



Meeting: Regulatory Committee  
Time: 10.00 am  
Date: 14 June 2018  
Venue: Springfield Hotel, Grange Road, Wareham, BH20 5AL

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David Jones (Chairman)	Margaret Phipps (Vice-Chair)	Jon Andrews
Shane Bartlett	Ray Bryan	Keith Day
Jean Dunseith	Katharine Garcia	Jon Orrell
David Shortell		

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#### Notes:

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- **Public Participation**

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#### Public Speaking

Members of the public can ask questions and make statements at the meeting. The closing date for us to receive questions is 10.00am on 11 June 2018, and statements by midday the day before the meeting.

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**Debbie Ward**  
Chief Executive

Contact: David Northover  
County Hall, Dorchester, DT1 1XJ  
d.r.northover@dorsetcc.gov.uk - 01305  
224175

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#### 1. Apologies for Absence

To receive any apologies for absence.

#### 2. Code of Conduct

Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests.

- Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary interest.

- Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done on the form available from the clerk within 28 days).
- Disclose the interest at the meeting (in accordance with the County Council's Code of Conduct) and in the absence of a dispensation to speak and/or vote, withdraw from any consideration of the item.

The Register of Interests is available on Dorsetforyou.com and the list of disclosable pecuniary interests is set out on the reverse of the form.

### 3. Terms of Reference

To note the Committee's Terms of Reference as follows:-

#### **Planning Matters**

1. In relation to County matters (with the exception of slurry stores in the areas of these districts that have accepted delegations from the County Council to determine these matters) and applications under Regulation 3 of the Town and Country Planning General Regulations 1992, to determine applications for:-
  - (i) Planning Permission
  - (ii) Certificates of lawfulness of existing use or development
  - (iii) Certificates of lawfulness of proposed use or development
2. To respond to consultations on development proposals of strategic importance, by making recommendations to the Cabinet.
3. In relation to review powers incorporated in the Environment Act 1995.
  - (i) The approval of conditions and updating of old mineral permissions.
  - (ii) Carrying out a periodic review of all mineral permissions.
4. Enforcement of planning control.
5. To make orders for the modification, suspension, revocation, discontinuance or prohibition of mineral workings.
6. Power to enforce or dispense with the duty to replace trees whether inside Conservation Areas or not and to grant consents under a Tree Preservation Order, also functions relating to the protection of hedgerows.

#### **Roads and Rights of Way Matters**

7. Making recommendations to the Cabinet on traffic regulation including:-
  - (i) Making of traffic regulation orders
  - (ii) installation of minor traffic calming measures
  - (iii) aids to pedestrian movement
  - (iv) provision for cyclists
8. Legal proceedings and enforcement action relating to roads and bridges.
9. Power to make New Street Byelaws.
10. To review the Definitive Map and Statement of Rights of Way.
11. To determine applications to modify the Definitive Map and Statement of Rights of Way.
12. To consider applications for the creation, diversion and extinguishment of rights of way including power to create footpaths and bridleways.
13. To promote and protect the rights of the public to use and enjoy highways.
14. The functions of the County Council as registration authority for commons and town and village greens.

#### **Licensing and Registration Matters**

15. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds,
16. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.
17. Power to licence the employment of children.
18. To hear and determine appeals from applicants for or existing holders of "approved premises" licences in accordance with the Marriage Act 1949 (as

amended).

19. To determine applications made under Section 7 of the Explosives Act 1875 (now amended to the Manufacture and Storage of Explosives Regulation 2005) for the establishment of a factory or magazine.

20. The functions of the County Council in relation to elections.

**4. Minutes**

5 - 12

To confirm and sign the minutes of the meeting held on 22 March 2018.

**5. Public Participation**

**6. Alterations to the existing railway footbridge and erection of new ramp structures, providing step free access from the highway to the footbridge. Wareham Railway Station, Northport, Wareham, Dorset, BH20 4AS.**

13 - 50

To consider a report by the Head of Planning.

**7. Questions from County Councillors**

To answer any questions received in writing by the Chief Executive by not later than 10.00am on 11 June 2018.

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## Regulatory Committee

Minutes of the meeting held at County Hall, Colliton Park,  
Dorchester, DT1 1XJ on Thursday, 22 March 2018

### Present:

David Jones (Chairman)  
Jon Andrews, Shane Bartlett, Kevin Brookes, Ray Bryan, Jean Dunseith, Beryl Ezzard,  
Katharine Garcia, Nick Ireland, Jon Orrell and Margaret Phipps.

Officer Attending: Maxine Bodell (Economy, Planning and Transport Services Manager), Phil Crowther (Solicitor), Mike Garrity (County Planning, Minerals and Waste Team Leader), Andrew Helmore (Principal Planning Officer), Huw Williams (Principal Planning Officer) and Lee Gallagher (Democratic Services Manager).

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Regulatory Committee to be held on **Thursday, 3 May 2018**.)

### Apologies for Absence

15 Apologies for absence were received from Councillors Keith Day, Mary Penfold and David Shortell.

### Code of Conduct

16 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

With reference to minute 20, a general declaration was made by Cllrs Dunseith, Garcia, Brooks and Bryan and Ezzard that they would not take part in the debate or vote as they were unable to attend the site visit. In addition, Cllr Ireland declared that although he was the local member for the item he had not taken a position on the application and would continue to take part in the debate and vote.

### Minutes

17 The minutes of the meeting held on 1 February 2018 were confirmed and signed.

### Public Participation

#### 18 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were seven public statements received at the meeting in accordance with Standing Order 21(2). One statement related to land east of Binnegar Lane and south of Puddletown Road through to land rear of Binnegar Hall, Binnegar (minute 19) and six statements related to Woodsford Farm, Woodsford, Dorchester (Minute 20). Summaries of the statements are attached to these minutes as an annexure and are also referenced at minute numbers 19 and 20.

#### Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

**Application Nos 6/2017/0685 and 6/2017/0687 - Land East of Binnegar Lane and South of Puddletown Road through to land rear of Binnegar Hall, Binnegar, East Stoke, Wareham, Dorset BH20 6AX**

- 19 The Committee considered a report by the Head of Planning regarding applications which proposed changes to the Raymond Brown Sand and Gravel operations at Binnegar Quarry.

A detailed overview, and presentation, were provided in respect of the proposal to relocate both the processing plant and silt lagoons from the north side of Puddletown Road to the south side. The impacts would be that dumpers would no longer need to cross the road, and that HGV delivery vehicles would access the site on the south side of the road rather than the north side as at present. The application also proposed revised restoration levels in area "B1" for the silt lagoons, which would be "capped" and restored to original ground levels. It was clarified that the application was supported by an Environmental Statement and no changes to the amount, duration, or extent of the extraction operations were proposed. An extensive summary (including plans and photographs of the site, the relocated plant, battery bank and phasing of restoration to include a mix of biodiversity including dry humid and wet heathland) was provided.

The citing of the plant was explained as it would be at a low elevation below the rim of the extracted area at 'B2', and would be screened, which would minimise any visual or noise intrusion for local residents and the public. Officers explained that the proposed restoration would bring improvements in providing ground levels close to existing levels rather than the currently approved bowl shape and improvements to the setting of the battery bank. Historic England identified short-term harm to the setting of battery bank but considered this would be outweighed by the long-term improvement.

A description of the operational benefits was also provided which would improve highway safety by removing dumpers crossing Puddletown Road; introduce a legal agreement for the integrated management plan arrangements, specifically regarding restoration; landscape benefits to improve the long-term setting of the battery bank supported by Historic England; and common land improvements post restoration.

One public statement was received at the meeting from Mr Rob Westelon behalf of the applicant, in relation to the application in accordance with Standing Order 21(2). A summary of the statement is attached to these minutes as an annexure.

