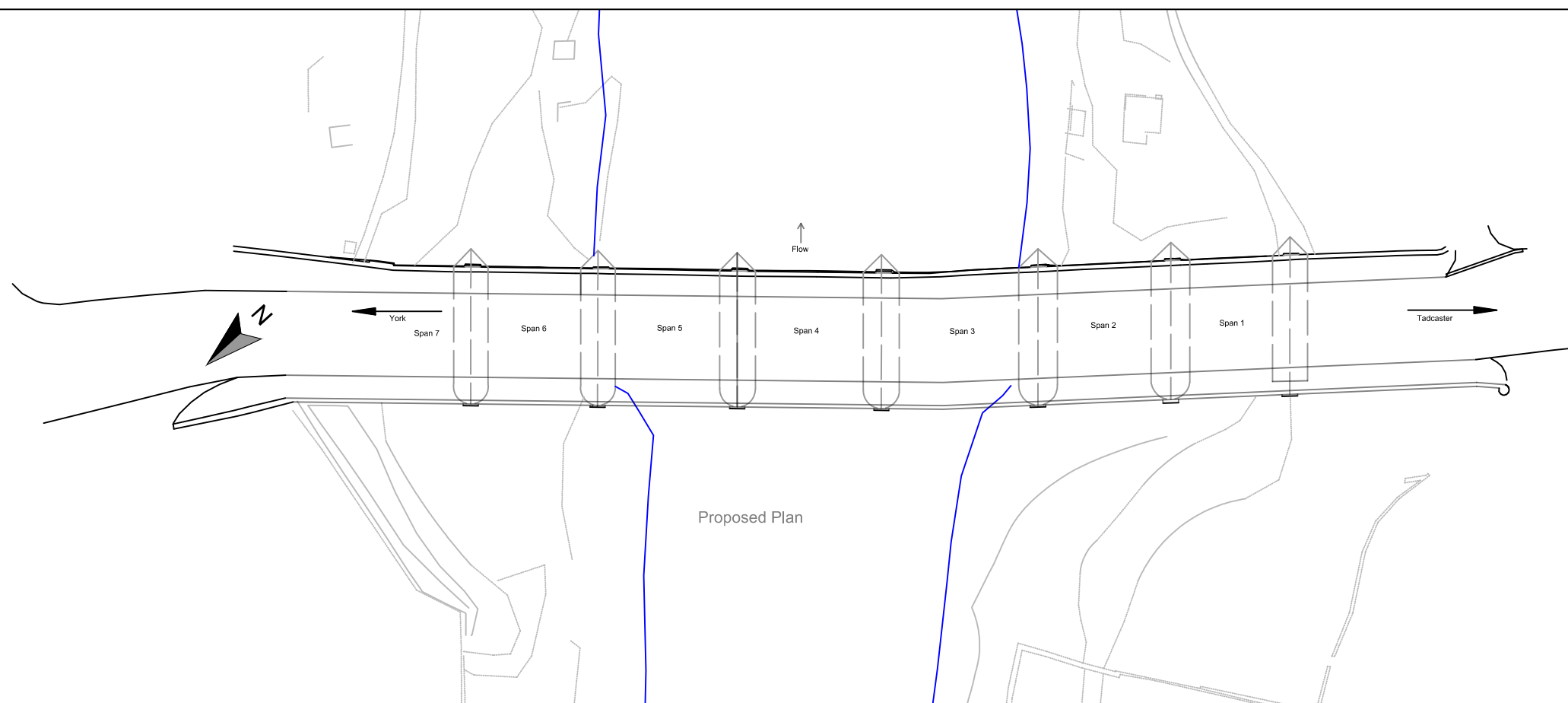
Item No: 2016/0915/LBC

Address: Tadcaster Bridge, Bridge Street, Tadcaster

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Notes:

1. Drawing shall not be scaled. Only written dimensions shall be used.



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AMENDMENTS

PROJECT: TADCASTER BRIDGE
FLOOD DAMAGE RECONSTRUCTION
PLANNING CONSENT - PROPOSED UPSTREAM ELEVATION

DRAWN:- PR

CHECKED:- JDS

DATE: AUGUST 2016

SCALE: 1:500

DRAWING NO. NYCC/180/013



Report Reference Number 2016/0951/LBC

Agenda Item No: 5.2

To: Planning Committee
Date: 13 September 2015
Author: Jonathan Carr (Interim Lead Officer – Planning)
Lead Officer: Jonathan Carr (Interim Lead Officer – Planning)

APPLICATION NUMBER:	2016/0915/LBC	PARISH:	Tadcaster Town Council
APPLICANT:	North Yorkshire County Council	VALID DATE:	11 August 2016
		EXPIRY DATE:	6 October 2016
PROPOSAL:	Listed building consent for proposed widening of the carriageway and footpaths over the existing Tadcaster bridge over the River Wharfe using a cantilever concrete slab on the upstream elevation of the bridge which will allow the addition of street lighting across the bridge whilst the repair of the flood damage is carried out		
LOCATION:	Tadcaster Bridge, Bridge Street, Tadcaster		

This application has been brought before Planning Committee due to the level of public interest in the proposal.

