

## Application details

Ref: 6/2015/0479	Applicant: Network Rail Infrastructure Ltd	Case officer: Jonathan Maidman
Address: Northport (Wareham Station), Wareham, BH20 4AS		
Description: Construction of access for all pedestrian bridge with associated lighting and highway works, including formation of pedestrian crossing and creation of a new footpath		
Planning Committee: 30 September 2015		

## Reason for decision process for this application

The Planning Committee is considering this application because:

The General Manager of Planning and Community Services has referred the application to the Planning Committee at her discretion because the planning application (6/2015/0478) has broader impacts for the wider Wareham area. It is considered that this associated application for listed building consent should also be considered by the Planning Committee.

## Recommendation

To **grant** listed building consent subject to conditions as set out in the attached appendix.

## Key planning issues

Issue	Conclusion
<b>Impact on the listed building, the bridge and their setting</b>	Officers consider that the public benefit of providing a safe and permanent means for pedestrians to cross the railway line outweighs the harm caused to the bridge and the historic context of the railway station.

## Summary

The planning matters related to this application are finely balanced. On balance, officers are recommending approval.

The existing Wareham Crossing has been identified as being high risk (danger) to the public. This has been highlighted by the Office of Rail and Road (ORR) and Rail Accident Investigation Branch (RAIB). There is the real likelihood it will close at some point in the future. The proposal is for alterations to the existing Wareham Station footbridge to facilitate crossing the railway. Two of the existing four staircases (one on the north side and one on the south side) would be removed and ramps installed to allow a safe passage across the railway for those that cannot manage the stairs. A new staircase is also proposed on the northern side.

Adjacent to the site is Wareham Railway Station which is a Grade II listed building. The existing footbridge is not listed in its own right however benefits from listed building status as it is within the curtilage of the Station building.

As the proposal would affect the listed building, the bridge and their setting, listed building consent has been applied for. Although the statutory requirement for a determination to be made in accordance with the development plan unless material considerations indicate otherwise does not apply to decisions on applications for listed building consent, there is a statutory duty "to have

special regard to the desirability of preserving the building or its setting or features of special architectural or historic interest which it possesses”.

Paragraphs 131-133 of the National Planning Policy Framework set out the issues to be considered in determining the application.

The proposals are a significant building operation which would fundamentally change the character of the area and would affect both the listed building and its setting.

Set against this undoubted harm, there is no public right of way across Wareham level crossing. So it is likely that if Network Rail were to close the crossing at some point in the future and be under no obligation to provide alternative access, those who could not manage to use the existing stepped footbridge would have no way of crossing the railway line.

A number of possible options have been investigated to allow safe passage for all users across the railway line. Modification of the existing bridge and the installation of Equality Act 2010 compliant ramps is the only viable and practical option.

Officers have worked with the applicants to develop a scheme which is achievable and as visually sensitive as possible. The current proposals are considered to be a pragmatic solution

The substantial public benefit arising from the necessity of the scheme outweighs the harm caused to the bridge and the historic context of the railway station.

## **Main report**

### **The site**

The site is Wareham Foot Crossing (also known as Wareham Level Crossing and previously known as Sandford Road Level Crossing) which is adjacent to Wareham Railway Station. It provides the main and well used pedestrian link between a large established area of housing and businesses to the north of the railway (Carey, Northmoor, Northport and Sandford) and the town centre to the south. The existing crossing is not a public right of way.

Wareham Railway Station was built in 1886 and is a Grade II listed building. The existing footbridge, which although not listed in its own right also benefits from the listed building status of the station buildings as it is within their curtilage.

The text of the listing describes the station buildings as “*Red brick with ashlar dressings. Pitched tile roof. Red brick stacks with ashlar coping. 1 storey with attics. 2 coped gables with finials and kneelers; that to east shaped, topped with pediment, and with 3 pilasters taking cornice half way up; that to west has stone mullioned window, with full entablature and pediment over central part. Between gables is 1 attic dormer with pargetted front, pitched roof and casements. 2 one-storey extensions with coved eaves cornices at either end. Centre of roof ridge crowned by octagonal turret, with ogival lead roof and weather-vane. Casement windows on yard side. Sashes on platform side. Platform shelters taken on cast iron columns of eclectic design with ornamental cast iron spandrels which support roof trusses. Pitched corrugated iron roofs with cut wooden valances. Weatherboard and panelled shelters with contemporary benches on up platform. Elaborate columns gas standards on both platforms east and west of shelters.*”

### **Proposed development**

This application is proposing to make alterations to the existing Wareham Station footbridge to facilitate crossing the railway. Two of the existing four staircases (one on the north side and one on the south side) would be removed and ramps installed to allow a safe passage across the railway for those that cannot manage the stairs. A new staircase is also proposed on the northern side. The proposed access across the railway would be fully compliant with the Equality Act 2010. Both ramps would have a gradient of 1:20 with level resting platforms at regular intervals. It is difficult to measure the precise distance people using the ramps would have to travel to cross the

railway line because parts of the structure are curved. Officers estimate the distance of each ramp to be approximately 100 metres. Those having to use the ramps would have to travel a total distance of approximately 220 metres to cross the railway line.