As a neighbouring local member to the area being considered, Cllr Beryl Ezzard asked about any impact of HGV use of the site, to which it was confirmed that there were no highway liaison officer objections and given that there would be no dumpers using the road this would result in a big highway improvement. She also asked about consultation with Arne Parish Council, to which it was confirmed that consultation had been undertaken and the report should have stated that no response was received.

The use of imported inert waste was discussed by the Committee, with questions asked about the definition of what waste would be used for restoration. It was explained that the waste would consist of largely construction and demolition waste including materials from site preparations. The waste would not normally go to landfill and would not comprise domestic waste. The use of inert waste was covered by an Environment Agency (EA) Site Licence, the principle was established in the original site consent, and the EA would provide advice and checking of records. A request was made for the EA to provide more information about procedures to the Committee in due course, however, as this was not a material consideration for the applications it would be addressed outside of the meeting.

Clarification was provided regarding the locations of nearby residential properties which were more than 200m from the proposed plant compound. There were no envisaged noise issues raised within the noise assessment, which would be no more than the existing noise from operations that had already been previously consented.

A concern was expressed that no response had been received from Natural England in respect of heathland mitigation as part of the restoration arrangements, and that there should be at the very least a response to say that no concerns were raised. It was confirmed by officers that the Natural Environment Team had discussed the applications with Natural England but as Natural England was content with the Natural Environment Team's response no formal response from Natural England was received. The process for responses was not a material consideration for the applications, but would be considered outside of the meeting.

In respect of the legal obligations and agreement for the restoration and long-term management of the site and aftercare, information about contingency arrangements was requested, to which it was confirmed that the operators were members of the Mineral Products Association which provided a restoration fall-back position. The future management of the site would also be effectively secured through a legal agreement which would tie present operators and any future owners to the agreement for 25 years after extraction had ceased.

Following debate, the recommendation in the report were proposed by Cllr Beryl Ezzard and seconded by Cllr Nick Ireland. On being put to the vote the recommendation was agreed.

#### **Resolved**

That planning permissions 6/2017/0685 and 6/2017/0687, be granted subject to the completion of a legal agreement, the heads of terms of which are set out in paragraph 8.2 of the Service Director's report; and the conditions set out in the condition schedules found in paragraphs 8.3 and 8.4 of the report.

#### **Reasons for Decisions**

The reasons for granting planning permission are summarised in paragraphs 6.32 of the report.

#### **Attendance**

At this point in the meeting Cllrs Brooks, Bryan, Dunseith and Ezzard left the meeting. Cllr Garcia remained but took no part in the debate and did not vote.

#### **Application Nos WD/D/15/001057 and 1/E/2005/0742/AuC - Woodsford Farm, Woodsford, Dorchester**

20 *(Note: With reference to minute 16, a general declaration was made by Cllrs Dunseith, Garcia, Brooks and Bryan and Ezzard that they would not take part in the debate or vote as they were unable to attend the site visit. In addition, Cllr Ireland declared that although he was the local member for the item he had not taken a position on the application and would continue to take part in the debate and vote.)*

The Committee considered a report by the Service Director – Economy, in relation to an application for planning permission and an application for approval under planning conditions. Application WD/D/15/001057 was previously discussed at the Regulatory Committee meeting held on 27th October 2016 with a decision on the application being deferred. Application 1/E/2005/0742/AuC was received in May 2017. A Committee site visit was undertaken on the 28th September 2017 (attended by Councillors Jones, Andrews, Bartlett, Ireland, Phipps, Orrell and Penfold).

It was acknowledged that there had been additional correspondence from the applicant's heritage advisor, further representations and Parish Council correspondence. An update sheet was provided for the meeting which summarised late representations received, and is attached to these minutes as an annexure.

The Principal Planning Officer provided an extensive overview and presentation of the applications (including plans and photographs), which included site context in respect of previous permissions and operation on site from 2009. He explained that due to the interrelationship between the applications they were being reported together. An overview of the applications was provided including arrangements for a Bagging Plant, proposed silt lagoon extension, landscaping including bunding, mitigations for sound and visual impact, together with a summary of the boundaries and local area including the road access, cycle network, footpaths, residential properties and the Woodford Castle, farm and nearby cottages. Officers also explained the amendments to the application made since the site visit.

A description of the on-site operations including extraction, silt lagoons, water management, stockpiles, and the phased restoration which had encountered delay were provided. The site and surrounding land portfolio was also summarised together with the landowner's desire for residential development within the area.

Six public statements were received at the meeting in accordance with Standing Order 21(2). Summaries of the statements are attached to these minutes as an annexure. Five statements were made at the meeting as detailed below:

- Cllr Tony Meader, Knightsford Parish Council, addressed the Committee to confirm that the Parish Council had no objection to the proposal for a Bagging Plant, but had concerns regarding the silt lagoons being sited within 200m of housing for families and children, next to a public footpath and that they would not be seen from the processing area of the site and so would be dangerous. He indicated that although there was no landowner consent, there was a more suitable alternative site to the south of the existing site comprising of lower grade agricultural land with existing quarrying permission which could accommodate the site extension and would be a long way from footpaths and 100m from the road. He felt that a view was expressed regarding the need for the large size of the lagoons with no clear reason. Further information was shared regarding the lack of restoration to areas within the existing site that had not been completed which was in breach of local planning policy and condition 6 of the original permission which required restoration within a year of completing any phase. A claim was also made that information had been withheld by officers in relation to health and safety data about the impact on the danger to the public. In respect of Woodford Castle and Watermead Cottage, Cllr Meader insisted that there had been a blatant disregard for the setting of the castle and noise impacts at Watermead Cottage.
- Mrs Meader also addressed the Committee on behalf of Sarah Radcliffe, consultant on acoustics and noise nuisance, who had been commissioned by Knightsford Parish Council. She explained that current methods assessing noise limits should be set through planning condition to not exceed background noise by 10db. The maximum noise limit at Watermead Cottage should be 43db and not 48db as proposed and therefore noise mitigation was not being met. Although 48db may have been set at other locations, Mrs Meader felt that different locations should be assessed independently and particularly Watermead Cottage which had lowest background noise level. It was also mentioned that there was no reference to noise control of plant and machinery, and that BS5228 used for measuring noise impact was not designed for distances of over 300m of which the affected properties were. She stated that there was no mention of controlling noise at source which should be done in preference to bunding.
- Mrs Meader also addressed the Committee on behalf of Sarah Radcliffe, consultant on acoustics and noise nuisance, who had been commissioned by Knightsford Parish Council. She explained that current methods assessing noise limits should be set through planning condition to not exceed background noise by



10dB. The maximum noise limit at Watermead Cottage should be 43dB and not 48dB as proposed and therefore adequate noise mitigation was not being provided. Although 48dB may have been set at other locations, Mrs Meader felt that different locations should be assessed independently and particularly Watermead Cottage which had lowest background noise level. It was also mentioned that there was no reference to noise control of plant and machinery, and that BS5228 used for measuring noise impact was not designed for distances of over 300m. She stated that there was no mention of controlling noise at source which should be done in preference to bunding.

