

Proposal:

The proposal is for listed building consent for the demolition of the existing Austhorpe Lane bridge – including the adjacent footbridge and gas pipeline -and the erection of a replacement bridge.

The works form part of the wider Transpennine Route Upgrade which will electrify the route to improve journey times and reduce carbon emissions. The replacement of this bridge is required due to the additional height needed for the trains and cabling.

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Site and Surroundings:

The application site is a Grade II Listed bridge which crossings the Transpennine railway line and carries traffic over, along Austhorpe Lane. The bridge itself is a single width road bridge with 'Give Way' signs located on either side of the bridge to ensure traffic crosses safely. There is a footbridge located to the west, running parallel with the road bridge which isn't Listed in its own right. To the east is a high-pressure gas pipeline which is exposed as it crosses the railway and then is buried into the ground at either side.

The surrounding area is mainly residential with dwellings varying in age located to the north, east and west with the land to the southeast allocated as Green Space within the SAP and contains a number of mature trees

Background:

The listing description for the bridge states.

*Austhorpe Lane Bridge, HUL 4-21, of c1830-34 by James Walker of Walker & Burges for Leeds & Selby Railway, is listed at Grade II for the following principal reasons: **

Historic interest: as an

*original overbridge built between 1830 and 1834 on the pioneering, first phase Leeds & Selby Railway; * Engineer: designed by James Walker, a renowned C19 engineer, who constructed the line with a four-track bed and distinctive, single-span overbridges with unprecedented spans of 60ft(18.2m) rather than the standard 30ft(9.1m) span and twin-span bridges used by other early and later railway engineers; * Architectural interest: as a single-span, basket-arch bridge demonstrating a high level of craftsmanship in its*

*construction, detailing, and dressing; * Intactness: the bridge is largely unaltered and retains its original parapets; * Group value: the bridge is architecturally inter-related to the other c1830-34 stone bridges on the Leeds & Selby Railway designed by James Walker, sharing distinctive characteristics such as the use of single-span basket arches, stepped voussoirs, and oval piers to the horizontally-tooled parapets.*

Relevant Planning History:

None relevant

Consultations:

Historic England	Do not object to the application and consider that the proposal addresses the requirements of the NPPF
Conservation	Proposal results in the total loss of the historic significant and would have substantial harm. However, the public benefits of the proposal are considered to outweigh this harm
Georgian Society	Applicant has provided a clear case as to why they believe the proposal is necessary. No further comments to make
Victorian Society	Consider that other options should be explored which would retain the ridge
Historic B & P	Due to potential uncertainty regarding funding, recommend a condition to ensure demolition does not take place until funding is secured

Public/Local Response:

The application was publicised by a site notice which was posted adjacent to the site on 27th July 2023. To date, 2 letters of objection have been submitted. The material points raised are:

- The replacement bridge should be minimum 5.5m wide with footways on both sides (N.B. This is not a consideration for this Listed Building application)
- Approve of the need to electrify the line but it is unacceptable to remove the Grade II bridge
- If the bridge needs to be replaced then every effort to retain the look & style must be taken

Legislation and Planning Policies:

Conservation area: Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a

conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.

Listed Building: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that In considering whether to grant listed building consent for any works the local planning shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Development Plan:

Section 38(6) of the Planning and Compulsory Purchase Act states that for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise. The Development Plan comprises of the Core Strategy, adopted in November 2014, saved policies of the UDP (2006).

Leeds Core Strategy:

The Local Development Framework Core Strategy was adopted by the Council on 12th November 2014. The following policies contained within the Core Strategy are of relevance to this development proposal:

P10 - Design
P11 - Conservation

Unitary Development Plan Review (saved policies):

The most relevant saved policies from the Leeds Unitary Development Plan are outlined below.

BC7 - Refers to the use of materials in conservation areas.
N14 - Presumption in favour of listed buildings
N17-22 - Refer to the preservation of listed buildings.

National Planning Policy Framework:

The National Planning Policy Framework (2023) sets out the Government's planning policies for England and how these are expected to be applied.

Paragraph 197 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's 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.

Appraisal:

Impact on the Historic Character of the Listed Building, and Conservation Area

Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the setting of listed buildings.

The Leeds Core Strategy includes a number of policies relevant to conservation and design which are relevant. Policy P10 outlines a number of key principles which fall under the wider objective of ensuring new development delivers high quality inclusive design, policy P11 looks to conserve and enhance the historic environment and policy P12 looks to protect the character and quality of Leeds townscapes.

A number of saved UDP policies are also relevant including policies GP5 and BD6 which encourage good design and policies N14 and N17 which amongst other things set out a presumption in favour of the preservation of listed buildings.

The NPPF sets out national planning policy in relation to heritage matters.

The demolition of the grade II Austhorpe Lane Overbridge will result in total loss of significance and, therefore, substantial harm in terms of the NPPF. The scheme as a whole 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 Austhorpe Lane Overbridge.

The proposal includes various mitigation and compensation measures such as the adoption of bespoke new features in the replacement bridge and archaeological recording of heritage assets which do not remove the substantial harm to the heritage assets.

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. Officers therefore consider that the application has demonstrate wider public benefits that would override the harm caused by the demolition of the Listed structure.

With regard to the replacement bridge, plans have been submitted of the design and appearance of it which are broadly in keeping with the discussions that have taken place between the Local Authority, Historic England and Network Rail and would include a wider structure to accommodate two way traffic flow and a footpath along one side – which has public benefits in its own right.

The proposal is to create a feature structure of stone and weathered steel. The design will repeat the basket arch profile of the historic structure with a new weathered steel arch at a higher level. This will be attached to stone abutments, replacing the existing stonework. The parapet will also be of stone, using the stonework taken from the historic structure. Specific details regarding materials and archaeological recording of the existing bridge should be secured by condition as should be the reuse of materials where possible. Subject to these requirements, the Local Planning Authority raise no objections to the replacement bridge.

As such the proposal is considered to be in-keeping with the wider aims of Core Strategy policies P10, and P11 and saved UDP policies GP5, BD6, N14, N17 and the guidance contained within the National Planning Policy Framework in these respects. The proposal also satisfies the relevant legal tests in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Objections received

Two letters of objection have been received to the proposal. Comments relating to highway safety matters are not material in the assessment of this Listed Building application. The objection relating to the principle of demolishing the bridge are noted however, as outlined within the report, the wider public benefits are considered to outweigh its retention.

Conclusion

Approval is recommended

Site and Surroundings:

The application site is a Grade II Listed bridge which crosses the Transpennine railway line and carries traffic over, along Austhorpe Lane. The bridge itself is a single width road bridge with 'Give Way' signs located on either side of the bridge to ensure traffic crosses safely. There is a footbridge located to the west, running parallel with the road bridge which isn't Listed in its own right. To the east is a high-pressure gas pipeline which is exposed as it crosses the railway and then is buried into the ground at either side.

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