Summary:

The application seeks listed building consent for alterations to the storm damaged road and foot bridge over the River Wharfe in Tadcaster. The proposals involve widening the carriageways and two footways by means of a concrete cantilever on one side of the bridge deck, with repositioning of the wall and parapet outwards to the edge of the widened deck. The elevation would be finished in stone to match the existing appearance. 4 lighting columns on this side are also proposed. The bridge is grade 2 listed and stands within the Tadcaster Conservation Area. There are listed cottages to the north west of the bridge.

Having also paid special regard to the desirability of preserving the building and its features of a special architectural or historic interest, and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the less than substantial harm to both is considered to be outweighed by the public benefits of the proposal. This is even when considerable importance and weight is attached to the harm identified and acknowledging that even less than substantial harm to a designated heritage asset creates a strong presumption against granting planning permission.

Recommendation

This planning application is recommended to be APPROVED subject to conditions detailed in Paragraph 3 of the Report.

1. Introduction and background

1.1 The Site

1.1.1 Tadcaster Bridge comprises a substantial Grade II Listed stone built structure dating from the late 18th Century with earlier origins crossing the River Wharfe in a prominent location within the Tadcaster Conservation Area. The structure was subject to substantial damage involving the partial failure of sections of two arches with associated areas of parapet on the north eastern up-stream side following on from a severe flooding event in December 2015.

1.2. The Proposal

1.2.1 Listed Building Consent is sought for the reconstruction and widening of the bridge to include a 7.3 metre wide carriageway with 1.8 metre wide pathways through the provision of a stone clad cantilevered concrete deck secured on the northern upstream side of the Bridge.

1.3 Planning History

1.3.1 Recent planning history in relation to the bridge of relevance:-

- CO/2004/0580 Application for listed building consent to carry out works to strengthen the bridge parapet in connection with flood defences

1.4 Consultations

1.4.1 Council's Heritage Advisor

Describes the significance of the bridge in its location, its history and development and widening from the original late 17th century structure. In assessing the proposals, the advisor points out the Historic England's reference to the aesthetic significance of the bridge. The response refers to the revised plans received which reduce the width of the footways from 2.0 m to 1.8 m each.

The retention of the cutwaters in their existing form and location is considered to greatly reduce the harm to the architectural and historic interest of the bridge which would have been caused by the initial scheme proposals. The cantilever would however still extend close to the outer edge of the cutwaters, and would oversail the domed tops. The large section submitted does not accurately reflect this (show much less of an overhang).

The advisor states a clear and convincing justification has been provided for the widening of the footways. It suggested that the footways be finished in materials to make them reality distinguishable from the bitumen carriageway, such as rectangular cut paving.

The advisor does not consider that the case for widening the carriageway accords with the latest guidance for reducing traffic dominance and improving pedestrian and cycle safety. As the increased width would cause additional harm to the special characteristics of the bridge, and to the appearance of the bridge within the conservation area, this part of the proposals does not comply with policy requirements and cannot be supported. It is considered that the Design Manual for Streets 2 should be the reference for changes to the carriageway here, (rather than the Design Manuals for Roads and Bridges used by the

applicant), whereby a 5.5 m minimum width carriageway is suggested on two ways roads for HGVs or buses crossing, rather than the 7.3 m proposed in the application. It is felt that there is therefore no identifiable public benefit from widening the carriageway.

The proposed lighting (4 lighting columns) would be incongruous to the character of the bridge and the character and appearance of the conservation area. Less harmful ways of providing lighting should be explored, such as integrating it into the bridge deck at low level. This approach would preserve the bridge's historic character and cause less harm to the wider area. Any proposals for lighting should be covered through a condition.

Revisions to show a reduced depth of string course are suggested, details of which and of rebuilding the parapet could be subject to condition of approval.

Care must be taken in retaining and restoring (if affected by the works) the special area around the northwest pillar of the bridge. This area is enclosed by historic buildings, some of which are listed (no 2 Bridge Street and nos 1-11 Wharfe Bridge Terrace) and the intervening floorscape is of historic stone setts. This area provides access to the terrace and a pedestrian route to the riverside walk on the west bank. Its use and amenity value contributes to the setting of the adjacent buildings, and to the character and appearance of the conservation area. A landscape plan should be provided through conditions to demonstrate that the area will be preserved.

