



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

16 September 2021



S21/1201

Proposal:	Submission of details reserved by conditions 2 (historic building record) and 5 i, ii, iii & viii (landscaping) of S21/0113 (Reserved matters application for details relating to external appearance, layout, scale, and landscaping, with associated open space and infrastructure for the erection of 373 new dwellings, pursuant to Outline Planning Permission under application ref: SK.94/0125/12.)
Location:	Land South of Harvey Close and West of Wincanton Way, Bourne
Applicant:	Bellway Homes Ltd (Eastern Counties) and Messrs PED Cooke, AGA Cook, Judith Turner and TW North
Agent:	Mr David Fletcher Strutt & Parker 66-68 Hills Road Cambridge CB2 1LA
Application Type:	Discharge of Conditions
Reason for Referral to Committee:	Local level of interest
Technical Documents Submitted With Application:	Historic Building Survey Written Scheme of Investigation

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Bourne Austerby

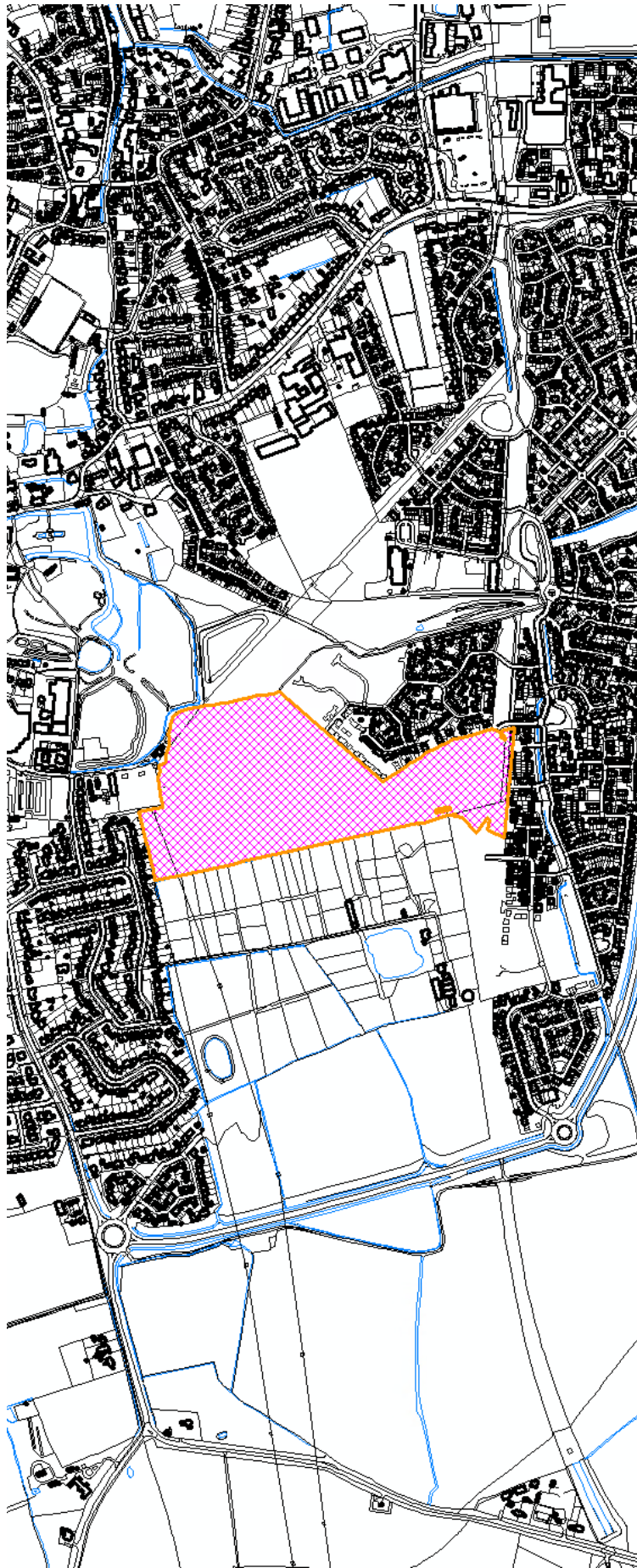
Reviewed by:

Phil Moore – Special Projects Manager

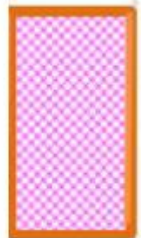
3 September 2021

Recommendation (s) to the decision maker (s)

That conditions 2 and 5 i, ii, iii & viii pursuant to S21/0113 are discharged



**Application
Boundary**



Addendum to Committee Report S21/1201

1 Introduction

- 1.1 Members will recall that this application was previously discussed at the Planning Committee meeting on 22 July 2021 (report and late items paper at Appendix A and B). At the meeting, the Committee resolved it was minded to refuse the application contrary to officer recommendation. Those Members who voted for the proposition were required to submit their reasons for refusal for consideration at a future Planning Committee meeting.
- 1.2 The relevant minutes of that meeting were as follows:
- 1.3 *During questions and debate Members commented:*
- *Queried what would be the ongoing costs of maintaining the bridge going forward.*
 - *Queried whether the bridge was stable or whether it could be saved or not.*
 - *Two Members stated that they were disappointed that there had been no visit to the site by the Planning Committee.*
 - *One Member commented that they were not in a position to force the retention of the bridge by deferring the application.*
 - *Some Members expressed the significance of the bridge in relation to the cultural heritage it symbolised.*
- 1.4 *It was proposed, seconded and AGREED that the application be deferred in order that retaining the bridge could be investigated further.*

2 Further information

- 2.1 Since the meeting, the applicant has submitted further soft-landscaping plans for the wider development as required by points i-iii of condition 5. They have also stated that their intention is to have the remaining elements of the application determined as previously submitted.

3 Officer evaluation

- 3.1 The further details of on-plot landscaping for the wider development are considered to be acceptable and would ensure the development assimilates with its surroundings and would be in accordance with Local Plan policy DE1. The plans include detail of shrub, bulb, hedgerow and tree planting (including street trees) which are in accordance with the landscaping masterplan drawing no. PR205-01 C that was approved as part of reserved matters application S21/0113 and a requirement of the condition.
- 3.2 In terms of the details of the play areas for the pocket park in phase 1, the recommendation remains to approve those details as previously submitted. Members are reminded that whilst the details of this application shows bridge 234 to be removed, the test of acceptability of the proposal is whether or not it meets the requirements of the condition as opposed to being fundamentally a decision about whether or not to retain the bridge. Whilst there is significant public interest and support for retaining the bridge, it has no statutory protection through listing, and neither the outline or reserved matters consents require its retention. Its removal would not require express planning permission being permitted development under schedule 2, part 11 of the General Permitted

Development Order (2015) (as amended), and this is a fallback position that must be considered. Case law indicates that the fallback position is a material consideration in planning decisions that must be given due weight.

- 3.3 In the context of the fallback position outlined above, the proposed approach to sensitively remove the bridge and leave a fitting tribute is considered to be justified and would ensure this part of the site was publicly accessible and put to a positive use.
- 3.4 Further, the plans for this part of the site are fully in accordance with the requirements of the condition and the approved landscaping masterplan.

4 Recommendation

- 4.1 The officer recommendation is that the details submitted in relation to conditions 2 (historic building record) and 5 i, ii, iii & viii (landscaping details) of S21/0113 are acceptable and the development should be implemented in accordance with these details on the following list of approved plans and documents:

- Pocket park LEAP and LAP play area drawing no. PR 205-02E
- Soft landscaping details drawing no. GL1440 01
- Soft landscaping details drawing no. GL1440 02
- Soft landscaping details drawing no. GL1440 03
- Soft landscaping details drawing no. GL1440 04
- Soft landscaping details drawing no. GL1440 05
- Soft landscaping details drawing no. GL1440 06
- Historic Building Recording at Bridge 234 ref: LP3919E-HBR-v1.3
- Written Scheme of Investigation at Bridge 234 ref: LP3919E-Wintertree Software Inc.-v1.3

