



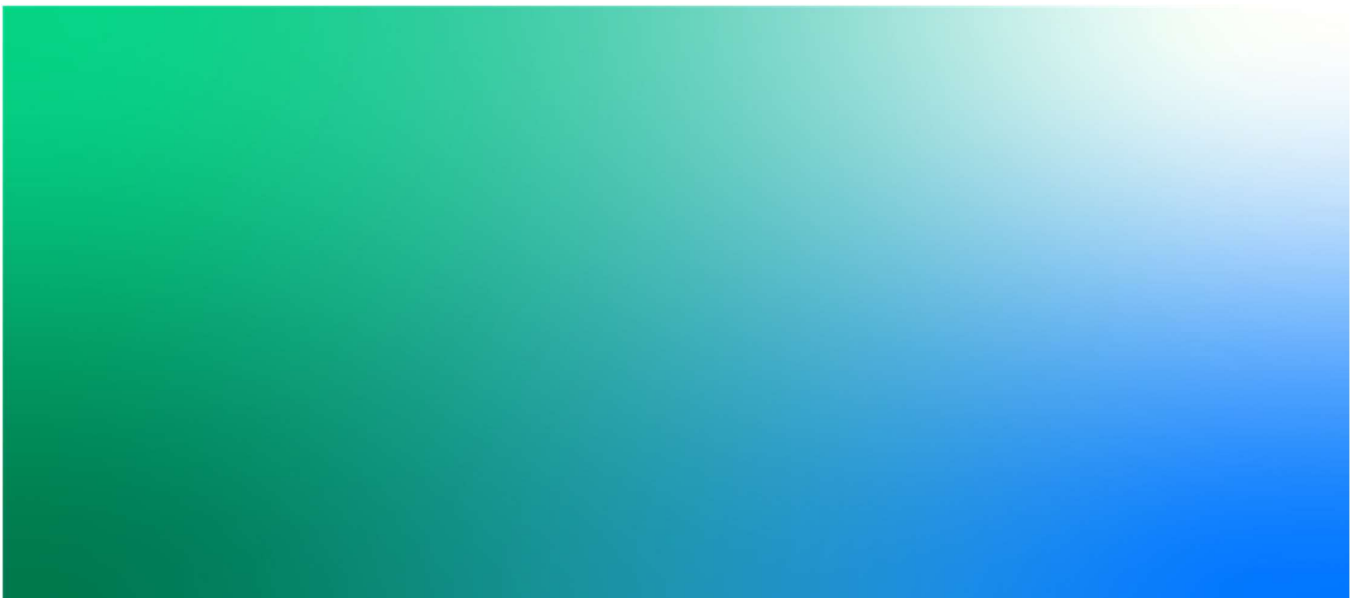
## **Congham Bridge Infill (PMY2/76)**

**Planning, Design and Access Statement**

0451460 | Final

**National Highways (Historical Railways Estate)**

April 2023



Congham Bridge Infill (PMY2/76)

