

# Consultee Comments for Planning Application 23/04389/LI

## Application Summary

Application Number: 23/04389/LI

Address: Overbridge Over Operational Railway (known As Brady Farm) Off Sturton Grange Lane Garforth Leeds LS25 4DZ

Proposal: Listed Building Consent for the demolition of Brady Farm overbridge (HUL4/15)

Case Officer: Mr Stuart Daniel

## Consultee Details

Name: - Conservation Team

Address: Leeds City Council, Leonardo Building, 2 Rossington Street, Leeds LS2 8HD

Email: Not Available

On Behalf Of: Sustainability - Conservation Team

## Comments

The demolition of the Brady Farm overbridge will result in total loss of significance and, therefore, substantial harm in terms of the NPPF. The scheme will also impact on the group value of the other listed buildings and non-designated heritage assets along the historic Leeds to Selby Railway line.

The NPPF says that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance" (paragraph 199). The NPPF goes on to say that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification". It highlights that substantial harm to or loss of grade II listed buildings should be exceptional.

The Heritage Statement submitted with the application outlines the process of optioneering with the LPA and Historic England that has been undertaken to avoid impact on the assets, including deviations from current Network Rail standards. The process concluded that total removal was necessary for three of the listed structures along the Transpennine Route Upgrade (TRU) route including the the Brady Farm overbridge .

The proposal includes various mitigation and compensation measures such as archaeological recording of the heritage asset which does not remove the substantial harm to the heritage asset.

The NPPF says that "Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent,

unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

The public benefits of TRU are set out Statement of Aims in the TWAO application which can be summarised as a faster and more energy efficient trains contributing to the UK Governments climate change targets. It has been established through the optioneering referred to above that without works to the listed structure then the TRU Programme cannot be delivered and the benefits of the TRU Programme will not be realised. The Heritage Statement concludes that the substantial harm caused to the listed bridges will, therefore, be outweighed against the substantial public benefits delivered by TRU which have been recognised at public inquiry by the Huddersfield to Westtown Inspector and confirmed by the Secretary of State for Transport.