- Dr Simon Collcutt, Heritage Consultant for Knightsford Parish Council, drew attention to the harm caused to the Grade I listed building and that none of the mitigation was sufficient to reduce or compensate for the harmful impact on Woodsford Castle. Reference was made to Historic England's concerns which remained undiminished as there was no material change or improvement. He stated that everyone agreed that the harm to Woodsford Castle would be removed if the silt lagoon were cited in the alternative area B. He argued that whilst it was reasonable for the landowner to say the land in area B was not available, but that private position did not outweigh the public interest in preventing harm to Woodsford Castle. He further suggested that if permission be refused, the landowner and the operator would reach an agreement to use area B as it was not in either of their interests to reduce the viability of the quarry.
- Mr Nigel Hill, Resident of Moreton, expressed concern regarding the proposed size of the silt lagoon as there had been a consistent underestimation of 55% in respect of the original lagoon and it was likely that more land would be needed than was proposed in the application. Although there was reference in the report to complexities and uncertainties inherent in the calculation his view was that it was very straight forward. He felt that the application needed to show the land needed and should be resubmitted accordingly.
- Mr Nick Dunn, the Applicant's Planning Agent, introduced the history of the site and noted that the permitted reserve accounted for 40% of the River Terrace land bank. He explained that there was clear evidence that currently there was not capacity for quarry expansion, and that the applications were deferred in November 2016 for clarification of the noise impact on Watermead Cottage and heritage impact. He clarified that there had been significant operational noise reduction, and that the planning authority had discretion to allow permission for sites with noise impact up to 55dB. A revised heritage impact assessment and peer reviewed had been undertaken and he felt that the impact continued to be limited. An appropriate assessment of alternatives had been undertaken and reasons had been provided why there was no preferable alternative. He highlighted that in line with planning policy, the heritage impact needed to be weighed against the public benefit and that he was clearly convinced that the public benefit outweighed the less than substantial impact on the heritage significance and setting.

At this point the Head of Planning reminded the Committee that there was a need to consider the information available and to consider the applications on relevant and material evidence. She felt that the detailed report provided sufficient information to come to a view to make a decision.

The Solicitor clarified that reference made to the level of harm to the heritage significance of a listed building could be either 'substantial' or 'less than substantial'. The view of officers, supported by Historic England, was that the level of harm would be 'less than substantial' but this was a matter of judgement for the Committee to consider. In relation to alternatives, he advised alternatives should be taken into account in considering whether the harm could be avoided. In this case, officer's

advice is that none of the alternatives are both deliverable and preferable. He advised that the Committee should not speculate on what would happen if the application was refused and the Committee must take evidence of the landowner at face value given there was no reason to doubt it. The Chairman clarified that if the Committee accepted that there were no alternatives it must consider whether the public benefit outweighed the less than substantial harm to the listed building.

In relation to noise levels, particularly at Watermead Cottage, a question was asked about what the statutory requirements were. The Planning Officer explained that this was part of central Government's Planning Practice Guidance and was not a statutory requirement but was a material consideration. The guidance stated that mineral planning authorities should aim to establish a noise limit through a planning condition at noise sensitive properties that does not exceed the background noise level by more than 10db but also recognised that this would not always be possible without imposing unreasonable burdens so gave an absolute maximum of 55dB. The applicant had assessed background levels at 35-36dB whereas the Parish Council had assessed them to be 33dB. There was a case for noise monitoring to be established and a condition would be imposed for this to allow for the impact to go to 48db during construction of the silt lagoons, to reducing to 45dB once the lagoons were operational. It was also confirmed that 48dB was considered acceptable by officers and that no objections had been received from Environmental Health.

The determination of public benefit or interest was raised as it was understood that there was already a landbank in existence of 13 years and should be at around 7 years. Officers explained that development plan policy sought the maintenance of landbanks for sand and gravel and River Terrace aggregates of at least 7 years and that this was a minimum, not a target. The River Terrace aggregate landbank was at 13 years and the intention was to have a robust and steady landbank position, and so this level this was not excessive. The existing operation provided 40% of the landbank for River Terrace aggregate in Dorset with other sources some distance away. The benefit of the silt lagoon extension was that it would facilitate the continued working of permitted reserves and so would help to ensure a steady, flexible and adequate supply. National planning policy in the NPPF provides that great weight should be given to the benefits of mineral extraction including to the economy and that officer's assessment accorded great weight to the continued, steady and adequate supply of mineral.

It was confirmed that the permitted reserve would remain in the landbank whether the applications were approved or refused. Mineral extraction would likely continue to take place for some time so there would be no overnight effect, but the implication would be in terms of uncertainty and confidence of future supply. The existing site was the largest producer in central Dorset area and the deliverability of the landbank was an important consideration.

The impact on heritage conservation was discussed in detail with reference made to the harm being 'less than substantial' not being referred to in Historic England correspondence. The Principal Planning Officer explained that the most recent correspondence with Historic England followed its consultation response on 9 August 2017 which provided very detailed comments. The consultation response set out Historic England's view, which was consistent with the West Dorset Conservation Officer and the Parish Council's Heritage Consultant, that the degree of harm to the significance of the Grade I listed building was 'less than substantial'. However, this was a broad category of harm ranging from 'almost negligible' to 'just below substantial'. Officer's view was that the harm lay towards the lower end of this range. The Chairman then confirmed that given this advice, the Committee had first to determine whether there are alternatives to the application which would be less harmful to the listed building and if not, whether the public benefit clearly outweighed that harm.

Reference was made to the need in the NPPF to take account of the environment around heritage assets and to make a positive contribution to the character and distinctiveness of heritage assets. Officers explained that minerals could only be worked where they are found and that consideration was given to the permissions already in place, mitigations to minimise harm including measures to limit visual and noise impacts, a condition to further reduce the northern arm of the bund following construction of the lagoons, and considered the views of Historic England which indicated to reduce harm the site should be located further away. A view was expressed that part of the visual intrusion were the bunds themselves.

A question was asked about enforcement in respect of restoration of worked areas. The Principal Planning Officer summarised the process of restoration back to agricultural land. Due to land conditions and water drainage there were issues that led to delays. The restoration south of the field conveyor was now progressing adequately and the planning authority was working constructively with the operator to ensure restoration of areas north of the conveyor. Officers had not considered enforcement action to be expedient but action could be taken if that changed.

A request was made for more information in respect of the silt and water management on the existing site, and the consideration of two areas (one of which was 35,000 cubic metres) of the site that had been identified as potential areas but had not been used for either purpose. Officers explained that the proposed extension would provide for 185,000 cubic metres of silt capacity and that the smaller area would not provide sufficient capacity to complete the approved mineral working. It was suggested that the smaller area and previously worked areas be phased to complete the already authorised mineral extraction. Context was provided regarding the use of the site and the practical and technical challenges, including ground levels, on site that made providing further lagoons in the existing site problematic which included the significant impact on drainage and restoration arrangements.

The security of the proposed silt lagoon was raised regarding public safety. It was confirmed that there would be an expectation for a low fence and signage to be in place, but security on the site was the responsibility for the operator and the landowner under the Quarry Regulations. It was recognised that there was a public footpath on the site boundary, but it was not normal planning practice to require or stipulate high fencing for this type of facility.

Following the discussion, Cllr Margaret Phipps proposed that recommendation 1 and 2 in the report (both applications) be refused. She explained that refusal did not mean operations would cease or that the site would close down, and there were still possible alternatives to be considered, but in her view the applications should be refused on two material considerations. Firstly, due to the detrimental effect on the setting of Woodsford Castle, as outlined in the consultation responses from Historic England and outlined in the officer's report, and in respect of the NPPF requirement to provide a positive contribution to the character and distinctiveness of heritage assets. Secondly, the noise concerns raised whereby guidance stated that noise at the site should be within 10dB of background noise, which was not the case at Watermead Cottage. The proposal was seconded by Cllr Nick Ireland.

The Solicitor confirmed that the NPPF recognised that it was permissible to approve proposals resulting in 'less than substantial harm' so that it was 'desirable' rather than a requirement to make a positive impact to heritage assets.

In relation to application WD/15/001057, supporting views to the proposal were expressed regarding the damage to the setting of the Grade I listed building. Consideration was given to the public benefit of the application, and that this needed to be balanced against the harm to the setting of Woodsford Castle and reference

was made to the need to have special regard to preserving the building and the setting. It was expressed that there was a fine balance in making a decision for refusal.