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## 1. Introduction

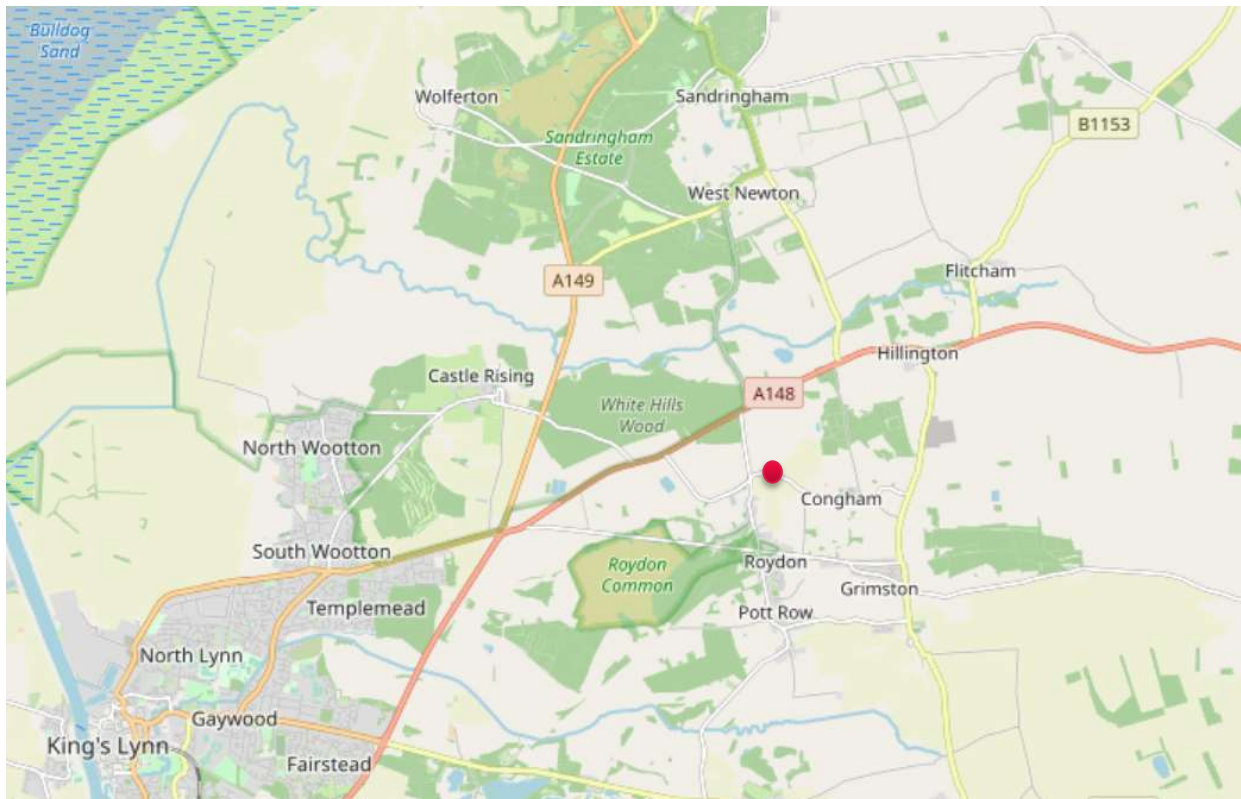
### 1.1 Background

Jacobs UK Ltd has been commissioned by the Historical Railways Estate (HRE) (on behalf of the Department for Transport) to prepare and submit a planning application to King's Lynn and West Norfolk Borough Council for the infilling of a single span bridge, referred to as the Congham Bridge Infill (ref: PMY2/76), due to the deterioration of the structure.

### 1.2 Site Location

The bridge structure is within a rural area, about a mile to the west of the village of Congham and approximately 6 miles to the north east of King's Lynn (see Figure 1.1 and the Site Location Plan). The bridge carries an unclassified public road (St. Andrews Lane) over the former South Lynn to Yarmouth railway line.

*Figure 1.1 – Site Location (site indicated as red circle)*



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### 1.3 Bridge Description

The single span square overbridge, believed to have been constructed in 1879 and rebuilt in 1926, comprises of 7 longitudinal girders encased in concrete. Wingwalls are located in each corner that extend approximately 5.5m from the bridge parapets. There is a soft verge on each side of the carriageway over the structure. The square span is approximately 7.5m and prior to the works the average clearance through the structure was approximately 3.8m. The wingwalls, abutments (both now obscured by the infill works) and parapets are constructed from concrete blockwork. Figure 1.2 shows a photograph prior to the works

**Figure 1.2 - View of the southern former elevation of the bridge structure**



#### **1.4 Status of the Former Railway Line**

Whilst the former rail line is recorded on the Norfolk Historic Environment Record (HER), the trackbed to the south of the bridge structure has been raised to the height of the surrounding ground and the same has happened on the northern side, but not to the same height. This had in effect created a 'bowl' below the span (now level as part of the infill works) and there are no features that indicate that it was formerly a railway line. Figure 1.3 shows a photograph of the land to the south, which was taken during a site visit in August 2019.

**Figure 1.3 - View from the structure looking south**



## 1.5 Bridge Condition History

According to records, the bridge structure has had issues with fractures since 1984 and major repairs had been conducted between December 2009 and February 2010 involving propping, repairing the end abutment quoin and repairs to fractured / spalled areas of the structure, requiring a road closure. Since the HRE took responsibility for the bridge in 2013, it has been subject to a series of structural assessments and the most recent was in 2019, which was undertaken by Jacobs on behalf of HRE. The assessment concluded that the edge girders have a capacity of 7.5 tonnes Gross Vehicle Weight (GVW), so a weight restriction should be required, however there are no road signs, which indicate this to the road users and road usage is therefore unrestricted. Consequently vehicles e.g. agricultural plant (which can weigh up to 30t) can use the bridge.

Furthermore, the eastern abutment exhibited indications of movement, resulting in numerous cracks appearing beneath the edge girders and along the abutment faces. The faces of the longitudinal girders were also showing defects with some beam exposure in some instances. The wingwall coping courses and the south west newel were also demonstrating minor failure.