All new brickwork would be undertaken with bricks to match the existing bridge. The structure of the ramps is galvanised steelwork. Support columns, parapet and vertical columns will be dark grey in colour. Handrails will be painted orange to facilitate use by visually impaired people.

Works are also proposed in the highway to the south of the bridge including the construction of a new footpath and level crossing to the station approach road.

On completion, the existing Wareham Crossing will be closed and all associated infrastructure removed. Fencing will be erected at either end to block the crossing off. New fencing is also proposed under the ramps to prevent trespassing onto the operational railway.

This application for listed building consent is accompanied by an application for planning permission (6/2015/0478).

### **Relevant planning history**

Planning permission and listed building consent was previously granted by the Planning Committee in August 2013 for a scheme to demolish a set of stairs on either side of the existing footbridge and install ramps to allow users a safe passage across the railway line (references 6/2013/0424 and 6/2013/0425). Once installed, the existing crossing was to be closed.

Following the granting of these permissions and due to issues relating to the presence of underground services and difficulties in fabricating certain parts of the ramped structure for the southern side of the railway, Network Rail has advised that it is not possible to construct the scheme which was granted planning permission.

Consequently, it is considered that there is no fall-back position for the applicants as a material planning consideration but the previous planning and listed building consents form part of the planning history of the site. It should also be noted that the ramped structure on the northern side of the railway remains virtually unchanged to that which was previously approved.

### **Pre-application discussions**

Officers have met with representatives from Network Rail on numerous occasions to discuss the proposals. Pre-application advice was provided most recently in May 2015. Officers advised that there has to be a safe passage across the railway for everybody. It was made clear to officers that the design solution now proposed as part of this application was the only one which Network Rail were prepared to support. On the basis that this was the only available option, it was advised that subsequent planning and listed building applications would be supported by officers. Advice was provided about some of the finer detailing of the proposals.

### **Relevant issues for this application**

#### **Impact on the listed building, the bridge and their setting**

It is important to note that the only issue for consideration in this application is the effect on the listed building, the bridge and their setting.

The proposals directly affect the bridge as works are proposed to it. It is clearly the case that the addition of the extensive ramps to the bridge will drastically compromise its existing simple form and appearance.

The proposals would fundamentally change the character of the area. They will undoubtedly have a significant impact on the setting of nearby listed buildings and structures when viewed from the majority of viewpoints in and around the station. Officers consider that the proposals would result in substantial harm to the listed bridge and historic context of the railway station. In these

circumstances the guidance is to refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm (paragraphs 132 and 133 of the NPPF).

On the previously approved applications the existing Wareham Crossing was identified by the ORR and RAIB as being dangerous to the public. Officers assume that as there has been no material change to the way in which the crossing operates, this is still the case. There is no public Right of Way across the crossing and it has been made clear to officers that it will be closed at some point in the future. There are strong concerns that if the existing crossing was closed and no alternative solution was in place, those who could not manage to use the existing stepped footbridge would have no way of crossing the railway line. It has been made abundantly clear to officers that the current proposal is the only proposed design solution that Network Rail and main stakeholders are prepared to support.

A number of different options have been considered and dismissed for a variety of reasons. Officers agree that adding Equality Act 2010 compliant ramps to the existing bridge is the only realistic and feasible option. The size of the proposals is dictated by design and safety standards and the physical constraints of the site. The ramp elements of the bridge are long but the length is necessary in order to achieve the gradient required to achieve Equality Act (2010) compliance and ensure that it caters for all potential users.

Officers have worked with Network Rail and their architects at the pre-application stage to try and produce a structure which can be delivered and is as visually sensitive as possible. All new brickwork is to match the existing on the bridge. It is important that the bonding and pointing matches the existing. This detailing can be addressed by a planning condition where a sample panel of brickwork is produced on site and checked and agreed by officers.

The balustrade is simple and incorporates vertical bars which will be grey in colour with orange handrails. The design is simple and functional.

