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| Reference: 22/01363/FUL | Site: Footbridge And Car Park Orchard Road South Ockendon Essex |
| Ward: Ockendon | Proposal: Erection of replacement footbridge and amendments to car park on Tamarisk Road. |

| Plan Number(s): | | |
|---------------------------------------|----------------|------------------|
| Reference | Name | Received |
| 007341-PCL-HGN-0001 | Proposed Plans | 4th October 2022 |
| 007341-PCL-HGN-0002 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0001-P02 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0002 REV P02 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0003-P01 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0004 REV P01 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0005 REV P02 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0006 REV P01 | Proposed Plans | 4th October 2022 |
| 007341-PCL-SBR-P08-DR-CB-0007 - P02 | Proposed Plans | 4th October 2022 |
| (No Nos.) | Location Plan | 4th October 2022 |

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| The application is also accompanied by: <ul style="list-style-type: none"> - Application form - Design, access, and planning statement - Preliminary ecological appraisal - Tree appraisal and method statement - Daylight and sunlight report - Asbestos survey - Options report | |
| Applicant: Thurrock Council | Validated: 4 October 2022 Date of expiry: 5 December 2022 (Agreed extension of time) |
| Recommendation: Approve | |

This application is presented to the Planning Committee because the Council is the applicant in accordance with Part 3 (b), 2.1 (b) of the Council's Constitution.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the removal of an existing pedestrian footbridge and the erection of a new pedestrian footbridge and ramped access across the railway line between Orchard Road and Ardmore Road, South Ockendon. The existing bridge is in a poor condition and requires refurbishment. At present the bridge does not comply with modern accessibility standards and a replacement bridge would allow for current accessibility standards to be met and provide a long term solution for this key crossing point.
- 1.2 The proposed bridge would sit in the same position as existing and provide stepped access direct from the existing footpaths positioned either side of the tracks. It is also proposed to include access ramps to enable level access as an upgrade to the existing situation (and to ensure compliance with modern access regulations). The ramps, due to their shallow gradient, would need to be longer than the stepped access and would extend approximately 54m north - and southwards with a single return at the end. The ramps would have a 1:20 gradient.
- 1.3 The bridge would stand a maximum of approximately 8.5m tall to the top of the safety fencing along the main walkway, with 2m wide footways and ramps. It would be constructed of weathered steel and fibre-reinforced plastic to minimise maintenance and ensure longevity.
- 1.4 Two existing trees would need to be removed and three trees will require some pruning to make room for the proposed ramps; tree protection measures will be implemented to protect remaining trees within the development area.
- 1.5 Twelve (12) parking spaces in the existing car park off Tamarisk Road would be lost as a result of the development, reducing provision from 28 to 16 bays. The bays within the car park on Ardmore Road would be unaffected as the ramps would rise above the car park and provide clearance below.
- 1.6 The existing Network Rail security fencing along the railway boundary will be retained.

2.0 SITE DESCRIPTION

- 2.1 The application site lies within the urban area of South Ockendon, stretching between Ardmore Road and Orchard Road. Orchard Road is a residential street featuring post-war housing of a variety of styles and designs. Ardmore Road is predominantly residential, featuring contemporary housing positioned around a public open space and playground, but there is a small light industrial estate immediately south of the application site.
- 2.2 The land immediately adjacent to the existing bridge is generally soft landscaped, with mature trees and planting adjacent to the railway line boundary and pedestrian footpaths leading to the bridge.
- 2.3 The site is not within the Green Belt, not at risk of flooding, and not subject to any ecological or heritage designations.

2.4 The bridge forms part of public footpath 157, which links Ardmore Road with South Road through an area of open space.

2.5 The submitted Design & Access Statement explains that the existing bridge is in a poor state of repair and, while repair has been considered as an option, the extent of repairs and alterations required make it more viable to replace the structure entirely.