To prevent the further decline of the structure and to maintain future vehicular movements along the carriageway, it was decided that it was necessary to strengthen the bridge by infilling – justification for this is given in Section 1.6. A letter was therefore sent to Borough Council of King's Lynn and West Norfolk (KLWN) on 14<sup>th</sup> October 2019 to outline the proposed works that were to be undertaken as 'permitted development' in line with the 'Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 19, Class Q (allowing the Crown – Government ministries, such as the DfT, to undertake works in order to prevent an emergency). KLWN responded in an email of 21 November 2019 that they had no objections regarding the works proposed to infill the bridge. The highway authority (Norfolk County Council - NCC) was also contacted at this time and informed HRE they also had no objections and confirmed that the site was not subject to any cycle route proposals.

Therefore on this basis, the infill works were undertaken in March and April 2021 (see section 2.3). A further letter was sent to KLWN on 10 March 2022 informing of works to check the settling of the material and top-up any remaining void. No response was received from KLWN to that letter.

In November 2022, following a complaint, KLWN contacted HRE informing them that they were reviewing their previous advice to which HRE responded in a letter dated 2 December outlining KLWN's previous 'no objection' position. KLWN then sent a letter on 18 January 2023 confirming that, in their opinion, and in accordance with Schedule 2, Part 19 of the Town and County Planning (General Permitted Development ) Order 2015, that planning permission was actually required, and this opinion, following further discussions and a letter from HRE on 25 January 2023 (querying the necessity of a planning application), was confirmed by KLWN in a letter dated 13 February 2023.

## 1.6 Justification for the need to Safeguard the Bridge by infilling

### 1.6.1 Introduction

The bridge has been subject to a series of structural assessments. The most recent was in 2019, which was undertaken by Jacobs on behalf of HRE. The assessment concluded that the edge girders were had a capacity of 7.5 tonnes Gross Vehicle Weight. Furthermore, the upper sections of the abutments were exhibiting indications of movement, resulting in numerous cracks appearing beneath the edge girders and along the abutment faces. The concrete encasement of each of the longitudinal girders was fractured and spalling, showing signs of corrosion to the girders within. The wingwall coping courses and the south west newel were demonstrating localised damage, likely as a result of root ingress.

Previously in 2009/2010, repair works were undertaken to the brick abutments due to similar cracking and movement within the structure. As noted above, there was subsequently further movement within the structure identified by HRE including to the repaired abutments. As such, a number of options were looked at to safeguard the bridge and infilling emerged as the more robust and better value long term solution.

### 1.6.2 Justification for infilling

The infill here was driven both by the capacity failure and the condition of the structure.

The abutment fracturing resulted from ongoing movement, either associated with ground conditions beneath the wingwalls or the seeming lack of movement bearings at the beam supports.

If movement was due to the ground beneath the wingwalls, then underpinning (digging out beneath the walls and installing concrete foundations, as best as possible) would have been a potential option, as would a more modern grout or polyurethane foam injection option. If the movement was due to the deck being restricted from moving relative to the abutments, then creation of movement joints within the masonry returns would likely have been the simplest option.

The concrete encasement around the girders was fractured/spalled notably, with obvious signs of corrosion of the girders within. Simply locally repairing the fractures and spalled areas would not address the underlying issue, rather it would simply mask it, and the work would need repeating going forward. In order to address the issue, the concrete around the steel girders would need to be broken out back to clean/good steel. The further complication here was that due to the nature of the jack-arch structure, only the bottom faces of the inner girders (plus the outer faces of the outer girders) would be accessible, meaning that the remainder of the girders would not be accessible. The removal of the deck surface and fill would have allowed the majority of the buried sections of the girder to be exposed, but not the parts covered by the jack-arches, which would potentially be in the worst condition. As the jack arches sat on the bottom lip of the encased girders then in order to access and repair the girders in these locations, the jack arches would need to be either temporarily jacked up or removed.

The structure would then be encapsulated in sheeting and the steelwork blasted clean, repaired where necessary and painted before the girders were either left un-encased or encased again.

Given the cost and technical complexity of the works above, and because the Highway Authority specifically confirmed that infill would not affect their active travel route plans, and the fact that the bridge does not have any heritage status, infill was the most suitable way forward with lower overall Whole Life Cost.



## 2. The Scheme Design

### 2.1 Background

Following the KLWN's initial advice of 'no objection' to the proposed infilling works in November 2019, works commenced on 22/03/2021 and were completed on 30/04/2021. The structure is a single-span bridge with seven longitudinally spanning concrete encased steel beams, precast concrete jack arches, concrete blockwork abutments, featuring spandrels, parapets and wingwalls, constructed from regularly coursed concrete bricks.