Officers consider that the public benefit of providing a safe and permanent means for pedestrians to cross the railway line outweighs the harm caused to the bridge and the historic context of the railway station. This view is shared by the Design and Conservation Officer.

#### Relevant Planning Policies:

National Planning Policy Framework:

Core Principles, Section 7 - Requiring good design, Section 12 - Conserving and enhancing the historic environment and Decision-taking.

Purbeck Local Plan Part 1:

D - design and LHH - landscape, historic environment and heritage.

Officers have also considered:

National Planning Practice Guidance - Conserving and enhancing the historic environment and design.

Purbeck District design guide supplementary planning document adopted January 2014.

Wareham townscape character appraisal supplementary planning document adopted September 2012.

Wareham conservation area appraisal adopted January 2012.

### Representations received

Who	Relevant points
Town Council	Objection. Recommendation made on the basis of the material planning consideration of the undesirable visual effect this would have on the listed station building alongside. <i>(Note: this recommendation was reached following discussion resulting in a vote with 4 members in favour and 2 abstaining.)</i>
Council's Design and Conservation Officer	Has concerns about the impact on the listed bridge and nearby listed station building. Notes however that the benefit arising from the necessity of the scheme inevitably outweighs the harm caused to the bridge and the historic context of the railway station.

### Neighbour comments received and case officer response

In addition to the representations above, the Council received 27 comments from neighbours, residents and other groups (The Purbeck Society, Swanage Railway Company Ltd and Wareham Town Trust) about this listed building application. The representations are all available in full on the Council's website and this report addresses the key planning points that they raised. The following table sets out a summary of the key issues from the comments as well as the case officer's response to them.

Issue	Case officer response
Harmful to the listed bridge	This issue is addressed in the main body of the report under the section titled 'Impact on the listed bridge'.
This application should also be considered by the Planning Committee at the same time as the planning application (6/2015/0478)	Officers agree with this and the application will be considered by the Planning Committee at the meeting on Wednesday 30 <sup>th</sup> September 2015.