It was also recognised that although there were no disputes over the original permissions in place, the refusal of the extension may restrict site operations in the future and the longevity of site. It was recognised that other applications may come forward in the future depending on landlord consent but there were no alternative applications at present and a decision could not be made on hypothesis.

Support was expressed for the need for quarrying, in accordance with a history of quarrying across Dorset, and it was suggested that there was existing space on site for lagoons, which could be explored further.

A counter view was expressed that the application would restore the land to agricultural use after operations ceased on site so the impact would be for a limited time, together with reference made to the lack of objections from eight consultees. In addition, it was highlighted that 40% of Dorset's sand and gravel needs depended on the site and the public benefit of approval of the permission needed to be taken into account.

The Committee discussed the proposal in relation to the part of application WD/15/001057 which related to the Bagging Plant, and application 1/E/2005/0742/AuC, which also related to the operational matters. It was confirmed that it would be possible to have a split decision on the content of the applications to grant permission for the Bagging Plant, which members had no material objection to, but it was also recognised that it would be possible for a new application to be made in relation to the Plant.

Further discussion about application 1/E/2005/0742/AuC considered the future operation of the existing site and as the material considerations for refusal related to application WD/15/001057 only it was accepted as a drafting amendment from the Chairman that the application be granted. The proposer and seconder of the proposal accepted the drafting amendment. The proposal was therefore changed to refuse application WD/15/001057 and to grant application 1/E/2005/0742/AuC. On being put to the vote the proposal was agreed. Cllr Shane Bartlett requested that his vote against the refusal of application WD/15/001057 be recorded.

### **Resolved**

1. That application WD/D/15/001057 be refused.
2. That application 1/E/2005/0742/AuC be approved, subject to the conditions set out in the Service Director's report.

### **Reason for Decisions**

The reasons for refusing application 1057 are set out in the annex to these minutes and the reasons for approving application 0742/AuC were summarised in paragraphs 6.303-6.316 of the report.

### **Questions from County Councillors**

21 No questions were asked by members under Standing Order 20(2).

Meeting Duration: 10.00 am - 1.05 pm

# Regulatory Committee

**Dorset County Council**



Date of Meeting	14 June 2018
Officer	Head of Planning
Subject of Report	Application reference 6/2017/0639. Alterations to the existing railway footbridge and erection of new ramp structures, providing step free access from the highway to the footbridge. Wareham Railway Station, Northport, Wareham, Dorset, BH20 4AS.
Executive Summary	The application is for a replacement step free crossing across the railway line at Wareham Station. This would be available to users 24/7. Ramps would be connected to the railway bridge, a Grade II listed building, which forms part of a listed group of station buildings. The recommendation is that planning permission be granted subject to conditions.
Impact Assessment:	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications. An Equalities Impact Assessment has been submitted with the application which confirms the proposal with ramps at 1:12 gradient complies with the Equalities Act 2010.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.

	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendation	Subject to conditions set out in paragraph 9.1 of the report planning permission be granted.
Reason for Recommendation	The reasons for granting planning permission are summarised in paragraphs 7.48-7.53 below.
Appendices	<ol style="list-style-type: none"> <li>1. Site Location Plan</li> <li>2. Existing Plan Layout</li> <li>3. Proposed Plan Layout</li> <li>4. Proposed Bridge Elevations</li> <li>5. Wareham Access Ramps Visualisations</li> <li>6. Architectural Screen</li> </ol>
Background Papers	Planning Application File 6/2017/0639.
Report Originator and Contact	Name: Mr Chris Stokes Tel: (01305) 224263 Email: <a href="mailto:c.stokes@dorsetcc.gov.uk">c.stokes@dorsetcc.gov.uk</a>

## 1. Background

- 1.1 The Bournemouth to Weymouth railway line passes through the middle of Wareham. There is a pedestrian crossing of the railway line at Wareham Station. It provides an 'at level' pedestrian link between areas of housing and business to the north of the town and the town centre to the south. A footbridge over the railway, also at Wareham Station, lies to the west of the crossing. This involves two flights of steps which are not accessible to the ambulant disabled and are difficult for cyclists. A flyover to the east provides vehicular access over the railway line, but there is no pedestrian access over the flyover.
- 1.2 Since electrification of the railway in 1988, the pedestrian crossing comprises staggered pedestrian barriers with red/green crossing warning lights and audible signs to warn of approaching trains. Chicanes are sited on the approach to the crossing and signs are clearly visible requiring cyclists to dismount before using the crossing. In 2013 a revised 25 year agreement was signed between the County Council and British Railways that made DCC wholly responsible for future costs of maintenance and/or alternative arrangements for the crossing.
- 1.3 Network Rail operates the rail network and infrastructure in the United Kingdom under licence from the office of Rail Regulation (ORR). Prior to 2009 the number of near miss incidents at the crossing reached a level that the ORR wrote to Network Rail and DCC expressing strong concerns and requiring improvements to be made.
- 1.4 In response to the improvement notice, DCC employed a private, rail accredited, security firm to manage users over the crossing. The crossing

is currently manned seven days per week between the hours of 6:00 and 1:00. Whilst these measures have been largely successful, instances of misuse are still reported, and the applicants have reported 'near misses' in 2015/16 and 2016/2017. The Network Rail website states there was a near miss in 2015 but no reported near misses since.

- 1.5 Since 2012 the Poole to Wool railway signalling system has been implemented which has facilitated trains between Wareham and Swanage and has resulted in increased closure times at the crossing and additional train services, with increased risk. It has moved the crossing into the higher risk category as defined by ORR.
- 1.6 In 2038 Network Rail will have the right to close the Wareham pedestrian crossing. They are not contractually bound to provide an alternative route across the railway but have confirmed that they have funding available. As the existing steps do not provide for ambulant disabled and cyclists an alternative and convenient route is required.

## **2. Planning History**

- 2.1 Network Rail has previously submitted two planning applications related to the current proposal.
- 2.2 In August 2013 it was granted permission by Purbeck District Council (application 6/2013/0424/25) to close Wareham Crossing and alter Wareham Station Footbridge to facilitate the crossing of the railway. The scheme proposed demolishing a set of stairs on either side of the railway line to install ramps to allow users a safe passage across the railway line. This scheme was not constructed due to difficulties in fabricating certain parts of the ramped structure for the southern side of the line.
- 2.3 A second application (6/2015/0478/479) was refused by the District Council in 2015. This scheme involved removing two of the four brick staircases, one on the north side and one on the south side. The District Council considered that it had not been demonstrated that the significant harm to, and loss of part of, the heritage asset would be outweighed by the public benefits of the proposal and was therefore contrary to National Planning Policy Framework, Section 12-Conserving and Enhancing the Historic Environment and Policy LHH of the Purbeck Local Plan.
- 2.4 The current application for a new step free crossing has been made by Dorset County Council and therefore falls to the County Council to determine under Regulation 3. It is accompanied by an application for listed building consent (6/2017/0550) made to the District Council. This was refused on 1 February 2018 contrary to the case officer recommendation. The listed building application was refused by the District Council for the following reasons:-
  - The proposals, by removal of sections of the bridge and substantial modern additions are not in accordance with National Planning Policy Framework: Section 7 - Requiring good design and Section 12 - Conserving and enhancing the historic environment and decision-taking.
  - It has not been demonstrated that the significant harm to, and loss of part of the heritage asset would be outweighed by the public benefits of the proposal and is therefore contrary to National

Planning Policy Framework: Section 12 - Conserving and enhancing the historic environment (particularly paragraphs 131, 132 and 133) and policy LHH of the Purbeck Local Plan Part 1. report).

