Development Management – Delegated Officer Report

Application Number: AWDM/1603/15 **Recommendation: Prior Approval not required**

Site: Footbridge, Footway Gardner Road to Manor Hall Road, Southwick

Proposal: Prior Notification for replacement footbridge at Fishersgate Station

Date of Site Visit: 16 November

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application is a prior approval to replace the footbridge at Fishersgate Station.

The footbridge is somewhat unusual in that serves both the railway station itself and is also part of the public footpath on the county boundary and therefore those using the footpath require the bridge to cross over the railway line.

At present, when approaching from the south, the bridge has a separate entrance from that to the station itself but once having crossed the railway line it possible to either descend a set of steps to the eastbound platform or carry directly on to across a further section of bridge to another set of steps that acts a continuation of the public footpath. The bridge is therefore an L shape with a spur off the side.

The replacement bridge would be differently aligned and repositioned further to the east, partly to allow for continued access during the works as the existing bridge could remain in situ. The bridge would now be a standard U shaped bridge with its steps on the same east-west alignment.

As a result of the repositioned bridge, it means that it is no longer wholly within Adur District: the steps on the northern side would certainly appear to be within Brighton & Hove and also part of the steps on the southern side. The bridge over the railway line itself would still be in Adur. The boundary issue was brought to the applicant's attention during the pre-application process.

Planning History:

None relevant

Consultations:

Environmental Health – full contamination condition requested, details requested for any lighting of the bridge

West Sussex County Council:

The existing footbridge lies on the route of Public Right of Way FP1350. The WSCC Public Rights of Way Team has been consulted for comment and will respond under a separate cover in due course.

It is understood that while the design differs from the existing facility that, in terms of use, the bridge is a like for like replacement.

The bridge is bordered to the north and south by public highway. Any works within the highway will require a works license, which can be obtained by contacting the Area Manager for Adur and Worthing at highways@westsussex.gov.uk or on 01243 642105.

During closure a diversionary route for pedestrians should be identified and advertised.

(Despite a chase up request to West Sussex County Council and a deadline for comments to be received, as this is a prior approval application, no further comments were provided from the Public Rights of Way team)

Representations:

None received

Relevant Planning Policies:

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AB23 & AB25

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

This is a prior approval proposal under Part 18 of the GPDO 2015. Under condition A1, details have to be submitted to the Council for prior approval for the works but under condition A2, the prior approval can only be refused, or conditions added, if the development could be carried out elsewhere on the land or the design and external appearance of the development would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

It is understood that while the original preference was for the footbridge to be refurbished, repaired and repainted, it is has been found to be in such a state of disrepair that a new footbridge is required. A survey has been included with the submission.

The existing footbridge is a lattice style footbridge and therefore of reasonably attractive appearance albeit on close inspection it does appear to be showing signs of disrepair. Because of the angled nature of the footpath and proximity of

surrounding development, it is not especially visible from wider viewpoints and as such it is difficult to argue, having regard to the provisions of part 18, that its removal could justify a refusal of prior approval.

The new bridge is of a more standard design being a standard steel deck footbridge seemingly found elsewhere on the network, with an example at North Sheen accompanying the application. It will be painted in green and yellow and the design will accommodate future lift provision. Its design life would be 120 years. As the footbridge serves the local community as part of the footpath as well as the railway station, it is important that it is of durable construction and accordingly no objection is raised to the replacement structure.

The 2 main issues appear out of the scope of the District Council. The relocation of the footbridge to the east means that the steps accessing the northern part of the bridge appear to be at the end of 2 gardens in Shelldale Gardens (rather than towards the footpath and station platform as at present) and this could give rise to a suggestion that the development could be carried out elsewhere without an impact on amenity. However, the relocated steps are outside of District Council's area and instead appear to be in Brighton & Hove and so any assessment on this basis should be made by them. The bridge over the lines itself crosses the boundary back into Adur but there is no additional impact upon amenity at this point and indeed the steps on the southern side of the track, which appear to be largely in the Adur District area, are now closer to the footpath rather than at the end of gardens in Gardner Road (albeit there is some screening) and therefore it could not be demonstrated there is any adverse impact upon amenity on this part of the development.

As the development affects the public footpath, it was anticipated that the County Council would provide comments on this basis, but have not done so. However, the requirements for a licence for works to the footpath are a separate matter in any case and would not be affected by the grant of prior approval

Recommendation

Prior approval is not required

Informatives to be added:

- Requirement for a licence from West Sussex County Council for works affecting the footpath
- Part of the work fall within the boundaries of Brighton & Hove City Council
- Contaminated Land

Is recommendation contrary to letter(s) of representation? N

Case Officer: Gary Peck Date: 21 December 2015

Authorised by: Appleton Date: 23rd Dec 2015