In summary it is requested that to meet requirements of the NPPF paragraphs 132 and 134, the overhang of the cantilever should be reduced given there is no identifiable public benefit increasing the carriageway width.

1.4.2 The Ainsty Internal Drainage Board

Raises no objection in respect of the proposal.

1.4.3 The Environment Agency

Comments are to be reported

1.4.4 North Yorkshire Police Architectural Liaison Officer

Raises no objection to the proposal from a designing out crime perspective. The Traffic Management Officer has also commented that it would be advantageous for a road safety audit be carried out with regard to the footway tie-ins and accesses at either end of the bridge.

1.4.5 Historic England (HE)

Raises no objection in principle to the proposal, stating that it understands the rationale behind the widening and acknowledges that this will cause some harm to the heritage significance of the bridge. HE refers to the requirements in National Planning Policy Framework that harm to the significance of heritage assets needs to be fully justified and minimised as far as possible. HE recognises the wider public benefits the bridge provides in connecting the communities either side of the bridge and the contribution to the wider economic vitality of the town, but states it is essential that the authority is satisfied a clear and convincing justification has been provided for the works and the design details have taken opportunities to minimise the level of harm to the heritage asset.

1.4.6 The Council for British Archaeology

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported to the meeting.

1.4.7 The Ancients Monuments Society

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.8 The Georgian Group

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.9 The Victorian Society

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.10 North Yorkshire County Council Historic Team

Raises no objection to the proposal.

1.4.11 North Yorkshire County Council (Highway Authority – Rights of Way)

Requests an informative that no works be undertaken that would permanently or temporarily obstruct the right of way adjacent to the development.

1.4.12 North Yorkshire County Council (Highway Authority)

States it is clear the need for the application has arisen from the damage caused to the Tadcaster Bridge in the December 2015 floods. It is also evident that the County Council have taken the opportunity afforded by this enforced work on the bridge to review its appropriateness to accommodate the needs of current day pedestrians, cyclists and vehicles. The Local Highway Authority (LHA) welcomes this proposal.

The pre-flood bridge had sub-standard footway and carriageway widths. The proposed widening has been designed to Design Manual for Roads and Bridges (DMRB), which it is considered is the appropriate standard for an A class road in this location. Manual for Streets (MfS) is the other nationally recognised design standard for roads with speed limits below 40mph. There is an overlap between the two standards. To assist developers and highways Engineers in determining which of these standards to apply the County Council has formally adopted a Matrix based on “place” and “movement” functions.

The vehicular demands of the A659 at this location are dominant and even with the widened carriageway footways it is considered this will not be sufficient to provide a “place” function which could justify the application of MfS standards. The application of DMRB as the design standard is appropriate and in accordance with NYCC’s adopted policy.

Standard conditions relating to onsite parking, on-site storage and construction traffic during development, routing of construction traffic are recommended

1.4.13 Ramblers (Wetherby and District)

States it is important the bridge is repaired as soon as possible, and that the original bridge was dangerous as pedestrians as it was too narrow for modern traffic, and the space for pedestrians very limited. The proposals appear to retain as far as possible the features of the bridge

Tadcaster Town Council was consulted with regard to the proposal on 11th August 2016. Views will be reported at the meeting.

1.4.14 The Society for the Protection of Ancient Buildings

Was consulted with regard to the proposal on 11th August 2016. Any comments received will be reported at the meeting.

1.4.15 Tadcaster Town Council

Was consulted with regard to the proposal on 11th August 2016. Views will be reported at the meeting.

1.5 Publicity

1.5.1 The application was advertised by site notice and neighbour notification and Press Notice. The 21 day publicity period for comments expired on 5th September 2016.

1.5.2. 27 representations in support have been received in respect of this listed building consent application at the time of writing, These are summarised as follows:-

- The narrowness of the bridge's footways is dangerous (personal injuries are referred to).
- The narrowness of the carriageway as well as the footways has in the past caused accidents including a pedestrian fatality
- The current closure is causing major problems for the town and the bridge needs to be reopened as soon as possible. The closure has caused delays for residents, increased travel time, increase car journeys and affected shops and businesses
- The opportunity should be taken to bring the bridge up to a safe standard. It essential I the footways are widened to improve safety for wheelchair, pushchair and mobility scooter users.
- Concerns and comments about the narrowness of the bridge have been registered with the Town Council for many years, and it is in the public interest to widen the bridge
- Despite a lack of recorded accidents the opportunity should be taken to prevent them
- The widening of the bridge will improve the prosperity of the town

Nigel Adams MP

1.5.3 States he gives full support to this application on behalf of the people in Tadcaster, who asked if the footpaths on the bridge could be widened as part of the bridge repair. He states the safety of pedestrians on the bridge was raised with him prior to the collapse of the bridge, and the suggestion that the bridge be widened as part of the repair was then made at public meetings in Tadcaster following the collapse of the bridge in December 2015.

