

23rd April 2020

South Downs National Park Authority

South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

Project Name: HRE Works Framework  
Project Number: B28280JA

**Subject: Disused Railway Bridge AIW/78 "Stoke Road bridge" – Infilling Works**

Dear Sir / Madam

I am writing to you on behalf of our client, Historical Railways Estate (HRE), formerly BRB (Residuary) Ltd, to inform you of planned infilling works to structure AIW/78. HRE is responsible for the Historical Railways Estate following the abolishment of BRB (Residuary) Ltd. This responsibility is undertaken on behalf of the Department for Transport, who own the structure.

AIW/78, Stoke Road bridge, is a single span brick arch overbridge constructed circa 1865. The structure is in a distressed condition due to arch ring separation and spalled and missing masonry. It carries an unclassified road over the track bed of the former Alton to Winchester railway line. The nearest postcode is SO24 0QX. It is located at approximate OS grid reference SU 559 327. A location plan is enclosed for your information.

To prevent further deterioration of the bridge from occurring and remove the associated risk of structural collapse and harm to the public, it is proposed to infill the bridge to ensure the long-term stability of the bridge and road. Once the works are complete, the structure will be unrestricted for all traffic conforming to Authorised Weight Regulations.

The scheme will include infilling the void beneath the span with foamed concrete. 6N granular material will then be compacted on both sides bringing the ground level up to surrounding levels. New and worked surfaces will be topsoiled and grass seeded.

We have reviewed the South Downs Local Plan and note that Strategic policy SD20 aims to safeguard former railway lines that can provide walking, cycling and horse riding opportunities. As the structure and former track bed either side has been substantially infilled by third parties in the past, only a relatively small void remains beneath and around the bridge. We therefore believe the proposed works are the minimum safe and practical measures required to maintain the integrity of the bridge and road. The works are to be considered essential maintenance works or 'De-Minimis' and are not considered 'development' in planning policy terms.

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As part of the infilling works, a preliminary ecological appraisal will be undertaken to determine any constraints, with further surveys scheduled should they be recommended following the initial survey. A full desk study to assess any impacts on designated sites and their qualifying features and zones of influence will be carried out; an initial search has highlighted 8 SACs within 30km of the structure (River Itchen SAC is within 1km) and River Itchen SSSI within 1km.

Infilling the structure is considered necessary to prevent further deterioration and remove the risk of future collapse.

We trust the above proposal is acceptable. We would like to obtain any general comments the council may have, or details of any constraints that may be imposed on the works by the local authority.

Can you please confirm receipt of this letter and provide any comments by return letter or email to [hre.priority.structures@jacobs.com](mailto:hre.priority.structures@jacobs.com) by 21/05/2020.

Yours faithfully



Civil Engineer

## Paul Slade

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**From:** [REDACTED]  
**Sent:** 06 May 2020 08:24  
**To:** Planning  
**Subject:** FW: AIW/78 - Disused Railway Bridge Your Project Number B28280JA  
**Attachments:** image001.png

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Other emails can be filed now, I'll do it when I log on \_\_\_\_\_

From: Jean Chambers  
Sent: 06 May 2020 08:19  
To: [REDACTED]  
Cc: Heather Lealan; Winchester sdplanning  
Subject: FW: AIW/78 - Disused Railway Bridge Your Project Number B28280JA

FYI

Jean Chambers MRTPI  
Senior Development Management Officer (Planning Link) South Downs National Park Authority  
Tel: 01730 819371  
South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH  
[cid:image001.png@01D60CF2.D5221D50]  
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[youtube](http://www.youtube.com/sdnpa/)<<http://www.youtube.com/sdnpa/>>

From: Jean Chambers  
Sent: 05 May 2020 10:58  
To: [REDACTED]  
Subject: AIW/78 - Disused Railway Bridge Your Project Number B28280JA

Dear [REDACTED]

Thank you for your enquiry dated 23 April 2020 regarding the above. In order to provide advice, SDNPA would require further information to consider whether we agree with your suggestion that the works might be 'diminimis'.

The first assessment is to establish whether the works are classed as 'development' under Section 55 of the Town and Country Planning Act, 1990. In particular, your letter sets out that foamed concrete would be used to infill the void, 6N granular material in addition to top soil and seeding, however, the volume of materials is unclear to consider whether the works constitute an 'engineering' operation. I'm minded to work on the basis that the works would constitute 'development' at this stage.

