

3 DCSE2004/1302/F - PARTIAL DEMOLITION OF BRIDGE STRUCTURE (CARRYING DIS-USED RAILWAY) OVER MINOR PUBLIC ROAD. SUBSEQUENT RE-GRADE OF EMBANKMENTS TO SLOPE AWAY FROM HIGHWAY AT BRIDGE STRUCTURE NEAR WESTON-UNDER-PENYARD, ROSS-ON-WYE, HEREFORDSHIRE

For: Rail Property Ltd per May Gurney Ltd, Trowse, Norwich, Norfolk NR14 8SZ

Date Received: 7th April 2004

Ward: Penyard

Grid Ref: 63774, 23282

Expiry Date: 2nd June 2004

Local Member: Councillor H. Bramer

1. Site Description and Proposal

1.1 The site lies in open countryside in planning policy terms and to the east of Weston-under-Penyard. The bridge crosses an unclassified road between the A40 and the C1280, to the south of Bury Hill.

1.2 It is proposed to demolish the former railway bridge and regrade the embankments either side. The western embankment would be regraded to the same level as the field and sloped gradually to the road. The eastern embankment would be mainly retained with a maximum of a 30 degree slope down to the road. A small section of the bridge abutment and the wing wall adjacent to the road would be retained. The railway line, from between Ross-on-Wye and Gloucester, has been dismantled and the embankments to the east and west of the site removed.

2. Policies

2.1 Planning Policy Guidance

PPG 1	General Policy and Principles
PPG7	The Countryside: Environmental Quality and Economic & Social Development

2.2 Hereford and Worcester County Structure Plan

Policy CTC9	Development Criteria
-------------	----------------------

2.3 South Herefordshire District Local Plan

Policy GD1	General Development Criteria
------------	------------------------------

2.4 Herefordshire Unitary Development Plan Revised Deposit Draft

Policy DR1	Design
------------	--------

3. Planning History

3.1 No relevant planning history.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency - no objections - any waste material generated should be disposed of satisfactorily and in accordance with section 34 of the Environment Protection Act 1990.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objections.

4.3 Chief Conservation Officer - No objections regarding vegetation removal. It is considered that the bridge is not worthy of listing.

5. Representations

5.1 Weston-under-Penyard Parish Council make the following comments:

"Councillors are concerned that partial demolition of this bridge is being considered as it is the only architectural monument remaining within the village that relates to the old railway. The Parish Council therefore objects to this application."

5.2 One letter of representation from Mr. D. Smith of 29, Ellsdon, off Post Office Lane, Kempsey, Worcestershire and a list of signatures have been received. The main points raised are:

- Bridge should be retained. Fine stone built structure is, to best of my knowledge, the last standing bridge that crosses the former Gloucester to Hereford line between Ross-on-Wye and the Gloucestershire border.
- Bridge was built for the passage of Broad Gauge trains and has stood for more than 150 years (built 1853). With its Broad Gauge heritage it surely merits special consideration and it also forms part of the historical infrastructure of the area.
- If we want to conserve any of the route for future generations to see we must do our utmost to hang on to what is left.
- There is a faint possibility of a re-instatement scheme of the line. This may never happen, but we have responsibility to future generations if they wished to rebuild the line.
- Bridge has suffered from water penetration and removal of some stonework. Clearly money need to be spend and I fully understand why the rail authorities are considering such action. Wider perspective should be taken before a decision is made - wonder if a trust could be set up to take over the bridge, or grant aid made available for its maintenance (there is a railway heritage trust that do grants for preservation of our railway infrastructure).

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main considerations in the determination of this application are the principle of the demolition of the bridge and re-grading of the embankments, the impact upon the surrounding rural landscape and wildlife.
- 6.2 The demolition of the bridge structure itself, which is not a listed building, does not constitute development. The re-grading of the embankment either side of the bridge does however constitute development and therefore the scheme should be considered in its entirety. Advice has been sought to ascertain if the bridge would be worth of listing. The Chief Conservation Officer has advised that the structure is not worthy of listing. As such the Local Planning Authority cannot prevent its demolition.
- 6.3 The dismantled railway and embankment to the west of the bridge has been removed and the land is used for agriculture. Generally the land is flat in the surrounding area. It is therefore considered that the proposed regrading of the embankments would be in keeping with the surrounding rural landscape.
- 6.4 There is evidence that there are nesting birds at the site. Protection for birds is provided by other legislation and therefore it is considered that a condition would not be reasonable or necessary.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 A06 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

4 G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Informatives:

- 1 The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and English Nature should be informed. English Nature can be contacted at: Herefordshire and Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP or telephone 01531 638500.**

2 N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.