He states the use of a cantilever arrangement, which will enable both pavements to be widened to 2metres while not impacting on the visual appearance, is a very positive approach. The widening of the pavement will also permit the inclusion of improved lighting on the bridge which is in keeping with the historic nature of the bridge.

2. Report

2.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.

2.2 Selby District Core Strategy Local Plan

The relevant Core Strategy Policies are as follows:

- SP1 Presumption in Favour of Sustainable Development
- SP18 Protecting and Enhancing the Environment
- SP19 Design Quality

2. Selby District Local Plan

Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework. As the Local Plan was not adopted in accordance with the Planning and Compulsory Purchase Act 2004, the guidance in paragraph 214 of the NPPF does not apply and therefore applications should be determined in accordance with the guidance in Paragraph 215 of the NPPF which states " In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".

The relevant Selby District Local Plan Policies are:

- ENV1: Control of Development
- ENV24: Alterations to Listed Buildings

2.4 National Guidance and Policy – National Planning Policy Framework (NPPF), National Planning Practice Guide (NPPG)

2.4.1 On the 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF replaced the suite of Planning Policy Statements (PPS's) and Planning Policy Guidance Notes (PPG's) and now, along with the guidance in the Policy for Traveller Sites and the National Planning Practice Guidance, provides the national policy framework and guidance on planning.

2.4.2 The NPPF introduces, in paragraph 14, a presumption in favour of sustainable development. Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking

2.4.3 The NPPF and the accompanying National Planning Practice Guidance provides guidance on wide variety of planning issues and the following report is made in light of the guidance in those documents. Section 12 Conserving and enhancing the historic environment is of particular relevance to this application. Other relevant policies within the NPPF, which relate to design include paragraphs 56, 60, 61, and 65.

2.5 Key Issues

2.5.1 The key issues in the consideration of this application are considered to be:

- Statutory Requirements in relation to Heritage assets
- Impact on Heritage Asset (listed building)

2.6 Statutory Requirements

2.6.1 In addition to policies in the NPPF to protect heritage assets, the Local Planning Authority has a statutory duty under s16 (2) (or s66 (1)) of the Planning (Listed Buildings and Conservation Areas) Act 1990, if it is an application affecting a listed building or its setting, "to have special regard to the desirability of preserving the building or its setting or

any features of a special architectural or historic interest which it possesses” . Case law has made clear that when deciding whether harm to a heritage asset is outweighed by the advantages of a proposed development, the decision-maker must give considerable importance and weight to desirability of avoiding such harm. There is a “strong presumption” against the grant of planning permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give great weight to conserving of the heritage asset. This means that even where harm is less than substantial, the protection of the designated asset must still be afforded considerable importance and weight, and should be afforded more weight than if it were simply a factor to be taken into account along with all other material considerations.

2.7 Listed Building Significance

- 2.7.1 The submitted Heritage Statement describes the significance of the bridge as a designated heritage asset. Tadcaster Bridge forms a crossing of the River Wharfe centrally placed within the town of Tadcaster and occupying a prominent place within the Tadcaster Conservation Area. It marks the site of a crossing dating back in to the medieval period if not earlier. The present Bridge is datable to two main phases with the downstream side dating to the late 17th Century but following an earlier medieval form. The upstream side comprises a second conjoined structure on the upstream side added in the late 18th Century to widen the Bridge to allow for the passage of turnpike road traffic under the instructions of the York Architect and Surveyor John Carr. The two elements have different characteristics. The earlier bridge has a decorative archivolt detail and carved keystones over each arch and the piers have triangular cutwaters with chamfered tops; the late C18th bridge has massive semi-circular cutwaters terminating in quarter domes, and the splayed parapet ends in a cylindrical stone drum on the North west side of the river.
- 2.7.2 Further works to improve and strengthen the deck of the bridge were undertaken in the 1970s. The parapets may be later replacements as they do not appear consistent with the other phases of the bridge works. Despite its original age the bridge was listed in 1985 as grade 2 rather than 2* or 1, which may be reflective of the alterations. However the grade does not alter the requirements of local policy or NPPF in considering the significance of the structure when determining applications for alterations. The Bridge is prominent in the context of views of the Conservation Area and 15th Century Church, and the setting of a row of listed 18th century houses to the North West represents an embodiment in stone of the physical development of the town since the medieval period. The significance of the bridge as an asset also arises from its aesthetic qualities and observable phases of construction which display different architectural characteristics. It is not only an essential part of the route through the picturesque market town but a key contributory feature to the historic character of the town centre. Further significance derives from the involvement of John Carr, the eminent 18th century Yorkshire born architect, in its evolution.