On the basis that the works constitute 'development', it would then be necessary to establish whether those works might benefit from permitted development rights. Having looked at the permitted development legislation (The Town and Country Planning General Permitted Development (England) Order 2015), I am unclear as to what part you might then rely on. In addition, you are likely aware that permitted development rights where sites may have a likely significant effect on European sites also need to be the subject of a Habitats Regulations assessment first in order to assert a benefit from the PD legislation.

Please note that it appears that the works might straddle SDNP land and Winchester CC land, thus parallel applications might be required, if permission is required. The works also appear to be located on a disused railway

line – Policy SD20: Walking, Cycling and Equestrian Routes of the South Downs Local plan would be relevant if the route would be filled in as this would likely be considered contrary to policy and might adversely affect future potential as a non- motorised transport route.

I would suggest at this stage that the works appear to be ‘development’ that would require the submission of a planning application. Should a more informed response be helpful, you may wish to submit a pre-application enquiry. Here is a link to the website: <https://www.southdowns.gov.uk/?s=pre+application+advice>

I hope the above is helpful but do not hesitate to contact me should further clarification be helpful.

Yours sincerely

Jean Chambers MRTPI

Senior Development Management Officer (Planning Link) South Downs National Park Authority

Tel: 01730 819371

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH

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10th September 2020

South Downs National Park Authority  
South Downs Centre  
North Street  
Midhurst  
West Sussex  
GU29 9DH

Project Name: HRE Works Framework  
Project Number: B28280JA

**Subject: Disused Railway Bridge AIW/78 "Stoke Road bridge" – Infilling works**

Dear Sir/Madam

I am writing to you on behalf of our Client, Highways England, Historical Railways Estate (HRE), formerly BRB (Residuary) Ltd to inform you of planned support works to the structure AIW/78 via structural infill. HRE is responsible for the Historical Railways Estate following the abolishment of BRB (Residuary) Ltd. This responsibility is undertaken on behalf of the Department for Transport, who own the structure. Therefore, the structure is crown property.

AIW/78, Stoke Road bridge, a single span brick arch overbridge constructed circa 1865. The structure is in a distressed condition due to arch ring separation and spalled and missing masonry. It carries an unclassified road over the trackbed of the former Alton to Winchester railway line. The nearest postcode is SO24 0QX. It is located at approximate OS grid reference SU 559 327. A location plan is enclosed for your information.

As the structure represents an ongoing and increasing risk to public safety and is owned by the Secretary of State for Transport, so is deemed 'Crown Property', Highways England HRE propose to undertake the support works as permitted development in line with the 'Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 19 Class Q'. Specifically, and for the avoidance of any ambiguity, the works are being undertaken in order to prevent an emergency arising.

Can you please confirm receipt of this letter by return email: [hreprioritystructu@jacobs.com](mailto:hreprioritystructu@jacobs.com). Please do not hesitate to contact me should you require any further information.

Yours faithfully



Civil Engineer

## Paul Slade

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**From:** Tim Slaney  
**Sent:** 06 August 2021 13:35  
**To:** [REDACTED]  
**Cc:** Allison Thorpe; Trevor Beattie; Andrew Lee; Jean Chambers  
**Subject:** Disused Railway Bridge AIW/78 Stoke Road bridge – Infilling works  
**Attachments:** FW: AIW/78 - Disused Railway Bridge Your Project Number B28280JA  
**Importance:** High

Dear [REDACTED]

It has recently been brought to my attention concerned residents, press articles and social media that your clients are proposing infilling works later this year. I understand that your client is relying on permitted development rights. Highways England were quoted within a press article as saying that “We contacted the South Downs National Park Authority on April 23, 2020. They have approved the work as permitted development”.

I attach a copy of our Link Officer email to you of 5 May 2020 following your 23 April enquiry in which the SDNPA set out concern regarding the proposal. I am aware of your subsequent correspondence with the SDNPA which was handled by WCC on our behalf dated September 2020 when you notified the Authority that you would be relying on permitted development rights but gave no explanation.