3.0 RELEVANT PLANNING HISTORY

3.1 None relevant.

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, a public site notice which has been displayed nearby, and an advert in the press.

No comments have been received in response.

4.3 PUBLIC RIGHTS OF WAY:

No objections but note that a diversion order will be required to re-route the public footpath for the duration of construction.

4.4 HIGHWAYS:

No objection: while the loss of parking spaces is noted, the benefits of improving pedestrian access outweigh this impact.

4.5 CADENT GAS:

No objection but advise that the developer needs to ensure any easements and ownership rights are not affected by the development.

4.6 NETWORK RAIL:

No objection but remind the applicant that works and equipment must not encroach upon Network Rail property and recommend the informative set out below.

4.7 ENVIRONMENTAL HEALTH:

No objection subject to a standard CEMP condition to control noise, dust, hours of work, etc. during construction.

4.8 LANDSCAPE & ECOLOGY OFFICER

No objections.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

5.1 The NPPF was published on 27th March 2012 with the most recent revision taking place on 20th July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

¹ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...

² The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

5.2 The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

5.3 Paragraph 106 advises that "*planning policies should ...d) provide for attractive and well-designed walking and cycling networks with supporting facilities.*" Para. 110 then states that "*it should be ensured that a) appropriate opportunities to promote*

sustainable transport modes can be – or have been – taken up” and “b) safe and suitable access to the site can be achieved for all users.”

5.4 Para. 111 advises that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

5.5 Para. 112 then sets out that *“within this context, applications for development should:*

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport.”

Planning Policy Guidance

5.6 In March 2014 the former Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Design: process and tools
- Determining a planning application
- Effective use of land
- Use of Planning Conditions

Local Planning Policy Thurrock Local Development Framework (2015)

5.7 The statutory development plan for Thurrock is the ‘Core Strategy and Policies for Management of Development (as amended)’ which was adopted in 2015. The Policies Map accompanying the Core Strategy allocates this site as a land without notation where broadly the same or similar uses would remain. As the site and the immediately surrounding area is residential it would be acceptable for the site to be used residential purposes. The following adopted Core Strategy policies would apply to any future planning application:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)

THEMATIC POLICIES

- CSTP14: Transport in the Thurrock Urban Area

- CSTP20: Open space
- CSTP22: Thurrock Design

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD8: Parking Standards

CSTP14 sets out that *“the Council will work with partners to deliver at least a 10% reduction in car traffic from forecast 2026 levels”* through the delivery of walking and cycling routes, and provision of sustainable transport options.

Thurrock Local Plan

- 5.8 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed, and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council’s website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

- 5.9 In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

- 6.1 The assessment below covers the following areas:

- I. Principle of the development
- II. Design, layout, and visual amenity
- III. Residential amenity
- IV. Highways, access, and parking
- V. Other matters

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The application proposes the replacement of an existing dilapidated public footbridge, which provides a valuable pedestrian link within the urban area of South Ockendon. It therefore amounts to essential public infrastructure works that would support the Council’s sustainable development objectives in terms of encouraging sustainable transport choices and ensuring proper access for all members of society.

6.3 The proposed development is therefore considered to be acceptable in principle.

II. DESIGN, LAYOUT, AND VISUAL AMENITY

6.4 The design of the bridge is largely dictated by the operational and functional requirements in terms of providing a level access (in accordance with DDA requirements) and a long-lasting structure that would require little maintenance.

6.5 It therefore features long ramps extending north and southwards to provide ramped access at a suitable gradient to allow wheelchairs, prams, etc. to use them unimpeded. It is also proposed to be constructed of weathered steel and reinforced plastic, which would provide sufficient strength and weather resistance to allow the bridge to function for many years with minimal maintenance.