Appendix A – Committee report from 22 July

5 Description of Site

- 5.1 The application site is located centrally within the Elsea Park development and forms part of zone 6 on the approved masterplan. The site contains bridge 234 which previously carried an unsurfaced track over the Midland & Great Northern Joint Railway Bourne-Saxby line.
- 5.2 Reserved matters were recently approved for 373 dwellings and associated infrastructure on zones 6 and 7 pursuant to Outline Planning Permission SK.94/0125/12 under planning reference S21/0113. Application SK.94/0125/12 was an outline approval for residential and associated development, link road, estate roads, open space and landscaping for the wider Elsea Park development.

6 Description of proposal

- 6.1 This application seeks approval of details reserved by conditions 2 (historic building record) and 5 viii (phase 1 pocket park) of S21/0113 (Reserved matters application for details relating to external appearance, layout, scale, and landscaping, with associated open space and infrastructure for the erection of 373 new dwellings, pursuant to Outline Planning Permission under application ref: SK.94/0125/12).
- 6.2 Condition 2 stated: Prior to any demolition of bridge 234, a level 4 historic building record shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The results of the survey shall then be submitted to the Local Planning Authority and the Historic Environment Record prior to the first occupation of the dwellings hereby approved.
- 6.3 Condition 5 stated: Notwithstanding the submitted details, before any development, including demolition, in each phase is commenced, details of the soft and hard landscaping to be used for the dwellings and public areas in that phase shall have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details should follow the principles shown on the landscaping masterplan drawing no. PR205-01 C. Details must include:
- i. planting plans;
 - ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
 - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
 - iv. boundary treatments;
 - v. car parking layouts;
 - vi. hard surfacing materials;
 - vii. cycle and footpath construction details, including any lighting;
 - viii. detail of play areas including naming, equipment and interpretation boards for proposed pocket park in phase 1.

7 Relevant History

Reference	Proposal	Decision	Date
SK.94/0125	Residential and associated development, link road, estate roads, open space and landscaping	Approved Conditionally	04/06/2001
S21/0113	Reserved matters application for details relating to external appearance, layout, scale, and landscaping, with associated open space and infrastructure for the erection of 373 new dwellings, pursuant to Outline Planning Permission under application ref: SK.94/0125/12.	Approved Conditionally	01/04/2021

8 Policy Considerations

8.1 SKDC Local Plan 2011 - 2036

Policy EN6 – The Historic Environment

Policy DE1 - Promoting Good Quality Design

Policy OS1 – Open Space

8.2 National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places

Section 16 – Conserving and enhancing the historic environment

9 Representations as a Result of Publicity

9.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 25 letters of objection have been received. The points raised can be summarised as follows:

1. Object to demolition of bridge 234
2. Bridge 234 should be preserved
3. Railway is part of Bourne's heritage
4. Bourne Neighbourhood Plan should be used to preserve the bridge
5. The costings of keeping the bridge have not been explored
6. There has been a lack of consultation about keeping the bridge

9.2 A letter in support of the application from the Chairman of Elsea Park Community Trust states:

9.2.1 Elsea Park Community Trust have worked with the developer and their designer to produce a facility that will benefit the residents of Elsea Park and the wider community of Bourne.

- 9.2.2 The Trust are in full support of the proposed design and the equipment being provisioned for. It goes far beyond the expectations we have from developers and this will undoubtedly be the nicest area of public open space provided within the development.
- 9.2.3 Credit should be given to the sympathetic approach Bellway have taken with regards to Bridge 234 and they fully engaged with The Trust throughout, which again, is something unique based on our experiences with other developers.
- 9.2.4 A wonderful play area for families and residents of all ages and abilities to enjoy, the addition of unique play equipment and facilities, and the retention of the heritage of the railway is an exceptional contribution to Elsea Park and the town. The provision of these type of facilities were one of the primary aims of the s106 and the upkeep is what residents pay for through the Yearly Payment. Current and future residents will be delighted at the delivery of these facilities.