2.8 The Proposal

- 2.8.1 The proposal arises from a major collapse event on 29th December 2015 when a large section of the north east facing ‘upstream’ side of the Bridge collapsed into the River Wharfe during a major flooding event. The bridge has been closed since.
- 2.8.2 A detailed options appraisal has been submitted in terms of the widening work to the carriageway and footpaths including costs within the Heritage Statement. A total of six

options have been explored, as detailed in the Heritage Statement. The options ranged from a straight repair of the bridge to building separate footbridges or replacing the entire bridge. The options considered either result in significant and unacceptable harm to the affected heritage assets (the bridge itself and the conservation area), or fail to meet the aspirations of the community and council to address the identified safety issues with the narrow bridge.

- 2.8.3 The proposed works involve reconstruction of the upstream side of the Bridge, to reinstate the lost piers and cutwaters and accommodate a stone clad concrete cantilever. The applicant states that the collapse inadvertently presents an opportunity to provide more appropriate structure to address the specific needs of the town in terms of movement within it, with improvements to comply with national standards for improvements to classified 'A' roads. The scheme involves increasing the width of the footways on each side, increasing the carriageway and adding four lighting columns to the upstream side.
- 2.8.4 As originally submitted the pedestrian footways were to be widened to 2.0m from the existing 1.2 m and 1.37 m to 2.0 m each, and the existing vehicular carriageway (6.1m narrowest to 6.85 m at widest) widened to a uniform 7.3m. A lighting scheme involving Victorian style columns is also proposed.
- 2.8.5 The existing parapet on the upstream side would be resited to edge of the cantilever to replicate the existing treatment of edge of the elevation. As originally submitted the existing pillars and cutwaters were to be extended in height to meet the new cantilever, to tie the cantilever into the structure to provide both structurally and visually. This would have removed the quarter dome upper parts of the cutwater.
- 2.8.6 Notwithstanding the original Heritage Statement comments, officers raised concerns that this would result in the loss of historic architectural detail from the existing structure. Following discussions proposal now involves widening each of the footways to 1.8 metres, and widening the carriageway to 7.3 m. In summary the amendments involve:-
- A new bridge deck projecting approximately 1.5m beyond the existing face of the bridge arches, terminating almost in line with the central cutwaters
 - Dismantling and rebuilding the parapet in stone to a similar design as existing but with a deep string course.
 - The cutwaters would retain their distinctive form i.e. the upper parts of the bull nose cutwaters would no longer be removed and replaced by a cylindrical form to meet the underside of the cantilevered deck.
- 2.8.7 With this amendment the cantilever at its widest point would not reach the outer most width of the cutwaters, and so the cutwaters would retain their rounded tops returning into the bridge. The Heritage Statement and Design and Access Statement contain some discrepancies in referring to the original scheme, and a 1.8m cantilever rather than 1.5m extension as now proposed

2.9 Impact upon the architectural and historic interest of the listed bridge:

- 2.9.1 Local Plan Policy ENV1 says in considering proposals the council will take account of, inter alia, the effect on the character of the area, the potential loss or adverse effect upon significant buildings... or other features important to the character of the area., the extent to which the needs of disabled or other inconvenienced persons have been taken into account and any other, material considerations. Policy ENV 24 of the Selby Local Plan indicates that development would not be permitted where it would have a detrimental impact upon the character, fabric or setting of a Listed Building. This policy should be given limited weight due to the conflict between the approach taken and that set out within the NPPF,

with the latter's emphasis on conserving the significance of designated heritage assets and the balancing of harm to heritage asset against the public benefits of the proposal. Specifically paragraph 128 requires the significance of affected heritage assets to be described (including any contribution made by their setting) in submissions, so as to understand the potential impact of the proposal on their significance, and paragraph 129 requires local planning authorities to assess the particular significance of any asset that may be affected, including by development affecting the setting of an asset. Paragraph 131 says that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