### **3. Site Description**

- 3.1 Wareham Railway Station is located on the northern side of Wareham, and comprises a group of railway buildings, platforms, signal box and bridge. The railway line separates a large housing area and commercial area to the north (including Carey, Northmoor and Sandford) from the town centre to the south. At present the level crossing provides the main pedestrian route between the two areas. It is estimated that there are approximately 1,000 crossings on foot per day.
- 3.2 Wareham Railway Station is a Grade II listed building and ancillary structures are listed buildings. The footbridge, although not listed in its own right, is part of the group of buildings within the station curtilage and has listed building status. It has an iron deck (approximately 4.3m high) and parapets with flights of brick steps at either end.

### **4. The Proposal**

- 4.1 It is proposed to erect ramps either side of the railway line connecting the existing highway network to the railway station footbridge. This would provide step free access for pedestrians and cyclists wishing to access the highway on either side of the railway line. The eastern parapet of the footbridge would be modified to allow for entry and exit points for the proposed ramps. To allow for modifications to the bridge parapet new columns would be installed to connect to new crossheads to support the underside of the footbridge. New lamp columns would be installed and new fencing to prevent access to the station once the ramps are accessible. The existing flights of steps each side of the bridge would be retained.
- 4.2 The ramps would be constructed of prefabricated steel sections set upon brickwork parapets. The applicants state that the pedestrian crossing would be available through the construction process, apart from overnight assembly of sections. The ramp could be prefabricated off site, with minimal disruption to rail services.
- 4.3 Once completed the proposed ramps would be dedicated as highway and the existing footbridge linking ramps would become a dedicated right of way. It would provide a permanent, long term solution, and there would be limited maintenance costs. It would be open 24 hours and would provide for cyclists and ambulant disabled. However, to accommodate the constraints of the site, the ramps would result in slope of 1:12. This is steeper than normal but is allowed in the accessibility standards set out in the Design Manual for Roads and Bridges, in exceptional situations.
- 4.4 The existing level crossing would remain open during the construction works but would be permanently closed and fenced on completion of the works.
- 4.5 The planning application is accompanied by a Planning Statement, a Heritage Statement, an options evaluation report, a Reptile Survey, an Equalities Impact Assessment and correspondence with English Heritage



and Network Rail. As well as plans and elevations the application includes visualisations of the footbridge and the proposed access ramps and a range of alternative crossing options.

- 4.6 Amended plans have been submitted showing a 1.8 metal screen located on the southern ramp adjacent No 1 Station Mews.

## 5. Consultations and Representations

### 5.1 County Council Ward Member

No response received.

### 5.2 Purbeck District Council

The submitted amended plans detailing an architectural screen measuring 1.8m high on balustrade adjacent No. 1 Station Mews does not change the Council's fundamental objection. The Council would make the following observations regarding this application:

The scheme undoubtedly will have a significant impact upon the character and appearance of the area and the setting of the listed building. In addition, there is a lot of public concern over the submitted proposals. The Council understands that alternative options for a new crossing of the railway have been investigated by the County Council and these have all been ruled out for engineering and financial reasons. However, the Council is concerned that not all options may have been investigated. The Council believes that the proposed solution is harmful. In weighing up the public benefit compared to its impact, the scheme is deemed to be unacceptable.

On balance, the Council therefore objects to the application.

### 5.3 Wareham Town Council

That the Town Clerk was instructed to write to Dorset County Council and Purbeck District Council to express the Wareham Town Councillors' strong opinion regarding the proposed planning application and issues raised mainly that:-

1. The proposed ramps by reason of their excessive scale and alien materials will significantly harm the street scene and the local area contrary to *paragraphs 56, 57, 61 and 64 of the National Planning Policy Framework (NPPF)* and would fail to positively integrate with their surroundings as required by *Policy D (Design) of the Purbeck Local Plan Part 1 (PLP)*.
2. The ramps due to their excessive scale, bulk and massing fail to preserve the listed bridge and fail to preserve the setting of the listed station building contrary to *Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the NPPF, and Policy LHH of the PLP*.
3. There are no public benefits that would outweigh the significant harm to the listed station building and bridge. The alleged improvements to public safety that would arise from closing the crossing are in reality non-existent because the existing crossing is safe (there has never been an accident on it in living memory) and any additional safety requirements could be facilitated by linking the closure of the existing gates to the signalling system.

4. This would impact disproportionately on people with ambulatory disabilities, the elderly and parents pushing young children in buggies/prams contrary to the Equality Act 2010. The ramps would also make it more difficult for these groups of users to get from one platform of the station to the other, also contrary to the Equality Act 2010.
5. As such the proposal would be likely to increase the use of motor vehicles for short journeys and fail to promote sustainable transport modes contrary to *paragraphs 30 and 41 of the NPPF and Policies /AT and CEN of the PLP.*
6. The result of discouraging people walking between the two sides of Wareham would be to decrease the numbers of people accessing the shops and other facilities in the town centre, leading to a loss of trade and diminution in its overall vitality and viability. If people have to get in their cars they are just as likely to drive to the shops in Poole.
7. Users of the ramps, particularly the frail elderly, will feel less safe using them than traversing the short section of existing surface level crossing. Crime and the fear of crime is a material consideration in deciding planning applications.
8. Reasons 1,2 & 5 above were essentially the reasons why the previous applications in 2015 (Refs 6/2015/0478 & 0479) were refused by PDC's Planning Committee. Nothing significant has changed except for the fact that the ramps now proposed have a steeper gradient of 1:12 rather than 1:15, which will make it even more difficult for the elderly, the disabled or mothers with young children to get over the railway line. Such a gradient is contrary to Network Rail's own design guidelines concerning the provision of such ramps.

Wareham Town Council are extremely concerned and don't believe the full views of or implication to the community have been considered in the proposed plans. They request that in the interests of local democracy that the meetings of the Regulatory Committee are held in Wareham.

Wareham Town Council strongly objects to the proposed design as it does not adequately address the issues of the community, being the only pedestrian access point between the two halves of the town, and does not address the issues for protected groups. The proposals are not considered an equal or improved option to that currently provided. We believe that 1:12 gradient is entirely unsuitable for this access crossing considering the number of residents with varying degrees of mobility issues.

The proposals are not clear that the inside width of the ramps between the inside edges of the necessary handrails to both side (not shown/mentioned in the applications) will be as per regulations and the 2 metres stated will allow two motorised wheel chairs to pass each other easily? There is also concern that the proposed 'cycle dismount' barriers included in the application will prevent access by motorised wheelchair users. Significant concern raised regarding inappropriate use by skateboarders

etc. and potential conflict with pedestrians using the proposed ramped access.

We are concerned that in the new plans the transverse/horizontal part of the 150-year-old Listed Building bridge shows two sections cut out from the eastern extremity of the bridge to accommodate the new proposed ramps. The gaps are not equidistant from the ends. All manner of specially designed steel structures of beams/girders/plates/flanges/columns have been designed to support the old existing bridge and will totally change the shape and view of the Bridge and Station. Attachment of all this extra steel work is bound to stress the existing bridge structure, relying upon 150-year-old, most possibly worn, rusty, plates and rivets. The plans mention two street type lighting columns either side, but these appear not depicted in the proposed plans.

The Council believe the risk to pedestrians using the level crossing can be mitigated by installing automated barriers as at Holmebridge under 2 miles west of Wareham and a suitable speed limit for all trains. The overwhelming view of the community at the public open meeting in July 2017, conducted by Wareham Town Council, was that the only feasible and supported option was the use of automated gates. An approved barrier system would negate the current requirement for a manned gate control which would save Dorset County Council the cited £120,000 per annum.

Wareham Town Council does not have any reference in its minutes that supports the view it was consulted over the proposals to place a stopping up order on the public right of way across the level crossing in 1973 and concludes that due process was not followed. In addition, the Council believe it would not be lawful to withdraw the current crossing in 2038 when the current access agreement expires as the application submitted is unsuitable for such a large proportion of community.

