

Your ref:  
Our ref: 22/00544/UNOPDE

E-mail: [REDACTED]

Borough Council of  
**King's Lynn &  
West Norfolk**



Hélène Rossiter  
Head of Historical Railways Estate  
National Highways  
Bridge House  
Walnut Tree Close  
Guildford  
Surrey  
GU1 4 LZ

**Geoff Hall**  
Executive Director

**Stuart Ashworth**  
Assistant Director Environment and Planning

13 February 2023

Dear Hélène

### **PMY2/76 – Conham Road Bridge**

Thank you for your Letter dated 25 January 2023.

We agree that on **14 October 2019** the local authority received a letter from Jacobs Engineering Ltd advising that *to prevent the further decline of the above structure and to maintain future vehicular movements along the carriageway, the proposal is that the bridge is subject to structural infill.*

*That the above 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', and propose to (undertake repairs/demolish/infill) as 'permitted development' in line with the Town & Country Planning (General Permitted Development) (England) Order 2015 (GPDO), Schedule 2, Part 19, Class Q.*

On **21 November 2019** the local authority responded via an email advising "that from the information provided we will not have objections to the works proposed".

It is our understanding the infill works to the bridge were completed in **March 2021**.

The Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 19, Class Q Conditions require that:

on or before the expiry of the period of **12 months** beginning with the date on which the development began –

- (i) any use of that land for a purpose of Class Q ceases and any buildings, plant, machinery, structures and erections permitted by Class Q is removed; and
- (ii) the land is restored to its condition before the development took place, or to such other state as may be agreed in writing between the local planning authority and the developer,

unless permission for the development has been granted by virtue of any provision of this Schedule or on an application under Part 3 of the Act.

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On **10 March 2022** a further letter was sent to the local authority from Jacobs Engineering Ltd advising:

*"Following on from the works to infill the structure, completed in **March 2021**, a phase 2 investigation is planned to core the bridge deck to confirm that no void remains under the structure's deck. If any voids are found, they will be filled with grout.*

*These works are planned by HRE Framework Contractor Hammond to be completed between 04/04/2022 – 14/04/2022.*

*If you have any queries or comments on the works, please respond via email to [REDACTED] no later than 25/03/2022".*

I can confirm that the local authority neither acknowledged nor responded to Jacobs Engineering Ltd's letter dated **10 March 2022**. Therefore, the written approval of the local planning authority for the retention of these works has not been obtained on or before the expiry of the 12-month period as conditioned within the (GPDO), Schedule 2, Part 19, Class Q.

Therefore, the local planning authority has not allowed the retention of these works (and any extra works) through written approval and requires a planning application for their possible retention.

We appreciate you outlining the background leading to the works and why you consider the works to be in the public interest, including supporting reports. However, these are all elements which will be able to be considered as part of the formal planning application process.

I hope that the above information clarifies the local authority's understanding and position regarding the unauthorised development involving the infill of the bridge located on Saint Andrews Lane, Congham.

We look forward to hearing from you on or before 20 February 2023 advising of your intentions to resolve the breach in planning control.

Yours sincerely

[REDACTED]

Planning Enforcement Officer  
For Executive Director  
Environment and Planning