- 2.9.2 Core Strategy policy SP18 states that the high quality and local distinctiveness of the natural and manmade environment will be sustained by:
1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.
 2. Conserving those historic assets which contribute most to the distinct character of the District and realising the potential contribution that they can make towards economic regeneration, tourism, education and quality of life.
- 2.9.3 Policy SP19 states inter alia, that proposals for all new development will be expected to contribute to enhancing community cohesion by achieving high quality design and have regard to the local character, identity and context of its surroundings including historic townscapes, settlement patterns and the open countryside. It sets out key requirements for development to achieve including to:-
- b) Positively contribute to an area's identity and heritage in terms of scale, density and layout;
 - c) Be accessible to all users and easy to get to and move through;
 - d) Create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts;
 - h) Minimise the risk of crime or fear of crime, particularly through active frontages and natural surveillance;
- 2.9.4 National Planning Policy as outlined in paragraph 132 of the National Planning Policy Framework indicates that in considering the impact of a proposed development great weight should be afforded the asset's conservation. The more significant the asset the greater the weight afforded. At the same time paragraph 133 indicates that where a proposed development would lead to either substantial harm of or loss to a designated Heritage Asset then the presumption must be that Consent will be refused unless a substantial public benefit can be demonstrated that would outweigh that loss or harm. Paragraph 134 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 2.9.5 The widening of the bridge as proposed would by its nature alter the appearance of one side of the bridge, resulting in an overhanging element. In pure elevation, given the retention the rounded tops of the cutwaters, the resiting of the parapet and the stone cladding to the side of the cantilever, the bridge would appear little different but a new shadow line across the cutwaters and adjoining masonry would be cast by the cantilever. From below or at an oblique angle when viewed from the north west the

overhang itself would be evident and there would be some shadowing of the cutwaters below by the cantilever. The underneath of concrete deck would be visible from lower views. From above and from the highway itself, the cantilever would be less evident but the additional highway width i.e. the distance between the side parapets would be notable compared to the existing. In views from the older the downstream side, the bridge would not alter in appearance and the much of the arches untouched other than repairs to weathering. The deck has previously been replaced in the 1970's.

2.9.6 As raised by the Heritage Advisor, It is considered that the currently proposed Victorian lighting columns would be incongruous with the character of the bridge and would not preserve the setting of the bridge which is provided by the river corridor and views from the footpaths and buildings along it. Less harmful ways of integrating lighting into the bridge which would preserve its historic character should be secured by condition.

2.9.7 Overall the alterations would it is considered result in some harm to the significance of the bridge through the disturbance of the historic fabric, and the alterations to produce a cantilever which would overhang and overshadow the cutwaters and disturb the visual aesthetic as referred to by Historic England and the Council's Heritage Advisor. This harm is largely limited to one side of the bridge and the significant majority of the bridge would remain unaltered, it is not considered that the harm is substantial. However less than substantial harm is identified and there is a consequent strong presumption against the development. The harm identified must be given considerable weight.

2.10 Submitted justification

2.10.1 Bearing in mind the presumption against the proposals due to the less than substantial harm to the listed building, officers considered that the heritage statement did not provide sufficient clear and convincing justification for the scheme in terms of public benefits to outweigh this harm. The applicant was therefore challenged in respect of the justification. In particular, whilst the increased width of the narrow footways to allow safe pedestrian movement appeared to be justified, there was limited information to commend the widening of the carriageway. It could be generally considered that a narrow carriageway width acts as a traffic calming measure, and existing carriageways are often narrowed in highway schemes for this reason. The additional information supplied, in the form of an addendum to the justification in the Statement and a Design and Access Statement, more clearly articulate the case for the increased width by explaining that :-

- The proposals seek to address the safety of pedestrians and cyclists when using the bridge encouraging sustainable travel for shorter trips within the town and potentially reducing car use. The current footways do not allow 2 pedestrians to comfortably pass.
- The bridge is used by HGVs travelling through the town, be it brewery traffic heading east, or delivery lorries for the Sainsbury's supermarket and other businesses just east of the bridge, and buses including those travelling to ,from the bus station also just on that side of the bridge. The current width does not allow cyclists to safely use the bridge particularly when HGVs and buses occupy almost all of the available lane width, necessarily tight up to the kerb when vehicles are coming on the opposite direction.
- Pedestrian demand is high due to the bus station, doctor's surgery and supermarket being across the bridge (on the east side) from the main town centre. However there is a perceived threat and danger from large vehicles and buses close to the narrow footpaths, and so discouragement from using the bridge. There is no viable alternative route in the town centre.