10 Evaluation

10.1 Condition 2

10.1.1 Condition 2 required details of a level 4 historic building recording survey prior to any demolition of bridge 234 and the applicant has submitted the following details:

- Historic Building Recording at Bridge 234 ref: LP3919E-HBR-v1.2
- Written Scheme of Investigation at Bridge 234 ref: LP3919E-Wintertree Software Inc.-v1.3

10.1.2 The submitted report provides a detailed record of bridge 234 to help develop an understanding of its fabric and historic importance in the local and wider context. The report describes the bridge as a triple span, three-centred elliptical arch bridge that once stood over the Bourne to Saxby section of the Midland & Great Northern Joint Railway. The report also highlights the current poor state of the bridge and the potential health and safety risks associated with the loose brickwork on the parapet level.

10.1.3 The report provides a series of historic maps showing the bridge and former railway line, a photographic record of the bridge as it currently stands and a detailed record of the historic significance of the bridge in connection with the former local railway network.

10.1.4 The submitted details are considered to satisfy the requirements of condition 2 and it is recommended that this condition is fully discharged.

10.2 Condition 5 viii

10.2.1 Condition 5 viii required details of the play areas including naming, equipment and interpretation boards for the proposed pocket park in phase 1. The applicant has submitted the following details in respect of condition 5 viii:

- Local Park and LAP/ LEAP Play Areas drawing no. PR205-02 Rev E

10.2.2 The submitted drawing includes the following details:

- Details of proposed play equipment including Arch Play Bridge
- Brick and limestone material salvaged from bridge 234 to mark position of bridge with replacement piazza
- Details of location of proposed signage and interpretation boards to illustrate the history of bridge 234

10.2.3 Although representation has been made seeking to retain bridge 234, the bridge is not protected through listing or the outline consent. Likewise, reference has been made to protecting the bridge through the Bourne Neighbourhood Plan. However, that plan is at an early stage and currently holds no weight for decision making purposes. Whilst it could be possible to refurbish and keep bridge 234, the costs involved are not a material planning consideration.

10.2.4 The proposed approach to remove the bridge and develop a pocket park paying tribute to bridge 234 and Bourne's railway heritage is considered to be justified and would ensure this part of the site was publicly accessible and put to a positive use. The retained elements of the bridge and interpretation boards would provide an appropriate tribute to this important part of Bourne's railway heritage. Further, Elsea Park Community Trust who would be responsible for the long-term management and maintenance of this park have noted their support for the proposal. As such, the submitted details are considered to be acceptable and it is recommended that condition 5 viii is discharged. This would ensure an appropriate balance is struck between providing a high quality public open space and respecting the heritage value of bridge 234, in accordance with Local Plan Policies DE1, EN6 and OS1.

11 Conclusion

11.1 The details submitted in relation to conditions 2 (historic building record) and 5 viii (phase 1 pocket park details) of S21/0113 are acceptable and the development should be implemented in accordance with these details.

RECOMMENDATION: that the submitted details are approved and conditions 2 and 5 viii are discharged

1 The details of the level 4 historic building recording survey submitted in relation to condition 2 of S21/0113 are acceptable and the development must be carried out in accordance with the approved details as follows:

- Historic Building Recording at Bridge 234 ref: LP3919E-HBR-v1.2
- Written Scheme of Investigation at Bridge 234 ref: LP3919E-Wintertree Software Inc.-v1.3

2 The details of the phase 1 pocket park submitted in relation to condition 5 viii of S21/0113 are acceptable and the development must be carried out in accordance with the approved details as follows:

Local Park and LAP/ LEAP Play Areas drawing no. PR205-02 Rev E

Appendix B - Additional Information Report from 22 July

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 22 July 2021 that was received after the Agenda was published.