### 2.2 Site Description

The bridge structure is located on the outskirts of Roydon, Norfolk and carries St Andrews Lane over the former track bed of the South Lynn to Yarmouth railway line.

The structure sits in a largely rural context, surrounded by arable fields bordered by hedgerows that connect to parcels of woodland to the north-west, north-east, east and south-west. There is a soft verge on each side of the carriageway over the structure, with the former railway line to the south being overgrown with some trees/scrub in the vicinity. Figure 1.2 shows a photograph of the southern elevation of the works pre-works and Figure 2.1 shows a photograph of the same elevation post works.

*Figure 2.1 – Southern Bridge Elevation Post works*



### 2.3 The Works

To prevent the further decline of the structure and to maintain future vehicular movements along St Andrews Lane, the bridge was subject to structural infill using engineering fill and foam concrete with embankments formed on either side (see planning drawings: B28280-DA-EC-0003 – AS BUILT PLAN; and B28280-DA-EC-0004 - AS BUILT ELEVATIONS AND SECTION). This comprised infilling beneath the span with structural fill composed of a layer of 6C free draining material laid to fill the depression beneath the bridge and form a 0.8m thick layer above the current ground level on both sides in order to aid surface water through flow. The remaining fill beneath the span comprised 6N granular structural fill and foamed concrete. New embankments were formed from 6N material and tied into the existing ones. All new and worked surfaces were topsoiled and grass seeded.

### **3. Environmental Considerations**

#### **3.1 Introduction**

A number of relevant environmental impacts have been assessed as part of this scheme and are summarised in this chapter – relating to ecology, heritage and landscape & visual impacts.

#### **3.2 Ecological Assessment**

Ecological surveys at the bridge structure - PMY2/76 (hereinafter referred to as 'the structure') were undertaken between 2019 and 2021 and ahead of infill works, which were completed by 30 April 2021, on the understanding that the works were 'permitted development', due to 'no objection' from KLWN at the time.

Following reassessment of the planning status of the works by KLWN, Jacobs were commissioned by HRE to prepare a planning application associated with the infilling of the structure.

An ecology report has been prepared to support the application, which details the findings of the ecological surveys undertaken at the structure and also the pre-construction and mitigation measures actioned in March 2021. A summary of this report is included below.

A preliminary ecological appraisal (PEA), undertaken on 28 August 2019, identified the potential for the presence of species such as bats, badgers, reptiles, great crested newt and nesting birds in the vicinity of the structure. Further ecological surveys were undertaken between 2019 and 2021 to collect further baseline information to assess the potential impacts of the proposed infilling engineering works at the structure. The ecological surveys included:

- A badger survey;
- Emergence and re-entry surveys of the structure to survey for active season roosting bats;
- Endoscope inspections of an elder tree to survey for active season roosting bats;
- Winter endoscope inspections of the structure to survey for hibernating bats; and
- Winter endoscope inspection of the elder tree to survey for hibernating bats.

The desk study and field surveys undertaken confirmed:

- Statutory and non-statutory designated sites are present within 2km of the structure;
- No evidence of active season bat roosting in the structure;
- No evidence of active season bat roosting in the elder tree;
- No evidence of winter roosting bats in the structure;
- No evidence of winter roosting bats in the elder tree;
- Suitable habitat for, but no evidence of, badger within 50m of the structure;
- Suitable habitat for, but no evidence of reptiles within 50m of the structure;
- Suitable habitat for, but no evidence of great crested newt within 50m of the structure;
- Suitable habitat for and evidence of nesting birds within 50m of the structure; and
- Suitable habitat for, but no evidence of, other mammal species such as hedgehog.

The following was recommended and undertaken prior to the commencement of works:

- Prior to any works on the structure taking place, a licensed bat surveyor was required to inspect all potential roost features and, if no bats were present, block them up;
- Prior to felling the elder tree, a licensed bat surveyor was required to inspect all the potential roost features and, if no bats were present, supervise the felling;
- Prior to any works taking place, a suitably experienced ecologist was required to deliver a toolbox talk, outlining all of the actual and potential ecological constraints (including but not limited to bats, badgers, nesting birds, great crested newt, reptiles and hedgehogs); and
- Fingertip search of all vegetation to be cleared to facilitate the works.

No protected species were found during the works.

The HRA screening report concluded that there would be no likely significant effects on the Roydon Common & Dersingham Bog Special Area of Conservation (SAC) and the Roydon Common Ramsar site as a result of the proposed works. There are no statutory designated sites located within the works area.