6.6 The bridge would be of a similar scale, design, and appearance to other such structures within Thurrock and across the wider county. Therefore, while of a functional design it would not be an incongruous development and would not be unacceptably harmful to the character and appearance of the local area. Rather it would appear as a piece of necessary public infrastructure set against the context of the adjacent railway lines and pedestrian footpaths. The existing surrounding tree planting (the majority of which is to be retained, as above) would also help to soften and screen the development in longer-range views; the more recent planting within the Ardmore Road play area/open space would further soften views as it matures.

6.7 The proposed layout would see the bridge sitting across the eastern end of the Ardmore Road open space. While the ramps would be raised on supporting columns it would reduce the amount of amenity space available for use by the public by approximately 200sqm (out of a total of roughly 3130 sqm). This is unfortunate but must be balanced against the wider public benefits of securing pedestrian access across the railway line in this location; the next available pedestrian crossings are at West Road approximately 700m (a 10-minute walk) to the north, or Ashdon Close and Foxglove Road approximately 760m (a 15 minute walk) to the south – these are the routes that pedestrians would be directed to during the course of construction.

6.8 The 200sqm is also considered to be a relatively small loss of open space, amounting to approximately 6% of the total area of open space. It is considered that the remaining space would still provide a good standard of public amenity and recreation space.

6.9 It is noted that a mature Oak tree will need to be removed to make space for the northern ramp. This is regrettable but necessary and unavoidable. The loss of this tree would impact negatively upon the character and appearance of the area, but the area is otherwise well planted and there are many other mature and semi-mature trees within the area that will maintain a good degree of screening and continue to contribute very positively to the street scene. The loss of a single tree is therefore considered acceptable in this instance. A condition to provide replacement planting is attached to this recommendation.

III. RESIDENTIAL AMENITY

- 6.10 The bridge (as with the existing one) would be an elevated structure which gives rise to potential amenity impacts for neighbouring residents, particularly in regards overlooking and overshadowing. It must be noted, however, that the residents of 2 to 6 Orchard Road already experience some degree of overlooking and overshadowing as a result of the existing structure (which is to be demolished).
- 6.11 The proposed bridge would sit in the same position as the existing and would have solid parapet walls to prevent direct overlooking of neighbouring properties. Officers have no concerns in regards this aspect.
- 6.12 The proposed ramps would project north and southwards alongside the train tracks. Due to the shallow slope required for DDA compliance these ramps need to be longer than existing and therefore will project to the side and rear of more than just the three properties currently affected. While separation distances are such that there is not likely to be an unacceptable degree of harm arising from overshadowing or loss of outlook, the height of the proposed ramps would give rise to potential for overlooking and loss of privacy for neighbouring dwellings.
- 6.13 Officers have discussed this with the project designers and it is considered that solid parapet walls should be installed on the inner walls (closest to the tracks) of the upper sections of the ramps. This would approximately match the existing structure and will prevent direct views into neighbouring rear gardens but retain an open aspect to the street, which is important to minimise potential for anti-social behaviour (which could occur more readily if the ramps were completely enclosed with solid parapets. The parapets would be 1.8m tall to match the other railings being used on the project; a condition below secures construction details prior to commencement so that officers can ensure the parapets are sufficiently tall and of an acceptable design.
- 6.14 Subject to this detail and condition it is considered that the development would not unacceptably harm the residential amenity of neighbouring properties.

IV. HIGHWAYS, ACCESS, AND PARKING

- 6.15 It is noted that the Highways team do not object to the application; they are satisfied that while the development would result in a reduction in parking spaces, the benefits of providing safe, secure pedestrian access which caters for all users outweighs any impacts arising from the loss of parking.
- 6.16 Planning officers agree with this conclusion and do not consider that a refusal on grounds relating to parking provision would be reasonable or justified in this instance, given the wider sustainability improvements the scheme would bring.

VII. OTHER MATTERS

- 6.17 Officers have considered the use of a condition to restrict hours of construction, but this is a difficult matter to conclude on as it may depend upon operational requirements of the railway network. It is therefore suggested that this be dealt with

as part of a wider construction management condition (condition 5, below) which can be considered in detail by officers and agreed prior to commencement on site to ensure a balance between operational needs and local residential amenity.