- The lack of road space for cyclists is a deterrent for residents and employees to use this mode as an alternative to car travel.
- The County Council's design standards for developer funded works suggests that based on the national design standards, the most appropriate standards to follow for this type of situation is the Design Manual for Roads and Bridges (DMRB) rather than Manual for Streets standards (as referred to by the Council's Heritage Advisor and most commonly used in residential areas or for high street locations) for the classification of road, The DMRB standards are 7.3m carriageway and 1.8m footways. The Highway Authority has also explained that the proposed widening to address the sub-standard footway and carriageway widths has been designed to Design Manual for Roads and Bridges (DMRB), Given there is an overlap between the two standards, The Highway Authority has formally adopted a Matrix based on "place" and "movement" functions.
- The key point made by the applicant and confirmed by the Highway Authority is that vehicular demands of the A659 at this location are dominant, and that even with the widened footways traffic levels are such that this will not be sufficient in safety terms, despite the categorisation as a significant "place" function in the adopted matrix, to justify the application of MfS standards. The application of DMRB as the design standard is therefore appropriate and in accordance with NYCC's adopted policy.
- The other options considered either result in significant and unacceptable harm to the affected heritage assets (the bridge itself and the conservation area), or do not meet the aspirations of the community and council to address the identified safety issues with the narrow bridge. In light of the clear explanation and the view of the highway authority with regard to the significant safety benefits derived from the widening of carriageway, it is considered that the scheme put forward has the minimal impact on the significance of the heritage asset whilst achieving the improvements required, and there is convincing justification for the additional width proposed.

2.11 Conclusion

- 2.11.1 It is concluded that the proposal accords with the development plan. Having had regard to all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development is acceptable
- 2.11.2 Specifically having regard to the requirements of the NPPF to assess the level of harm resulting from alterations to or affecting the setting of a heritage asset, the revised design (for the widening with the reduced footway widths and retention of the curved upper parts of the cutwaters) is considered to constitute less than substantial harm to the significance of the bridge. As some harm has been identified, the strong presumption must be against approval of the application.
- 2.11.3 However having considered the submitted and supplemented justification, and the limited degree of harm and having attached significant weight to that harm, it is concluded on balance that the less than substantial harm to the significance of the listed building caused by the proposed (amended) alterations to the listed bridge is outweighed by the very significant public benefits that have been described. This is the balancing exercise required by paragraph 134 of the NPPF. This is the case even having special regard to the

desirability of the preserving the building and its features of special interest, giving those matters considerable importance and weight and recognising that there is a strong presumption against granting planning permission in such cases as required by the Listed Buildings and Conservation Areas Act.

- 2.11.4 The narrow width of the footways clearly creates an unsatisfactory and potentially hazardous river crossing for pedestrians due to the proximity of carriageway and the inability to safely pass on the bridge. The footway improvements are clearly required for significant safety and sustainability reasons.
- 2.11.5 The widening of the carriageway as proposed would still result in a pinch point for vehicles on the main road through the town, but the additional width would provide some road space for cyclists and allow larger vehicles to pass each other more safely. It is considered that in this location, with the proximity of businesses served by larger vehicles and the bus station to the bridge, and the number of major employers in the town that generate frequent heavy goods vehicles trips, the public benefit of the widening as proposed outweighs the harms identified. This is the approach the Highway Authority considers to be most appropriate in this instance to address the identified highway safety concerns, rather than the narrower carriageway width advocated in the Manual for Streets guidance cited by the Heritage Advisor. With this Highway Authority advice in mind, officers consider that the widening of the carriageway from 6.85 m at its widest to a uniform 7.3m is still justified, despite this being more harmful to the significance of the heritage asset than retention of the existing width.
- 2.11.6 The actual and perceived safety improvements would it is considered act to encourage pedestrian and cyclist use of the crossing within the town centre.
- 2.11.7 The current enforced closure of the bridge does present the opportunity to address the long held concerns over the current safety of the bridge without a period of closure to carry out upgrading works in the future.
- 2.11.8 Subject to the imposition of conditions relating to the treatment of the stringcourse, the lighting of the bridge, materials including for the footways and the treatment of the areas around the bridge landings (if affected), the alteration in terms of impact upon the special interests of the bridge are considered on balance acceptable.
- 2.11.9 The proposal is considered to comply with the requirements of local and national planning policy as described , and is therefore recommended for approval subject to conditions as follows:-

3.0 Recommendation

This application is recommended to be APPROVED subject to the following conditions:

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason:

In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. No development shall commence until samples of all new and reclaimed materials have been submitted to and approved in writing by the Local Planning Authority, and only the approved materials shall be utilised.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

03. The development hereby permitted shall be carried out in accordance with the plans/drawings to be listed on the decision notice

Reason: For the avoidance of doubt.