This bridge and the former railway line is a significant cultural asset. The SDNPA through our adopted local plan (South Downs Local Plan Adopted 2 July 2019) have sought to protect this route and access through Policy SD20 Walking, Cycling and Equestrian Routes. We are therefore extremely disappointed and concerned over the threat to this cultural asset.

Our National Park Purposes, written in statute are:

**To conserve and enhance the natural beauty, wildlife and cultural heritage of the area**  
**To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public**

The National Park Authority also has a duty when carrying out the purposes: To seek to foster the economic and social well-being of the local communities within the National Park

In addition, Section 62 of the Environment Act 1995 also requires **all** relevant authorities, including statutory undertakers and other public bodies, to have regard to these purposes.

It is my view that the above s62 duty falls upon yourselves and you need to be able to evidence how any actions your client proposes to take are having regard to the Purposes of the National Park. How are any measures undertaken addressing the fact that the proposed works are taking place in a landscape, to which the railway arch an disused line contributes, that enjoys the highest protection of landscape in the Country.

I am extremely concerned that very limited information has been put forward to demonstrate the extent of the proposed works and why you consider it appropriate to rely on the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 19, Class Q in order to prevent an emergency arising. Your letter of nearly over a year ago (September 2020) provides very limited information over the condition of the bridge other than that ‘the structure is in a distressed condition due to arch ring separation and spalled and missing masonry’; I am not sure this constitutes an emergency given the criteria upon which the P.D Rights outline and I note the passage of time which undermines the idea of an emergency.

As concerning no technical detail or engineering evidence of the extent of infilling is provided and why this is necessary to address the emergency. I would also draw your attention to the requirement to engage with The Conservation of Habitats and Species Regulations 2017 in consideration of Article 3 of the GPDO 2015.

Please can you provide evidence as to why you consider the works are necessary and constitute an emergency having regard to all the qualifying criteria in relation to Class Q and provide an engineering analysis to demonstrate this. The first enquiry was well over a year ago and it was within the second enquiry (September 2020) that you asserted the 'prevention of emergency' regulations. It seems to me that a significant period of time has elapsed and I would therefore challenge the use of this part of the legislation. Is it not that you are undertaking planned and phased works?

I look forward to hearing from you and would request your urgent attention to this matter. Do not hesitate to contact me in the meantime if helpful.

Yours sincerely

Tim Slaney  
Director of Planning  
South Downs National Park Authority  
Tel: 01730 819210  
South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH  
[www.southdowns.gov.uk](http://www.southdowns.gov.uk) | [Facebook](#) | [SDNPA Twitter](#) | [Ranger Twitter](#) | [Youtube](#)

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 SOUTH DO  NS

NATIONAL  PARK

Our Ref: 21980935  
Your Ref: DH696

Damian Hinds MP  
[damian.hinds.mp@parliament.uk](mailto:damian.hinds.mp@parliament.uk)

Nicola Bell  
Regional Director, South East  
Highways England  
Bridge House  
1 Walnut Tree Close  
Guildford  
GU1 4LZ

[www.highwaysengland.co.uk](http://www.highwaysengland.co.uk)

19 July 2021

Dear Damian Hinds

### **Plans to demolish and infill disused railway bridges**

Thank you for your email of 6 July 2021 on behalf of your constituent [REDACTED] requesting details of any disused railway bridges in Hampshire that are due to be demolished or infilled.

By way of background, in 2013 we became responsible for the inspection and maintenance of historical railway structures across England, Scotland and Wales. This is called the Historical Railways Estate and we look after it on behalf of the Department for Transport.

Many of the structures were built more than a hundred years ago so they need a lot of attention. Our team of engineers manage this work, making sure that the structures that need the most urgent attention are prioritised. It can involve repair and strengthening of structures. Very rarely it may include demolition, or partial or full infilling, where material is placed under the arch of a bridge to prevent collapse. A process that is reversible should a future alternative use be identified.

Demolition or infilling is only considered when structures have been assessed as unsafe. Before we conduct this type work, we reach out to local authorities to determine if there's a viable interest for retaining the structure for alternative uses such as walking and cycling. Where there is a potential, we will work with the local authority to transfer responsibility of the structure for this future use. Infilling is a reversible process should alternative uses for structures be identified in the future.