### **3.3 Heritage Considerations**

A Heritage Statement has been prepared to support the planning application. In summary the following was identified:

The current Congham Bridge is not a designated Listed Building nor is it located within a Conservation Area. It is also not identified as a standalone non-designated heritage asset by the Norfolk Historic Environment Record (HER), though the former line is recorded in the HER. Notwithstanding this, it is recognised that the bridge is of local heritage interest due to its relation to the Midland and Great Northern Joint Railway (M&GNJR) and as its design followed the method of construction pioneered by the railway engineer William Marriott, by its use of pre-cast reinforced concrete elements within its replacement span. The bridge, which post-dates the retirement of William Marriott (1924), represents the application of a standardised method of construction being widely applied to many different elements on the M&GNJR and elsewhere at the time.

In accordance with Historic England's listing criteria (included within the Department for Digital, Culture., Media & Sport 'Principles of selection for listed buildings' - November 2018), the bridge is not considered of sufficient merit to warrant any formal heritage designation.

As a heritage asset of local interest, as identified within the heritage assessment, the infilling of Congham Bridge has reduced the ability to visually appreciate the bridge, including the modest engineering interest relating to the use of pre-cast reinforced concrete for its replacement span. The evidential and historic value of the bridge however, are unaffected by the works, with the structure being preserved within the infilling for posterity.

Taking into consideration the above, the infilling is considered compliant with the requirements of the National Planning Policy Framework (NPPF) and local policy to conserve (protect) the significance of a heritage asset. NPPF Paragraph 203 states:

*"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

In summary, the bridge is an undesignated heritage asset of moderate communal value, and low historic and evidential value and negligible aesthetic value, and therefore the heritage value is considered as low.

Existing documentary and photographic records of the bridge held by HRE could be shared with the Norfolk HER in order that the public has access to this information (preservation by record).

### **3.4 Landscape and Visual Impact Considerations**

The infill scheme is located in a rural landscape north of Congham, approximately 1km south of the Norfolk Coast Area of Outstanding Natural Beauty. Congham is within Landscape Character Area (LCA) Hillington and Congham, which is within the Landscape Character Type F Wooded Slopes with Estate Land, as described in the King's Lynn and West Norfolk Borough Landscape Character Assessment.

The character assessment describes the area as 'a sparsely populated area of mature landscape comprising gently undulating woodland, plantation and arable farmland'. Congham is defined as a 'ribbon development with two centres along a small minor road with the western end centred on a church with tower.' In the vicinity of Congham pockets of coniferous plantations and tree belts are scattered amongst the open large arable fields. Locally, tall

hedgerows line the network of rural lanes, although hedgerow trees are sparse. A network of Public Rights of Way generally follow farm tracks and narrow country lanes.

The former railway line is aligned in a broadly north-south direction, but not now visible as it has been incorporated into the surrounding agricultural landscape. The small, low bridge takes St. Andrews Lane up and over the former line. To the north of St. Andrews Lane, the line is now part of a footpath and remains as a remnant wide linear feature, approximately 450m long and defined by rough grassland and flanked by tall established hedgerows forming boundaries to adjoining fields. The footpath joins with another footpath further north connecting St. Andrews Lane with the A148 Lynn Road. South of St. Andrews Lane, the disused line has been completely removed and no above ground features remain within the ploughed field. Tall trees have established either side of, and close to, the bridge and typically line the St. Andrews Lane to the east and west between Station Road and Broadgate Lane.

## 4. Planning Policy Assessment

### 4.1 Background

This chapter identifies relevant national and local planning policy, including the site's policy allocation and any relevant local designations. It assesses these policies against the need for the scheme, its design and against other relevant environmental considerations.

### 4.2 National Planning Policy Framework

#### 4.2.1 Background

The National Planning Policy Framework (NPPF), last updated in July 2021, sets out the Government's planning policies for England and how they should be applied. It constitutes guidance for Local Planning Authorities (LPAs) and decision takers both in respect of plan preparation and as a material consideration in determining planning applications; it draws attention to Section 19(2) (a) of the Planning and Compulsory Purchase Act 2004, which requires policy makers to have regard to national policies and advice in guidance issued by the Secretary of State.

