

Planning Committee: 16 July 2024

Item Number: 8

Application No: [W 24 / 0346](#)

Town/Parish Council: Leamington Spa
Case Officer: Dan Charles

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Registration Date: 24/05/24

Expiry Date: 19/07/24

Proposed New Footbridge, Radford Road, Leamington Spa

Installation of new bridge across the River Leam from Radford Road car park into Newbold Comyn Nature Reserve. New bridge to be 18.5m long by 3.5m wide with 10m section of footpath either side of the bridge also being widened to 3.5m. FOR Warwick District Council

This application is being referred to Planning Committee as it is a Warwick District Council application.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal is for the installation of a new bridge over the River Leam to replace an existing substandard bridge that following investigation was not considered capable of being restored back into viable use.

The proposed bridge is to be a total of 3.5m wide to give a useable width of 3 metres.

The construction of the bridge is to be a steel frame with timber facing. In addition to the bridge, the approaches to the bridge will be widened to allow access onto the widened bridge. The proposal also includes the use of 1.4m high timber post and rail fencing on the approach to the bridge deck for safety reasons.

THE SITE AND ITS LOCATION

The application site is located to the rear of the Radford Road Car Park. The former bridge links the car park to the wider nature reserve and Newbold Comyn as well as linking into a number of footpath links as well as the National Cycle Route. The bridge is proposed to cross the river Leam in the same location as the existing bridge that has now been removed.

The site lies within the Canal Conservation Area.

PLANNING HISTORY

No previous planning history relevant to site.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- DS1 - Supporting Prosperity
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- PC0 - Prosperous Communities
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- HS1 - Healthy, Safe and Inclusive Communities
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- NE1 - Green Infrastructure
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- FW1 - Development in Areas at Risk of Flooding
- Guidance Documents
- Parking Standards (Supplementary Planning Document- June 2018)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS11 - Leisure, Sport and Recreation Facilities
- RLS14 - Cycling
- RLS15 - Canal and Riverside Development

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: The Town Council is pleased to see that the bridge is finally being replaced with a much more suitable bridge that will be better for pedestrians, cyclists and dog walkers alike.

WCC Rights of Way: I can confirm that there are no recorded public rights of way crossing or immediately abutting onto the application site. The Rights of Way team therefore has no objection to the proposals.

WCC Ecology: We have considered the PEA submitted and are satisfied that the protected species elements of this application are likely to be suitable for securing using conditions. However, insufficient information has been submitted to demonstrate how the development will provide gain for biodiversity some species measures and tree planting are shown but further details are needed and Net Gain needs to be quantified.

Public Response: 2 support comments received, making the following observations;

- Support these proposals which will help add much-needed capacity to the north-south Leamington transport network and help bring it up to NCN 41 standards.
- Would like to see path widened either side of bridge to accommodate all users.

- Would like to see a river depth gauge stick installed.
- Disappointed that it has taken so long for a replacement bridge to be designed and planning permission applied for. This bridge is an essential access point to the Newbold Comyn park and its loss has been keenly felt by its many users.
- The actual width of the footpath/cycleway is 3.0m. Thus it does not meet the Sustrans "typical cross section". This is probably not critical as it will certainly be better than the previous bridge in terms of width.
- Parapet height of 1.4m above the bridge deck is too high,
- Need to be appropriate bollards to prevent access by cars.
- Fail to see the need for the new wooden fence on the Radford Road side of the river bank.

ASSESSMENT

History/Background

The existing bridge was closed due to the discovery of significant structural issues rendering the bridge unsafe. Following investigative works, the existing structure was deemed to be beyond reasonable repair and it was necessary to replace the existing bridge.

The existing bridge structure has since been removed for health and safety reasons.

The proposal is to install an improved bridge at the same location with increased width to allow for easier use by pedestrians and cyclists together with all ancillary works.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The proposal is for a replacement bridge in the same location as the existing structure. The existing bridge structure was of little architectural merit and was in very poor condition. Following detailed assessment, it was determined that it was

unviable to retain and repair the existing structure and due to the degraded condition, it was removed.

The replacement structure is a considerable improvement over the previous bridge and is designed to cater for all users of this important link between the Radford Road and wider Newbold Comyn.

The bridge is of simple appearance and respects the rural character of the site and is proposed to meet the simple requirement of being an appropriate structure to provide a long-term solution for the movement of pedestrians and cyclists from Radford Road into the surrounding area.

Officers are satisfied that the bridge is appropriate for this location and is therefore considered acceptable having regard to Local Plan Policy BE1.

Impact on character of the Conservation Area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high-quality layout and design in all developments that relates well to the character of the area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy RLS3 states that Development proposals that are within or directly affect a Conservation Area must assess and address their impact on their heritage significance.