Although this is not a material planning consideration this Council would like clarification of the statement shown on the plans, "Existing footbridge linking proposed ramps to be dedicated as public right of way"? We imagine that whatever form this Railway Crossing takes that this same statement will apply?

The proposed design is considered unsightly and would have a significant negative impact on the street scene in the curtilage of the Grade 2 station building and 150-year-old bridge. The removal of sections of the bridge to facilitate the proposed ramps will necessitate the inclusion of specially designed steel support structures and will significantly alter the structural & visual form of the bridge. The plans submitted are considered an inappropriate design as the "Gateway to Purbeck and the Jurassic Coast World Heritage site".

Wareham Town Council believes that the new proposal does not adequately address the issues raised in the previous application and is therefore unable to support the proposed planning application in its current form.

5.4 **Wareham Town Trust**

Wareham Town Trust state that the Application has important omissions and contains significant errors. Omissions include –

1. not stating the length of the ramps and the height gained despite these being key factors in the Regulations and amongst the key reasons for objections raised during the consultation.

2. The proposed lighting columns are not illustrated despite being the same height as lift structures and therefore subject to the criticisms of being unacceptable blots on the environment. Additionally when in use they will produce unacceptable levels of light pollution in the whole area.

3. The Options Evaluation Report has a blank section for disadvantages against the Ramps proposal. This is despite the evidence quoted in the Equality Impact Assessment that states in one place that it is not known if a 1:12 ramp will be suitable for some users whilst acknowledging in other sections that it will be challenging.

4. No mention is made of the lack of protection over the lengthy ramps against bad weather. The exposure to the elements will be especially unpleasant and possibly dangerous for people with mobility problems.

The mistakes include selective quoting of the 2005 "Inclusive mobility" document published by the DfT, which was published before the 2010 Equality Act was passed into law. The section on ramps in the 2005 Document is based on BS 8300 and is repeated in the 2015 Design Standards for Accessible Stations published by the DfT. However what was regarded as guidance of best practise in 2005 becomes mandatory in 2015 whenever work is carried out that alters access to a railway station. The 2015 document explicitly includes the approaches to stations in its remit. As the Highway Authority is responsible for the route from the Wareham Station bus stop to the station booking office and Weymouth bound platform, it is also duty bound by the Equality Act to ensure that any replacement for the foot crossing meets the needs of all members of protected groups.

The statistics quoted from the surveys of users of the crossing showed that they are not fully representative of the local population.

The consultation process launched in August 2017 by the DfT of a new action plan to make transport more accessible used a similar discrepancy to show the need for further action to reduce barriers to using public transport.

Dorset County Council should be committed to following the spirit of the Equality Act rather than trying to find legal excuses to undermine it.

#### 5.5 **DCC Transport Development Liaison Engineer**

The County Highway Authority has no objection.

The 1:12 gradient is compliant with the highways Design Manual for Roads and Bridges to suit the constraints of the site. The entrances to the ramps have been positioned to be as near as possible to the existing pedestrian level crossing and on the desire line for those travelling between Northport and Wareham Town. The application is supported by a full Equalities Impact Assessment that considers the impact on all protected characteristic groups.

5.6 **Purbeck District Council Conservation Officer**

The Conservation Officer has not responded to the consultation on the planning application. The Conservation Officer did respond to the Listed Building application for the alterations to the Listed Building as follows:-

“It is a statutory duty under section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 as amended for Local Planning Authorities to have special regard to the desirability of preserving the listed building or its setting and any features of special architectural or historic interest it possesses. This is amplified in policy terms by the National Planning Policy Framework (in particular paragraph 132) with reference to the overlapping concept of ‘significance’ (heritage value). Policies LHH and D within the Purbeck Local Plan and supporting guidance are additional material considerations.

The need for the improvement of access and strong public benefit of providing a safe alternative to crossing the railway line is well established.

Consent was granted for the construction of ramps attached to the bridge in 2013. This proposal entailed the removal of one flight of steps either side of the bridge. As such a substantial amount of historic fabric would have been lost and aspects of the historic design compromised.

The current proposal does not entail the removal of the steps, leaving the existing structure largely intact. The new stairway design itself appears in some respects more compact than previously proposed.

Based on straight comparison between the existing approved scheme and the currently proposed scheme, the latter would be most sensitive. On this basis I raise no objections.

In terms of detail, the previously approved scheme made use of galvanised steel though this was to receive a coloured finish in due course (blue and orange). It remains desirable to employ a coloured finish given this would reflect historic practice in the treatment of metalwork. A plain galvanised finish as seen on railings used along major roads, would appear stark and harsh in character, particularly given the amount proposed.

5.7 **Historic England**

Has stated to the applicant (and not as a consultation response to the planning application) that as the bridge is to be adapted to facilitate disabled access and demolition is no longer proposed, their input was not necessary and they were content that the scheme is dealt with by the local authority conservation officer.

5.8 **Purbeck and Poole CPRE**

States that neglect (and/or failure to maintain the quality of) any Listed feature is not supportable. Over investment of capital resources (when remote controls are increasingly affordable and effective) should not be encouraged by any approval of this proposal. Effective consultations over the relevant needs of all concerned have not taken place and must occur if local planning has any local meaning.

5.9 **Swanage Railway Company**

Supports the application. Decommissioning of the level crossing will unlock sidings to the east of the crossing and the cross over which links the Swanage and Bournemouth/Weymouth railway lines. The inability to

access these sidings has diminished Swanage Railways ability to operate the new Wareham to Swanage service and has also led to complaints from local residents regarding the environmental impact of Swanage trains having to remain in the platforms at Wareham station between arrival and departure. They are aware of the concerns raised by local residents and interested parties regarding the scale of the proposed new structure and encourage the Council to continue discussions on possible ways this could be mitigated.

#### 5.10 **Other Representations**

There have been 75 letters/e-mails which raise the following concerns:-

- The existing crossing is vital for the residents of Northmoor.
- The ramps will divide those living north of the railway from the rest of the town, with a negative impact on trade in the town.
- The ramps will discourage people walking into the town and encourage use of the car and non-sustainable travel.
- The ramps would not be in keeping with the listed building and fail to preserve its essential character.
- The ramps detract from the setting of the listed building.
- There are no public benefits that would outweigh significant harm to the listed station and bridge.
- The construction materials would not be in keeping with the existing bridge.
- The ramps are a bad design and would be an eyesore.
- The people of Wareham do not want this monstrosity.
- The proposed ramps are contrary paragraphs 56,57,61 and 64 of the NPPF and would fail to positively integrate with their surroundings contrary to policy D of the Purbeck District Local Plan Part 1.
- The proposal is contrary to the current legislation which supports people with disabilities. It is too steep for those with limited mobility and wheelchairs.
- The proposed structure would have 16 ramped flights of approximately 6m. in length, each with a rise of 330mm.
- The ramps do not comply with Building Regulations, or the Design Manual for Roads and Bridges which states that ramps for pedestrians, cyclists and equestrians shall not be steeper than 1:20.
- The Design Standards for Accessible Railway Stations requires ramps to have a moderate gradient. No series of ramps should rise more than 2m.
- The slope is too steep with those with limited mobility and those with wheelchairs.
- There should be lift/stair towers on both sides of the track as at Mersey Rail.
- The level crossing should be linked to a signaling system.
- To reduce costs there should be an automated crossing.
- The exact same line carrying the exact same traffic crosses Poole High street.
- The alleged improvements to public safety would not arise because the crossing is safe – there have never been an accident in living memory. The existing crossing should be left as it is.
- Is there overwhelming evidence that the existing arrangements are a danger to the public?
- All trains stop at Wareham so why close the crossing.
- Will the crossing stay open during construction works?