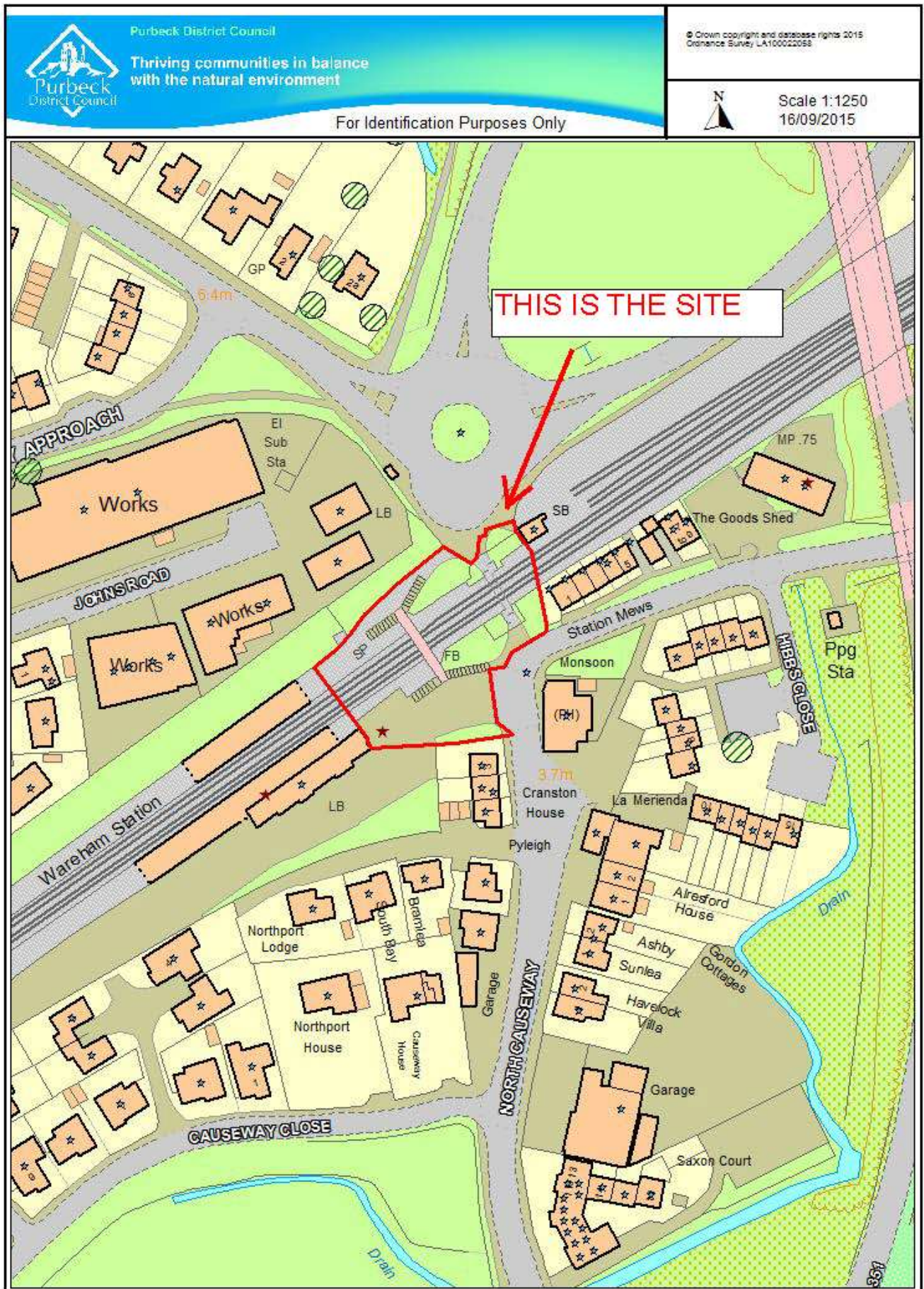
### Community infrastructure levy

The development proposal is not liable to a community infrastructure levy charge.

## Appendix – Recommended planning conditions

1. The work must start within three years of the date of this permission.  
Reason: To encourage work to take place at an early stage. This condition is required by reason of Section 18 of the Planning (Listed buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The works permitted must be carried out in accordance with the following approved plans (3021001 Rev PL02, 3021002 Rev PL02, 3021003 Rev PL03, 3021004 Rev PL02, 3021010 Rev PL03, 3021011 Rev PL02, 3021012 Rev PL02, UA006378-HYD-DRG-ECV-701 Rev 102, UA006378-HYD-DRG-ECV-702 Rev 102, UA006378-HYD-DRG-ECV-703 Rev 102 and UA006378-HYD-DRG-ECV-704 Rev 102), specifications and written particulars unless subsequent variation is agreed in writing by the Council.  
Reason: For the avoidance of doubt and interest of proper planning and to ensure the works are in keeping with the character of the listed building.
3. Before any new brickwork is laid a sample panel will be built on site, inspected and approved by the Council. The brickwork panel will remain on site during the construction works. The development will be built in accordance with the agreed panel.  
Reason: This is required to be agreed before any new brickwork is laid to ensure the new brickwork matches the existing in the interests of the visual amenity of the listed bridge and surrounding area.
4. Full details and the precise positioning of the proposed mural(s)/artwork must be submitted and agreed in writing with the Council. The mural(s)/artwork will be installed within one month of the completion of the development and retained thereafter unless the Council gives written consent to any variation.  
Reason: The proposed mural(s)/artwork provide an attractive feature and help to improve the visual appearance of the brick facade. Their precise design and location is important to the overall appearance of the scheme.
5. The development shall be undertaken in accordance with the submitted lighting details as detailed in section 9.3 of the Design & Access Statement (Incorporating Planning & Heritage Statement). No changes shall be made to this lighting scheme unless the Council gives written consent to any variation.  
Reason: To ensure the satisfactory implementation of the approved lighting scheme in the interests of the visual amenity of the listed bridge and surrounding area.
6. Informative Note - Natural England. All buildings and especially roof spaces can support bat roosts which may be damaged or disturbed by demolition, building works or timber treatment. Please note that all bats and their roosts are fully protected under law. It is a requirement of the legislation to notify Natural England on 0300 060 3900 of any operation which may affect bats or their roosts, even when the bats are apparently absent. A contravention of the Wildlife and Countryside Act 1981 may constitute a criminal offence. The grant of this Consent does not override any requirements to notify Natural England or to comply with the legislation. For further advice on a particular species use the following contacts:  
Natural England Contact: John Stobart Tel:07825 844475 Email: [john.stobart@naturalengland.org.uk](mailto:john.stobart@naturalengland.org.uk)  
Dorset County Council Natural Environment Team Contact: Tel: 01305 224931 Email: [net@dorsetcc.gov.uk](mailto:net@dorsetcc.gov.uk)





6/2015/0479  
(Listed Building Consent)  
Network Rail Infrastructure  
Ltd

Case officer  
Jonathan Maidman



**Please see accompanying planning application (6/2015/0478) for visualisations.**