Warwick District Local Plan Policy HE1 (Protection of Heritage Assets) states development will be expected to respect the setting of conservation areas and important views both in and out of them.

The site lies on the very periphery of the Canal Conservation Area. It is noted that the site is somewhat divorced from the canal corridor itself. Notwithstanding this, the replacement bridge is a significant improvement compared to the existing bridge that it replaces.

The bridge is a necessary piece of infrastructure to reconnect the car park to the wider area and forms part of the National Cycle Network. Officers are satisfied that the design is appropriate for the location and the improved bridge will be an asset to all users by providing improved connectivity for all with no impact on the setting of the Canal Conservation Area.

The proposal is therefore considered acceptable having regard to Policy HE1 of the Local Plan and RLS3 of the Neighbourhood Plan.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

There are no near neighbours to the site that would be directly affected by the proposals.

The nearest properties are those fronting onto the Radford Road. Officers are satisfied that the reinstatement of the bridge would not result in any detrimental harm to the amenity of these properties.

The proposal is therefore considered acceptable having regard to Policy BE3 of the Local Plan.

Highway Safety

Policy RLS13 of the Neighbourhood Plan required all developments to support measures for sustainable transport methods to make Royal Leamington Spa a cleaner, safer and healthier town.

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposal does not have any direct impact on vehicular traffic. The proposal will reinstate the existing link between Radford Road and the nature reserve and wider Newbold Comyn providing an off-road link for cyclists and pedestrians.

The improvements to the bridge will allow greater accessibility for all users and provide a new, high-quality structure that will provide greater longevity and safety for all users.

The proposal is therefore considered acceptable having regard to Policy TR1 of the Local Plan and Policy RS13 of the Neighbourhood Plan.

Impact on Ecology/Protected Species/ Biodiversity Net Gain

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The proposal has been submitted with a detailed ecological appraisal of the site.

The County Ecologist has considered the survey work submitted and is satisfied that the protected species elements of this application are likely to be suitable for securing using conditions.

The Ecologist has advised that insufficient information has been submitted to demonstrate how the development will provide gain for biodiversity. It is noted that some species measures and tree planting are shown but have requested further details to demonstrate that net gain is achieved.

In assessing this element, Officers note that the proposal is to replace the existing bridge span across the river and the key elements that are changing are the widening of the approaches to reflect the increased width of the bridge.

Officers are satisfied that a net gain can be achieved on this site. At the time of writing, the applicant's Ecologist is preparing the net gain detail and should this be available prior to Committee, Officers will report this via the update sheet.

Should this not be forthcoming, in the interests of expediency for this important public infrastructure project, it is proposed to utilise a note which references the statutory standard condition for net gain to secure the detail of the net gain to the satisfaction of the County Ecologists before development commences.

I therefore consider that subject to appropriate conditions, the proposal is acceptable having regard to Policy NE3.

Flood Risk

Policy FW1 seeks to ensure that development in areas at risk of flooding are designed to ensure that they do not result in increased flood risk elsewhere.

The application has been the subject of significant pre-application discussions with the Environment Agency to ensure that the new bridge would not result in any potential increase in flood risk. The application was submitted with a detailed Flood Risk Assessment to demonstrate that the development has been designed to ensure that the replacement bridge would not result in any additional flood risk above that of the existing situation. The bridge has been designed to be higher above the river corridor compared to the existing to improve the flood resilience of the bridge and to assist with a reduction in potential snagging of debris during flood events.

The final Flood Risk Assessment has been assessed by the Environment Agency who have raised no objection to the scheme subject to a condition for the development to be in accordance with the detail within the Flood Risk Assessment.

Subject to the imposition of the requested condition, the development is acceptable having regard to Policy FW1.

Conclusion

This proposal is for a replacement bridge that results in a significant improvement over the existing structure and has been designed to be more fit for purpose and a long-lasting solution.

There are no matters that would outweigh the benefits of this development and it is therefore recommended for approval.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 5201- 01A and specification contained therein, submitted on 24 May 2024 and approved drawing(s) 231023-PEV-XX-ZZ-DR-S-000 REV P03 and 231023-PEV-XX-ZZ-DR-S-0001 REV P03, and specification contained therein, submitted on 25 June 2024. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
 - 3 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full. **Reason:** To ensure a net biodiversity gain in accordance with NPPF.
 - 4 The development shall be carried out in accordance with the submitted flood risk assessment (Radford Road Bridge Replacement 5010781-RDG-XX-XX-DOC-C-0500 Report Reference RSE_7940_01_V3, dated May 2024). In particular, the new bridge should have a soffit level no lower than 50.60mAOD (300m above that of the existing bridge) and a deck level of no lower than 51.17mAOD. **Reason:** To ensure no increased flood risk elsewhere in accordance with Policy FW1 of the Warwick District Local Plan.
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