Chapter 2 of the NPPF sets out the "presumption in favour of sustainable development," in terms of economic, social and environmental objectives. Paragraph 12 clarifies the status of the local development plan - it states:

*"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

Paragraph 47 of the NPPF in Chapter 4 re-iterates the importance of the local development plan when dealing with planning applications, whilst highlighting that other considerations may affect the determination, and states:

*"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".*

#### 4.2.2 Promoting healthy and safe communities

Chapter 8 of the NPPF concerns the promotion of healthy and safe communities, with Paragraph 97 stating:

*"...appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security."*

#### 4.2.3 Conserving and enhancing the natural environment

Chapter 15 of the NPPF put's great emphasis on the protection of designated sites, with Paragraph 174 of the NPPF stating that planning policies and decisions:

*"...should contribute to and enhance the natural and local environment by*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*

And regarding Habitats and Diversity, Paragraph 180 of the NPPF mentions that local planning authorities should resist proposals that significantly harm biodiversity that cannot be adequately mitigated or result in the loss of irreplaceable habitats.

#### 4.2.4 Conserving and enhancing the historic environment

Regarding proposals affecting heritage assets, Paragraph 194 of the NPPF states that:

*"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."*

And in Paragraph 197 of the NPPF, it states:

*"...the desirability of new development making a positive contribution to local character and distinctiveness."*

In considering potential impacts, Paragraph 203 of the NPPF recommends that:

*"... the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".*

### 4.3 Local Planning Policy

The current local development plan for KLWN includes the Core Strategy, which was formally adopted on 28 July 2011 and the Site Allocations and Development Management Policies Plan (SADMP), which was adopted on 29 September 2016. An emerging Local Plan for 2016-2023 is currently at examination stage and is not expected to be adopted officially until October to December 2023.

In addition, there is the King's Lynn Local Cycling and Walking Infrastructure Plan (February 2022), which has been adopted by both NCC and KLWN, though the scheme does not conflict with the aspirations contained therein.

#### 4.3.1 Site specific policy designations/allocations

The Site Allocations and Development Management Plan policy map solely identifies the site in Congham within a 'Development in the Smaller Villages and Hamlets' allocation, and thus relating to Policy CS06 – Development in Rural Areas which states:

*"In the Rural Villages, Smaller Villages and Hamlets, more modest levels of development, as detailed in Policy CS09, will be permitted to meet local needs and maintain the vitality of these communities where this can be achieved in a sustainable manner, particularly with regard to accessibility to housing, employment, services and markets, and without detriment to the character of the surrounding area or landscape."*

There are 6 statutory designated sites (Roydon Common National Nature Reserve, Grimston Warren Pit SSSI, Roydon Common & Dersingham Bog SAC, Roydon Common SSSI and Ramsar site and Norfolk Coast Area of Outstanding Natural Beauty) located approximately 1km to west of the scheme.

#### 4.3.2 Safeguarding of former railway lines for future use

It is noted that there are no specific policies contained in the adopted Core Strategy specifically safeguarding former railway lines, or for their reuse for leisure purposes, albeit the SADMP contains policy DM13 Railway Trackways, which considers the use of former railway lines in creating future routes for footpaths and cycleways and which states:

*"The Council consider that the identified former railway routes could be significant transport resource in the long term future, whether for recreational or alternative Transport use. The proposed approach is to restrict development on identified former railway trackbeds. These routes will be kept intact which will enable them to be reused in future:"*

The relevant points being, whether

- The development would result in implications for their future as an alternative economic or recreational transport route;
- The former railway line has been identified for protection in the Sites Allocations and Development Management Policies Plan map.

#### **4.3.3 Local Plan Policies**

##### **Core Strategy: Policy CS08 - Sustainable Development**

This policy states:

*"Good design is a key element of sustainable development. In preparing for population growth in the borough it is imperative that proposals for new development and redevelopment are based on sound design principles. This will help ensure that what is being constructed now will be of high quality and can last far beyond the timescale of the plan. Developers will be encouraged to refer to publications and best practice on quality design such as those produced by the Commission for Architecture and the Built Environment (CABE) in formulating development proposals"*

Relevant criteria for decision making from the policy are influenced by:

- Planning Policy Statement 1 – Delivering Sustainable Development
- Planning and Climate Change (Supplementary to PPS1)
- Planning Policy Statement 22 – Renewable Energy
- Planning Policy Statement 25 – Development and Flood Risk

##### **Core Strategy: Policy CS12 – Environmental Assets**

The policy states:

*"Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported."*

Relevant criteria from the policy are:

- Development affecting Areas of Outstanding Natural Beauty (AONB), Ramsar sites, Special Areas of Conservation (SAC), Special Protection Areas (SPA), National Nature Reserves, Sites of Special Scientific Interest (SSSI), County Wildlife Sites, Ancient Woodlands, Historic Parks and Gardens, Conservation Areas, Listed Buildings and Scheduled Ancient Monuments;
- Area of development that fall within 400m of the SPA (Breckland SPA) require a project level Habitats Regulation Assessment.

##### **SADMP: Policy DM1 – Presumption in Favour of Sustainable Development**

This policy states:

*"Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise."*

Relevant criteria from the policy are:

- This decision is based on whether: Any adverse impacts of granting permission significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

#### **SADMP: Policy DM15 – Environment, Design and Amenity**

This policy states:

*“Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development.”*

Relevant criteria from the policy are factors including:

- Heritage impact;
- Overlooking, overbearing, overshadowing
- Noise;
- Odour;
- Air quality
- Light pollution;
- Contamination;
- Water quality and
- Visual Impact

#### **SADMP: Policy DM19 - Green Infrastructure/Habitats Monitoring and Mitigation**

The policy states:

*“The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development.”*

Relevant criteria from the policy are:

- Applicable to development resulting in the loss of green infrastructure and biodiversity;
- Responsibility to provide appropriate landscaping measures, provision of both open space and network of attractive pedestrian routes;
- To undertake appropriate publicity raising awareness of potential environmental sensitivities.

### **4.4 Assessment of Planning Policy**

#### **4.4.1 Sustainable Development and Design**

The scheme is considered to have been designed and implemented respecting its locality by being proportionate to the bridge structure, local topography and to blend into the surroundings. The scheme will safeguard the local road network to the benefit of the local community and the local economy, and road safety. It is therefore considered to accord with the provisions of Chapter 2 of the NPPF, which identifies the ‘presumption in favour of sustainable development’ and paragraph 97 of NPPF regarding the promotion of public safety. The scheme is therefore also considered to accord with local plan policies CS08 Sustainable Development, DM1 Presumption in Favour of Sustainable Development, DM15 Environment, Design and Amenity of the local plan policies.

#### **4.4.2 Site specific policy designations/allocations**

The Local Plan identifies the site within a ‘Development in the Smaller Villages and Hamlets’, relating to Policy CS06 – Development in Rural Areas which relates mostly to building and agricultural development. A key

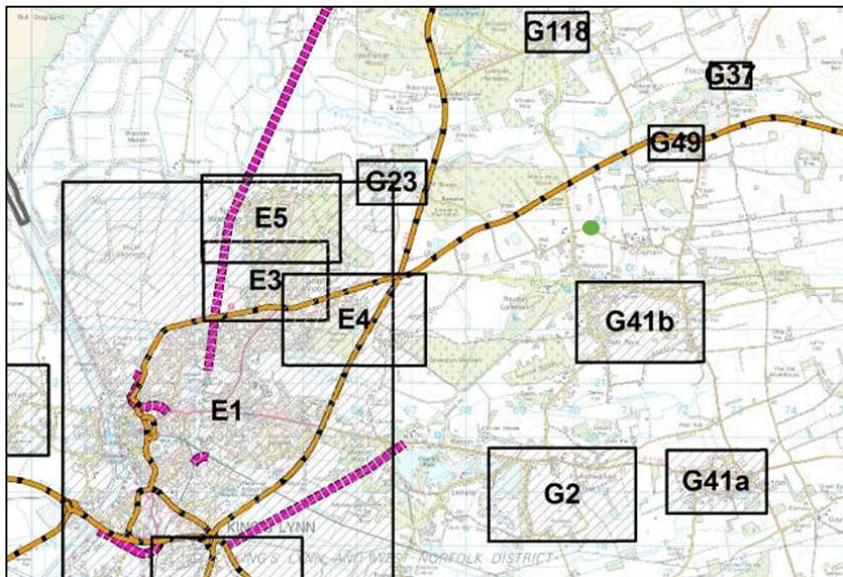


consideration is the preservation of the areas character and to maintain a high-quality environment. This criterion has been met by ensuring efficient, sensitive design for the scheme in keeping with its surroundings and therefore also complies with DM15 - Environment, Design and Amenity.

#### 4.4.3 Safeguarding of former railway lines for future use

There are no policies specifically safeguarding former railway lines, or for their reuse for leisure purposes, albeit Policy DM13 – Railway Tracks states that development would be restricted on specific former railway lines that could be potentially used for economic and recreational routes – the bridge however has not been identified as part of a former trackway by the adopted local plan. Figure 4.1 from the SADMP map shows this.