There are 4 letters of support for the development.

- The current arrangement is inherently dangerous and an accident waiting to happen.
- The ramps are not perfect but should be supported to protect the less mobile in Wareham.
- People shouldn't be walking across tracks to get to the other side.
- Fully support the proposal – cross the railway line 4 times a day with children one of whom is disabled.
- Need a bridge to ensure there is access to the town at all times.

## **6. Planning Policy Framework**

6.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. The term '*material considerations*' is wide ranging, but includes national, emerging and supplementary planning policy documents. Material to all applications is the *National Planning Policy Framework* issued in March 2012 (the NPPF) which sets out the Government's planning policies for England and how these are expected. The most relevant policies and provisions are listed below.

### **6.2 The Development Plan**

#### Purbeck Local Plan. Part 1. 2015

1. Policy D – Design.
2. Policy LHH – Landscape, Historic Environment and Heritage.
3. Policy IAT Improving Accessibility and Transport
4. Policy CEN Central Purbeck.

#### National Planning Policy Framework, March 2012 (the NPPF)

- Achieving sustainable development – paragraphs 6-10 and 14.
- Building a strong, competitive economy – paragraphs 18-19.
- Section 4. Promoting sustainable transport. Paragraph 35 disabled access.
- Section 7. Requiring good design.
- Section 8 Promoting healthy communities
- Section 12. Conserving and enhancing the historic environment.
- Paragraphs 131 to 134. Impact of a proposed development on a designated heritage asset.
- Decision-taking – paragraphs 186 and 187.

## **7. Planning Assessment**

7.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main issues in the determination of the application relate to:

- The Need for the Development.
- Public Safety.
- Access for ambulant disabled.
- Impact on the fabric of the Listed Bridge.
- Impact on the setting of Listed Buildings.
- Alternative Options.
- Impact on the street scene.
- Residential Amenity.

### **Need for the development**

- 7.2 There is a clear need to link the highway network to the north and south of the railway line so that the significant number of residents and business to the north of the line have access to Wareham Town Centre. The manned level crossing has provided that link since 1988. However, a security firm has been needed to ensure the crossing operates in a safe manner. Despite this there have been increasing concerns by the applicants over pedestrian safety and reports of near misses. The Office of Rail Regulation has written to both Network Rail and Dorset County Council expressing its strong concerns and requiring improvements to be made.
- 7.3 There is a railway bridge with steps which provides access to both sides of the line, but it is not a right of way and does not provide for ambulant disabled cyclists and others who would find the steps difficult if not impossible to use. The crossing is on a major cycle route and a step free access is needed.
- 7.4 The Office of Rail Regulation and Network Rail consider that to continue with the existing arrangement is not an option in view of the health and safety concerns. The crossing is not manned between 1am and 6am and even when manned there have been dangerous incidents. Network Rail have expressed the intention to close the level crossing and will not renew the lease. The provision of a step-free crossing, available 24/7, with potential to provide access to pedestrians, cyclists and ambulant disabled, is intended to provide a safe, permanent link between areas to the north of the line and the Town Centre thus improving access in accordance with Policy IAT and CEN of the Purbeck Local Plan Part 1.

### **Public Safety**

- 7.5 Public safety is a key consideration in providing a ramped crossing. The Office of Rail and Road (ORR) state that Great Britain's level crossing safety record is among the best in the world, but every incident has the potential for significant human and economic loss. Level crossings are the single biggest source of railway catastrophic risk.
- 7.6 Network Rail and the ORR consider risk control should, where practicable, be achieved through the removal of level crossings and replacing them with bridges, underpasses or diversions. Where removal is not possible, the aim is to ensure that duty holders reduce risk so far as is reasonably practicable and in accordance with the principles of protection.
- 7.7 ORR believe that it is neither effective nor efficient for only rail companies to be responsible for managing safety at level crossings. Decisions about level crossings should involve rail companies, traffic authorities and other relevant organisations such as planning authorities as early as possible. Where level crossings cannot be removed but are being renewed or altered, every effort should be made to improve the crossing and reduce risk to both crossing and railway users. It should be noted that between 2009 and 2017 Network Rail have closed 1,100 Level Crossings.
- 7.8 Certain types of crossing design, particularly automatic types, whilst fit for purpose when road and rail traffic use was lower, have been more likely to be misused with potentially high consequences when collisions occur.



Network Rail have emphasized the potential for 'abuse, of level crossings which give rise to reported and unreported 'near misses'. The Health and Safety Executive defines a near miss as "an event not causing harm, but has the potential to cause injury or ill health" (in the H&S guidance, the term near miss will include dangerous occurrences). The applicants have recorded 'near misses' in 2015/16 and 2016/2017.

- 7.9 A Risk Assessment of Wareham Crossing was carried out by Network Rail in December 2017. The assessment identified risk factors as low sighting time, crossing near a station, large numbers of users, sun glare, deliberate misuse or user error. It states that there are approximately 68 trains per day including passenger and freight trains. Line speed varies between 55mph up and 85mph down line. Wareham station crossing is categorised D4.
- 7.10 D is the Individual Risk Rating which is the risk to individual users of the crossing. It is presented as a single letter, with A being the highest risk and M being the lowest. Level 4 on the Collective Risk Rating is the overall risk of any incident involving any person or vehicle on the crossing, including train staff and passengers as well as users of the crossing. It is presented as a number, with 1 being the highest risk and 13 being the lowest. This is the most important rating when prioritising safety measures at level crossings.
- 7.11 Category D4 is a high level of risk. Given the high cost when crossings are installed and their long service life, ORR expect that the safest suitable crossing for the site-specific risks will be selected when renewing a crossing. In view of the safety concerns of the ORR and Network Rail, and given the concerns raised by local residents about the implications of providing a ramped crossing, the applicants have undertaken an analysis of alternative options (see below) before progressing the current proposal.
- 7.12 Policy IAT of the Purbeck Local Plan states that development should provide for improved safety and convenience of travel, including improved access to local services and facilities by foot, cycle and public transport. In my view the provision of a safer more accessible crossing would be in accordance with Policy IAT.

### **Disabled Access**

- 7.13 Paragraph 35 of the NPPF states that plans and decisions should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located to and designed where practical to, inter alia:
- Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
  - Consider the needs of people with disabilities by all modes of transport.

A step free pedestrian crossing over the railway line is required for ambulant disabled and cyclists. Data was collected about users of the level crossing in two surveys carried out in July 2017, referred to in the EqIA. It concludes that the introduction of 1:12 access ramps will have a mainly positive impact on disabled users. However, concerns have been raised by local residents about the accessibility of the proposed ramps for wheelchair users and ambulant disabled; and that ramps should be provided at a 1:20 slope to meet Part M of the building regulations.

7.14 Part M of the building regulations relate to a different set of standards. The standards for access to highway structures are set out in the Design Manual for Roads and Bridges. In this instance Part 8, section 2 of volume 2 (DMRB standard BD29/17) applies which specifies non-structural criteria for the design of footbridges, including ramps, in urban and rural areas and sets out criteria for the design of ramps linking to footbridge decks. 6.6 of the standard states:-

*"Ramps for pedestrians, cyclists and equestrians shall not be steeper than 1 in 20. Where compliance with this would create difficulties in keeping the access on the desired line, avoiding long diversions, minimising environmental impact, or making best use of available space, a relaxation in ramp steepness may be considered to 1 in 15. In cases of extreme difficulty, the gradient may be increase up to 1 in 12. However, no ramp shall be steeper than 1 in 12. Where a ramp steeper than 1 in 20 is adopted then the reason for accepting this must be clearly documented and recorded, together with evidence of acceptance by the overseeing organisation."*

7.15 The DMRB Part 2 GD01/08 states that where a local highway authority decides to use the DMRB, either wholly or in part, it shall be defined as the overseeing organization for the purpose of its local road schemes.