S21/1201

Proposal: Submission of details reserved by conditions 2 (historic building record) and 5 viii (pocket park landscaping) of S21/0113 (Reserved matters application for details relating to external appearance, layout, scale, and landscaping, with associated open space and infrastructure for the erection of 373 new dwellings, pursuant to Outline Planning Permission under application ref: SK.94/0125/12.)

Site Address: Land South of Harvey Close and West of Wincanton Way, Elsea Park, Bourne

Summary of Information Received:

1. Four further public comments all objecting the proposals and seeking to retain bridge 234.
2. An updated version of the petition to save bridge 234 which currently stands at 1163 signatures.
3. Bourne Town Council comments - *no objection to this application so long as South Kesteven District Council are happy with the extent and content of the report covering condition 2 contained in the decision notice with regard to the reserved matters application S21/0113.*
4. A further representation from Elsea Park Community Trust - *The Trust believe that Bellway's proposal for the play area is the best possible, and realistic, outcome for the site. With outline planning having been granted two decades ago, that shows houses in this area, we feel that the plans for a suitable reminder of the railway history and Bridge 234 itself is being provided. It combines the s106 objectives of providing public open space for residents of all ages and abilities, with a lasting tribute to part of the Town's history.*

There haven't been any suitable suggestions on how to incorporate the bridge within the development and any retention would likely lead to ASB and possible injury. I have made offers to discuss the development and work with Bourne History Group on designs and proposals for the area, however, these have been rejected on numerous occasions.

The design, which Bellway and The Trust have collaborated on, will undoubtedly provide the finest public open space and play area on Elsea Park. Bellway have full support for their proposal from Elsea Park Community Trust.

5. SKDC Historic Buildings Advisor - *Condition 2 relates to a Written Scheme of Investigation and Historic Building Recording of the Heritage Asset known as Bridge 234 – a disused triple span brick arched located on the former Bourne to Saxby railway line – located at the southern end of the development site.*

I would advise that the submitted reports are comprehensive and suitable in all respects for recording purposes. I can therefore see no reason why Condition 2 should not now be discharged.

Officer comments:

These additional representations do not raise any new material planning considerations beyond those considered in the main report. The officer recommendation remains that the details submitted in relation to conditions 2 (historic building record) and 5 viii (phase 1 pocket park details) of S21/0113 are acceptable and the development should be implemented in accordance with these details.

Financial Implications reviewed by: Not applicable

Legal Implications reviewed by: Not applicable

Pocket Park



LEGEND

- Priority areas grass
- Plan for safety or lighting suitable for natural fall height of equipment
- Landscaping**
 - Proposed tree
 - Existing tree retained
- Planned to complement groundline wherever possible
- Reduce ground around the perimeter of ground park play areas
- Features**
 - 200mm dia Child Safe Down top cap height 1.2m high
 - Yellow powder coated hydraulic self closing gate
- Landmark play unit 2000mm long with one end fixed to Street Bridge
- Child Safe by Street Master
- Landmark blocks coloured from the bridge to be located to define the formal four corners of the bridge
- Information board explaining the history of the railway bridge
- Safety and information sign fixed to lower top railings to ensure legibility
- Engineering to take account of how the railway bridge is situated where the bridge crosses over road

NOTE:
Play equipment and safety surfacing to be located by Street Master or Street Master approved contractor.
NOTE:
The existing bridge is to be retained. The plan area of the bridge is to be paved to ensure a consistently consistent looking area within the children's play area.



LAP & LEAP PLAY EQUIPMENT



Client	Delivery Homes Eastern Counties Limited
Project	Local Park and LAP/LEAP Play Area
Site	Local Park and LAP/LEAP Play Area
Scale	1:500
Drawn by	PRD
Checked by	PRD
Date	10/10/20

Project: Local Park, Eastern

Client: Delivery Homes Eastern Counties Limited

Site: LOCAL PARK AND LAP/LEAP PLAY AREA

Scale: 1:500

Drawn by: PRD

Checked by: PRD

Date: 10/10/20