04 Notwithstanding the submitted drawings the proposed new and widened footways shall be paved with rectangular stone paving laid across the direction of travel, details of which shall have first been agreed in writing with the Local Planning Authority Large scale details (1:20 scale or larger) of the footways showing the layout and kerb edges shall be submitted to approved in writing by the Local planning Authority prior to construction of the footways

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

05 Notwithstanding the submitted section drawings, large scale details (1:20 scale or larger) of the parapet shall be provided in its new location prior to commencement of the development. The details shall illustrate the string course reduced in height to conform to its historic appearance. Similarly the parapet width and details shall match existing.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, in order to comply with Policies ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

06 Prior to their installation, full details of proposals for lighting on the bridge shall submitted to and agreed in writing be agreed with the Local Planning Authority Notwithstanding the information submitted with the application lighting columns shall not be used.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, in order to comply with Policy ENV1, and ENV25 of the Selby District Local Plan and Policies SP18 and SP19 of the Selby Core Strategy Local Plan

07 Prior to commencement of the development, landscape details shall be submitted to and approved in writing by the Local Planning Authority showing any alterations to the existing landscape around the bridge landing areas, in particular the area close to the northwest terminating pier. This pier shall not be moved from its current location.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, in order to comply with Policy ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan.

08 Notwithstanding the large scale section drawings submitted through pier 5, large scale sections (1:20 scale or larger) shall be provided through each of the cutwaters on the North West side of the bridge. Drawings shall show the new relationships between each of the bridge piers, the new bridge deck and the parapet.

Reason:

In the interests of visual amenity and protection of the heritage significance of the bridge, conservation area and adjacent listed buildings in order to comply with Policy ENV1 and ENV25 of the Selby District Local Plan, and Policies SP18 and SP19 of the Selby Core Strategy Local Plan.

3.1 Legal Issues

3.1.1 Planning Acts

This application has been determined in accordance with the relevant planning acts.

3.1.2 Human Rights Act 1998

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

3.1.3 Equality Act 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

3.2 Financial Issues

3.2.1 Financial issues are not material to the determination of this application.

4.0 Conclusion

4.1 As stated in the main body of the report.

5.0 Background Documents

5.1 Planning Application file reference 2014/0889/LBC and associated documents.

Contact Officer: Jonathan Carr (Interim Lead Officer-Planning)

Appendices: None



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Glossary of Planning Terms

Community Infrastructure Levy (CIL):

The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.

Curtilage:

The curtilage is defined as the area of land attached to a building.

Environmental Impact Assessment (EIA):

Environmental impact assessment is the formal process used to predict the environmental consequences (positive or negative) of a plan, policy, program, or project prior to the decision to move forward with the proposed action. The requirements for, contents of and how a local planning should process an EIA is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

National Planning Policy Framework (NPPF):

The National Planning Policy Framework was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied.

Permitted Development (PD) Rights

Permitted development rights allow householders and a wide range of other parties to improve and extend their homes/ businesses and land without the need to seek a specific planning permission where that would be out of proportion with the impact of works carried out. Many garages, conservatories and extensions to dwellings constitute permitted development. This depends on their size and relationship to the boundaries of the property.

Previously Developed Land (PDL)

Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously developed land may occur in both built-up and rural settings.

Planning Practice Guidance (PPG)

The Planning Practice Guidance sets out the Government's planning guidance on a range of topics. It is available on line and is frequently updated.

Recreational Open Space (ROS)

Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure.

Section 106 Agreement

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They can be used to secure on-site and off-site affordable housing provision, recreational open space, health, highway improvements and community facilities.

Site of Importance for nature Conservation

Site of Nature Conservation Interest (SNCI), Site of Importance for Nature Conservation (SINC) and regionally important geological sites (RIGS) are designations used by local authorities in England for sites of substantive local nature conservation and geological value.

Site of Special Scientific Interest (SSI)

Sites of special scientific interest (SSSIs) are protected by law to conserve their wildlife or geology. Natural England can identify and designate land as an SSSI. They are of national importance.

Scheduled Ancient Monument (SAM):

Ancient monuments are structures of special historic interest or significance, and range from earthworks to ruins to buried remains. Many of them are scheduled as nationally important archaeological sites. Applications for Scheduled Monument Consent (SMC) may be required by the Department for Culture, Media and Sport. It is an offence to damage a scheduled monument.

Supplementary Planning Document (SPD)

Supplementary Planning Documents are non-statutory planning documents prepared by the Council in consultation with the local community, for example the Affordable Housing SPD, Developer Contributions SPD.

Tree Preservation Order (TPO):

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the cutting down, topping, lopping, uprooting, wilful damage, wilful destruction of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed.

Village Design Statements (VDS)

A VDS is a document that describes the distinctive characteristics of the locality, and provides design guidance to influence future development and improve the physical qualities of the area.