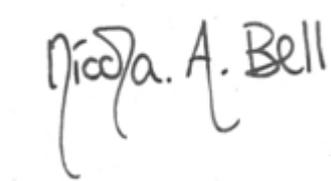
There is one bridge in Hampshire which we plan to infill. This is Stoke Road bridge (AIW/78), just to the north of Itchen Stoke.

We contacted South Downs National Park Authority, the local planning authority on 23<sup>rd</sup> April 2020 who have approved the work as permitted

development. Dormice, a protected species, reside in the area and we will therefore ensure there are none present before work starts. A pre-work survey check will be conducted by a qualified ecologist. We plan to begin clearing vegetation in September/October with a view to start the infilling work in November 2021.

If your office would like any further information, please contact, Fiona Smith who will be pleased to respond. She can be contacted by email at [fiona.smith@highwaysengland.co.uk](mailto:fiona.smith@highwaysengland.co.uk) by telephone on [REDACTED]. Her correspondence address is 37 Tanner Row, York, Y01 6WP.

Yours sincerely



Nicola Bell  
Regional Director, South East

## 10 August 2021

Highways England director of the historic railway estate, Richard Marshall said:

"Where it is safe to do so, we have paused infilling to provide more time for local authorities and other local groups to fully consider Historical Railway Structures as part of their local plans for walking, cycling and heritage railways.

"Where a structure can be re-used as part of those local plans, we will work with the local authority to transfer responsibility of a structure so it can be re-purposed and re-used."

Additional information:

- The DfT asked Highways England to undertake further investigations before any infilling or demolition works take place to see whether any of the structures in its immediate programme have the potential to be opened up as cycling and walking routes or for other transport purposes. As such plans to infill the Stoke Road bridge at Itchen Abbas are on hold.
- In the meantime, infilling and demolitions will only proceed where there is an immediate need to act to maintain the safety of structures or those using them.
- We're investing £13 million this financial year to maintain the safety of more than 3,000 former railway structures

Response to specific questions:

Why did Nicola Bell tell local press that the SDNP approved the work after its planners warned that it "would likely be considered contrary to policy and might adversely affect future potential as a non-motorised transport route"?

- Nicola Bell has never briefed any local media that the SDNP approved the work. Quotes recently used are inaccurate and were taken from a letter she sent to an MP on 19 July, but the information in the letter is now out of date and any planned work on the Stoke Bridge has since been put on hold.

Highways England consultants contacted SDNP in April 2020 stating work needed to take place on Stoke Road bridge and thought it could be completed under the permitted development.

In May 2020, SDNP responded disagreeing with that interpretation.

In September 2020, Highways England consultants outlined to SDNP why it was thought the work could be undertaken on the permitted development.

On 15th September 2020, Winchester City Council approved the work under the permitted development.

Highways England received no response from SDNP until August 2021, disagreeing with the interpretation.

- If a decision to go ahead with the infill was to be made at a later date Highways England would seek planning permission should the local authority decide it is required.

How does HE respond to SDNPA's Chief Executive, Trevor Beattie saying the National Park does not support the infilling of the Stoke Road Bridge and has not given consent? "Indeed we have argued without success that permission is needed, but [Highways England] has used their PD rights. We will resist this vandalism"

- We work closely with local authorities and will always seek planning permission where they advise us to.

The HRE Group claim Highways England is driving through infilling against the wider public interest, without local stakeholders having a voice. How does the agency respond?

- We will only move forward with demolition or infilling work after we've first checked with the local authority to see if they'd like to take-on the structure, perhaps for a new walking or cycling route. Where others propose a viable new use, and it is safe to do so, we will delay any work so that they can develop plans to take over responsibility for the structure.

Highways England told SDNPA that they needed to infill the bridge "to prevent an emergency arising". What has happened to alleviate that potential emergency such that no work has taken place almost one year later and none is now planned?

- Safety is our number one priority. Our role in maintaining the historical railway estate is to keep structures and the land around them safe for members of the public to use. As such there are tolerances in our plans, hence why we engage local authorities early to explore options to maintain the safety of structures.
- We are not funded to repurpose these structures so we welcome the opportunity to work with local authorities where there is an appetite for them to take responsibility for a structure to repurpose and re-use it.