7.0 CONCLUSIONS

7.1 This is a Council application seeking planning permission for demolition of an existing pedestrian footbridge and erection of a new footbridge with DDA-complaint ramps, to provide access across the train lines between Orchard Road and Ardmore Road. While the proposed structure would be larger than existing, it would not give rise to any unacceptable amenity impacts for neighbouring residents and would be of an acceptable scale and design. The works would ensure access for all residents and contribute significantly to the Council’s sustainable transport objectives.

7.2 Taking the above into account the application is recommended for approval.

8.0 RECOMMENDATION

8.1 Approve subject to the following conditions:

Time Limit

1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Plan Numbers

2 No development shall take place other than in accordance with the following drawings (unless otherwise specified by conditions below):

| Plan Number(s): | | |
|----------------------------------------|-----------------------------------------------|----------|
| Reference | Name | Received |
| | Location plan | 04.10.22 |
| 007341-PCL-HGN-0001 rev. 0 | Proposed parking changes | 04.10.22 |
| 007341-PCL-HGN-0002 rev. 0 | Proposed pedestrian connectivity improvements | 04.10.22 |
| 007341-PCL-SBR-P08-DR-CB-0001 rev. P02 | Land take area | 04.10.22 |
| 007341-PCL-SBR-P08-DR-CB-0002 rev. P02 | General Arrangement Bridge Elevations | 04.10.22 |
| 007341-PCL-SBR-P08-DR-CB-0003 rev. P01 | General Arrangement Main Span | 04.10.22 |

| | | |
|----------------------------------------|--------------------------------|----------|
| 007341-PCL-SBR-P08-DR-CB-0004 | General Arrangement East Ramps | 04.10.22 |
| 007341-PCL-SBR-P08-DR-CB-0005 rev. P02 | General Arrangement West Ramps | 04.10.22 |
| 007341-PCL-SBR-P08-DR-CB-0006 rev. P01 | General Arrangement Details | 04.10.22 |

Reason: For the avoidance of doubt.

Parapet Details

- 3 Prior to commencement of development above ground level, details of parapet walls to be erected along the inward edges of the ramps hereby permitted shall be submitted to the Local Planning Authority for approval. Thereafter, development shall be carried out strictly in accordance with the approved details.

Reason: To prevent overlooking of neighbouring residential properties.

Materials

- 4 No development above ground level shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

Construction and Environment Management Plan (CEMP)

- 5 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the hours of construction work
 - ii. the parking of vehicles of site operatives and visitors.
 - iii. loading and unloading of plant and materials.
 - iv. storage of plant and materials used in constructing the development.
 - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 - vi. wheel washing facilities.
 - vii. measures to control the emission of dust and dirt during construction.
 - viii. Measures to control noise on site during construction (with regard to BS5228 *Code of practice for noise and vibration control on construction and open sites*).
 - ix. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of the area and highway safety and convenience.

Work in accordance with Tree Protection Measures

- 6 No development shall take place other than in accordance with the tree protection measures set out at sections 2 and 3 of the submitted *A.G. Mitchell Countryside Tree appraisal and method statement (18.09.2022)*. All tree protection measures shall be installed prior to commencement of any development and shall be retained for the duration of development. Upon completion of the development hereby permitted any trees that are dying, being severely damaged, or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenity of the area and encouraging wildlife and biodiversity.

Soft and Landscaping Scheme – (Replacement Trees)

- 7 No development above ground level shall take place until full details of the provision and subsequent retention of soft landscape works on the site have been submitted to and approved in writing by the local planning authority. These details shall include:
- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities. (including a replacement for the Oak tree that is to be removed)
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
 - 3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

Reason: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

INFORMATIVE:

- 1 Network Rail strongly recommends the developer contacts the Asset Protection Team AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>

Positive and Proactive Statement

- 2 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning

