



### Why should we protect legacy railway structures?

The HRE Group was established in 2020 after it became clear that National Highways (NH) was intending to significantly expand its programme of infilling and demolishing structures within the government's Historical Railways Estate (HRE), mostly through the exploitation of permitted development rights. We identified around two-thirds of the 134 affected structures as having the potential to play a future role in the development of new active travel routes, heritage railway extensions or reopened lines on the national rail network.

### What was significant about the bridge at Congham?

St Andrew's Lane bridge at Congham was infilled in 2021, at which time it was the only surviving example of a bridge built *entirely* using an innovative system of modular concrete components developed by renowned railway engineer William Marriott. It was more impressive than the five other bridges fully or partly constructed with Marriott-system products, only two of which now remain. Although the structure was not designated as a heritage asset, the Midland & Great Northern Joint Railway (M&GNJR) - of which it formed a part - is registered on the Norfolk Historic Environment Record as asset number 13581.

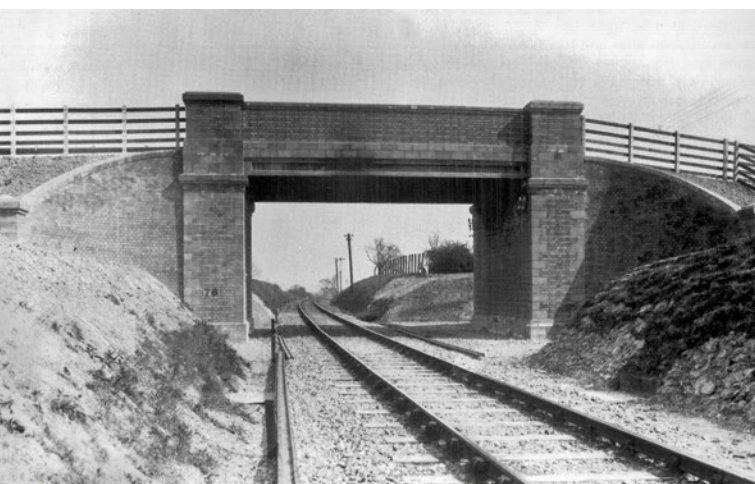


PHOTO: M&GN TRUST

### What condition was the bridge in?

St Andrew's Lane bridge was built in 1926 and defects had inevitably developed over the years, including localised cracking of the concrete in which its seven steel girders were encased. However, an inspection carried out in 2019 by Jacobs, National Highways' consultants, recorded 14 of

the bridge's 15 main structural elements as being in 'Fair' condition, with the remaining one rated 'Poor'. This latter element, the east abutment, had suffered cracking at its upper ends, likely resulting from bonding and/or material design failures associated with repairs carried out in 2010. Generally, the bridge was in 'Fair' condition.

PHOTO: NORFOLK'S DISUSED RAILWAYS



### Did the bridge need repairs?

Eventually, yes, but the defects recorded at the bridge were long-standing and any deterioration was slow. National Highways has provided no evidence to support its claim that several repair options had been considered prior to infilling or that infilling represented the most cost-effective approach. Since assuming responsibility for the HRE in 2013, infilling had become NH's preferred default option for bridges requiring work and in which it saw no value.

### Was the bridge strong enough?

The bridge was assessed as having a capacity of 7.5 tonnes due to its edge girders supporting the parapets, although calculations suggest that the actual figure was closer to 18 tonnes. The girders supporting the carriageway and part of the verges had an assessed capacity of 44 tonnes; therefore the bridge was strong enough to bear the weight of any vehicle that remained on the carriageway - including 30-tonne agricultural machinery - and had clearly done so safely for many years. The only issue was if a vehicle exceeding 7.5 tonnes in weight drove onto one of the grass verges. Given the traffic levels on St Andrew's Lane, the risk of such an incursion was very low and this is supported by the apparent lack of collision damage to the parapets.

## What are Class Q permitted development rights?

The infilling of St Andrew's Lane bridge was carried out under Schedule 2 Part 19 Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 which allows the Crown to carry out temporary works (remaining in situ for no longer than 12 months) to prevent an emergency or reduce, control or mitigate the effects of an emergency. In this context, "emergency" is defined as "an event or situation which threatens serious damage" to human welfare or the environment. The rights are intended to be applied unilaterally and immediately by the developer; there is no provision whereby the local planning authority (LPA) can consent to their use.

## Were Class Q rights applicable at Congham?

No, as there was no emergency or any prospect of one. National Highways is now effectively arguing that *all* planned/routine maintenance is ultimately undertaken to "prevent an emergency". This is clearly incompatible with the intended and legitimate application of Class Q. It should be noted that National Highways was attempting to exploit Class Q rights at more than 30 other bridges across the country, in similar non-emergency circumstances. However, only in three cases - one of which being the Congham scheme - did the relevant LPA express no objection to the development.



## Could the bridge have been repurposed?

A feasibility study has been commissioned into the development of an ambitious 20-mile active travel route along the M&GNJR, linking King's Lynn and Fakenham. We understand it is unlikely that the preferred route will pass under St Andrew's Lane bridge. However, we believe that structures spanning dismantled railways that are undeveloped to both sides should be retained for potential

future use as we transition to greener forms of transport. We note that the local council has a policy, *C.14 DM13 - Railway Trackways*, which seeks to protect former railway trackbeds from adverse development for this purpose.



## What has been the ecological impact of infilling?

Prior to infilling, ecology surveys were carried out to establish whether there were bats, badgers, reptiles, great crested newts and nesting birds in the vicinity of the bridge. None was found. However, surveys of this kind do not capture transient use of bridges by animals moving between feeding/breeding grounds, noting that many dismantled railways are recognised as having an important role as wildlife corridors. In this context, evidence can best be gathered by movement-triggered cameras, such as the one used for this video taken at another legacy bridge threatened with infilling: [youtu.be/JdYfcc5HZuA](https://youtu.be/JdYfcc5HZuA).

## What about the anti-social behaviour?

There is photographic evidence that materials had been fly-tipped below the bridge at Congham, but it is not known whether this was a regular or one-off event. Both abutments were covered in graffiti. However, infilling is unlikely to stop such acts; more likely, it will simply move the problem to other locations. Furthermore, anti-social behaviour does not justify the loss of a non-designated heritage asset that was appreciated by the local community.

More background information about St Andrew's Lane bridge is available via:

[thehregroup.org/structures/congham](https://thehregroup.org/structures/congham)

Planning application comments can be submitted via:

[tiny.cc/conghambridge](https://tiny.cc/conghambridge)