**Figure 4.1 – Protected Former Railway Lines map (Congham Bridge indicated by green circle)**



#### 4.4.4 Ecology

Chapter 15 of the NPPF, and in particular Paragraphs 174 and 180, put great emphasis on the protection of designated sites, habitats and diversity, and that local planning authorities should resist proposals that significantly harms biodiversity that cannot be adequately mitigated or result in the loss of irreplaceable habitats. Policy CS12 - Environmental Assets, states that any net loss of biodiversity and geodiversity should be avoided. This is in reference to Planning Policy Statement 9, that has been superseded and replaced by Chapter 15 of the NPPF.

In response, the PEA identified the potential for the presence of species such as bats, badgers, reptiles, great crested newt and nesting birds though subsequent surveys found no active presence of such species of animal in the vicinity of the bridge structure.

A statutory and non-statutory site was identified within the wider area of 2km, the bridge structure itself and the site fall in neither and the ecological report with the addition of HRA screening suggests no significant impacts to the designations. It can therefore be concluded that no further environmental intervention is required to meet national and local planning policy.

In summary, the works did not conflict with the ecological provisions of the NPPF nor Local Plan Policies CS12, DM15 and DM19.

#### 4.4.5 Landscape

Local Plan Policy CS12 - Environmental Assets, is aimed at conserving and enhancing distinctive elements of landscape character and function, whilst SADMP: Policy DM15 – Environment, Design and Amenity seeks to protect and enhance the amenity of the wider environment.

The works have an effect on the appearance of the bridge structure, though this is considered to be a very limited and localised effect on local landscape character as infilling barely alters local land levels or the perception and enjoyment of the bridge and footpath. In addition, there is barely a perceptible change in views from the nearby footpath due to the grass sward established over the area of infill. In addition, it is not directly visible from the nearest residential properties in Roydon or the footpath, approximately 350m to the south.

In conclusion the works are not considered to unacceptably harm the character of the local landscape or appearance of the bridge structure or visual amenity as a whole and thus not conflict with Policies CS12 or DM 15.

#### 4.4.6 Heritage

The Core Strategy DPD CS12 – Environmental Assets states that:

*"The historic and built environment play a crucial role in delivering environmental quality and well-being."* and goes on to say:

*"the Council will preserve and where appropriate enhance its qualities and characteristics. "*

Site Allocations and Development Management Policies Plan DM15 – Environment, Design & Amenity considers that:

*"Development must protect and enhance the amenity of the wider environment including its heritage and cultural value."*

Paragraph 203 of the NPPF recommends that:

*"the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application"*

*"..... In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".*

In response to the heritage policies, whilst the bridge structure has heritage related value, it is not a designated heritage asset and has not been demolished or permanently harmed, as the works conducted are considered reversible. Further, as the infill scheme could be removed to allow the re-use of the line (if such a proposal were ever to be brought forward), and given the benefits to the wider public benefit of safeguarding the road bridge, it is considered to balance the overall less than substantial harm to the undesignated heritage asset and therefore does not conflict with current heritage policies from the NPPF nor the adopted local development plan.

#### 4.5 Policy Summary

The scheme is considered to be sustainable development that is necessary for the benefit of the locality in terms of public safety and is not out of keeping nor intrusive to its landscape surroundings. It is not detrimental to any allocations and designations and the ecological impacts are limited to nesting birds. Further to this, the bridge works were required as emergency works, to safeguard the bridge, thus having wider public benefits in maintaining the bridge and its long-term preservation, which would otherwise be liable to further damage at some point in the future. These wider public benefits of the proposals are therefore considered to significantly outweigh the overall less than substantial harm to the heritage asset.

In conclusion the scheme is considered to comply with the provisions of the NPPF and the local development plan.

## **5. Summary and Conclusions**

Works to the single span railway bridge - Congham Bridge (ref: PMY2/76), were necessary due to the continuing deterioration of the structure and the threat to public safety. Following 'no objection' from KLWN in November 2019, and the acceptance by NCC highway authority, the works were undertaken in March and April 2021 as 'permitted development' in line with the 'Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 19, Class Q. Following further consideration by KLWN in late 2022/early 2023, letters were sent to HRE confirming that planning permission was actually required for the works .

Given the cost and technical complexity of the works, that NCC (the local highway authority) specifically confirmed that the works would not affect their active travel route plans and the fact that the bridge does not have any heritage status, infill was deemed the most suitable option with lower overall Whole Life Cost.

Heritage, ecology and landscape assessments have been undertaken for the scheme. The development is considered to be sustainable development that is necessary for the benefit of the locality and is not out of keeping nor intrusive to its landscape surroundings. Further, there are no significant detrimental ecological impacts and due to the wider public benefits, the proposals are therefore considered to significantly outweigh the overall less than substantial harm to the heritage asset.

The scheme therefore neither conflicts with national or local planning policy and should be granted planning permission.