7.16 The applicants state that the basis for selection of a 1 in 12 gradient for the Wareham Access Ramps is as follows:-

- The available footprint to construct the ramp structures has been fully utilised. An increase in available footprint would require demolition of the eastern stairs of the existing footbridge. Demolition of elements of the footbridge need to be avoided due to it being designated as a Listed structure.
- Selection of a 1 in 15 or 1 in 20 gradients would require the ground level starting point of ramp structures to be sited on the existing railway station platforms. This would create a significant diversion to the existing desire line for pedestrians moving from one side of the railway line to the other.

7.17 A ramp of 1:20 would create difficulties of keeping the access route from north to south on a desired line, and would be likely to involve long diversions contrary to the aim of diverting the desire line as little as possible. It not possible to conceive of any other feasible desire line to the east or west of the existing crossing.

7.18 In considering the gradient of the ramp it is necessary to consider whether the provision of a safe step free crossing along a clear desire line, in the limited space available and the need to protect listed buildings and their settings, is a reasonable and proportionate means of achieving the legitimate aim of providing for ambulant disabled. Also in this respect, it is necessary to consider whether the development is in accordance with Policy IAT of the Purbeck District Local Plan.

7.19 Policy IAT states improving accessibility within Purbeck will be achieved through better provision of local services and facilities that reduce the need to travel, especially by car. This will be achieved by assessing development proposals against the following relevant criteria:

- The development should be located in the most accessible location and reduce the need to travel;
- The development should maximise the use of alternative and sustainable forms of travel;
- The development should provide for improved safety and convenience of travel, including improved access to local services and facilities by foot, cycle and public transport;
- The development should provide safe access to the highway, and/or should provide towards new/improved access to the highway and improvement of the local highway.

7.20 The ramps would be located in the most accessible location to provide a direct link between the northern section of the town and the town centre. It would provide a permanent crossing point which would be open 24/7. It provides a preferable alternative to stairs for a wide range of users which in addition to ambulant disabled and cyclists includes frail elderly for whom it decreases the risk of falling, and people with pushchairs who would otherwise have to carry them and care for children. It would allow improved safety at the crossing point and improved access to the highway either side of the crossing. Whilst the proposed gradient is steeper than 1:20, it is within the permitted range allowed by the Department for Transport. I am aware that 1:12 ramp structures exist elsewhere in Dorset and I understand have not given rise to any complaints from users with protected characteristics as defined by the Equality Act. I consider ramps will be a benefit to ambulant disabled and other users and that the proposal is consistent with Policy IAT of the Purbeck District Local Plan and paragraph 35 of the NPPF.

### **Impact on the Fabric of the Listed Bridge**

7.21 Planning permission and Listed Building consent (2013) has previously been granted for ramps at the crossing. These consents involved removal of the two sets of brick steps on the eastern side of the bridge leaving a bridge structure with brick steps on the north-west and south-west corners, and no steps on the north-east and south-east corners. This would have created an unbalanced structure and would require the removal of a significant amount of the fabric of the Listed Building.

7.22 The proposed ramp would be constructed of a steel deck with steel railings and handrails. Compared to the deck of the listed bridge it would be a relatively lightweight structure. Instead of removing the eastern wings of the bridge (2013 scheme), this proposal leaves most of the bridge intact, and involves the removal of two 2m sections of the metal parapet. These gaps would link to the landing for the new bridge structure. Supporting columns and beams would be required at the junction of the old with the new, but the supporting beams would be mainly hidden under the bridge.

7.23 Attaching a modern structure to a listed building is not a unique approach and because it is clearly distinguishable from the original structure it is preferable to a pastiche. There would be an adverse impact on the fabric of the bridge, but this would be far less than the previously approved scheme.

7.24 In determining applications of this nature paragraph 132 of the National Planning Policy Framework states that great weight should be given to

the conservation of the heritage asset. Substantial harm to or loss of a grade II listed building should be exceptional.

- 7.25 Historic England's consultation response to the Listed Building application was that the harm to the listed building fell into the 'less than substantial' category and was described by Historic England as modest harm. Where the harm is considered less than substantial the planning authority is still required to give special regard to the desirability of preserving listed buildings and their setting.
- 7.26 Policy LHH of the Purbeck Local Plan Part 1 states 'Proposals for development and other works will be expected to conserve the appearance, setting, character, interest, integrity, health and vitality of landscape (including trees and hedgerows) and heritage assets - be these locally, nationally or internationally designated or otherwise formally identified by the Local Planning Authority. In considering the acceptability of proposals the Council will assess their direct, indirect and cumulative impacts relative to the significance of the asset affected, and balance them against other sustainable development objectives. Wherever appropriate, proposals affecting landscape, historic environment or heritage assets will be expected to deliver enhancement and improved conservation of those assets.
- 7.27 In this case the ramped structure would have a negative impact on the listed building, insofar as parts of the parapet would be removed and the deck reinforced. However, this is far less than the impact of the previously approved scheme and this view was shared by the Design and Conservation Officer at Purbeck District Council. The sections of parapet 2m wide would be removed from the eastern side only and the steps would remain intact. Some reinforcing structures would be placed below the deck.
- 7.28 Great weight must be given to preserving the Listed Building when weighing the impact on the listed building. Alternatives to the proposed scheme are outlined in paragraphs 7.34-7.39 below. It is considered that a ramped structure would have the least impact on the listed building taking into account the site constraints. Given the limited extent of the works to the bridge itself, I consider that the impact on the fabric of the listed building of the ramped structure results in less than substantial harm, and the harm to the fabric of the listed building is clearly outweighed by the health and safety considerations of providing a safe crossing which has step free access for cyclists and pedestrians on the existing desire line. I also note in passing that the impact on the bridge is far less than that of the previously approved scheme.

#### **Impact on the setting of the Listed Buildings**

- 7.29 As stated above, Policy LHH of the Local Plan states that wherever appropriate, proposals affecting landscape, historic environment or heritage assets will be expected to deliver enhancement and improved conservation of those assets. The NPPF reflects this approach but states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 7.30 It is acknowledged in the Heritage Statement that the ramps would be large structures which undoubtedly would have an adverse impact on the setting of the listed station and the other listed buildings and structures within the curtilage. The ramps would be clearly visible on the approach to the station from the town centre and from the north. The ramps would be to the east of the bridge, and encroach on the setting of the signal box, which along with the bridge is a listed building.
- 7.31 Only the main station buildings are referred to in the Listing description but the ancillary/curtilage buildings are listed. There are clearly visual links between the main station buildings and the bridge and signal box to the east. Early photographs show station yards to the north and south of the line, to the east of the bridge. The northern yard has been compromised by the new road scheme, and the southern yard taken up by a modern housing development. To the east of the housing there is a large railway workshop building has been converted to Architects offices. Despite the changes to the original station yard the remaining buildings form a coherent group and the introduction of steel ramps would have a negative impact.
- 7.32 The impact of the ramps on the station would be mitigated in part by their location to the east of the bridge. In this respect, a large part of the ramps would not be visible from the platforms and main station buildings. But for anyone approaching the station from north or south, or using the bridge, the ramps would be seen as a large modern structure within the station setting. The ramps would encroach on the setting of station buildings and station platforms contrary to Policy LHH of the Purbeck Local Plan Part 1. However, the latest scheme is a significant improvement on the scheme approved in 2013. The 2013 scheme had substantially larger ramps, more visually intrusive when viewed from the south and east, and sited much closer to the signal box. Thus the latest scheme has less impact on the fabric and setting of the listed building(s).
- 7.33 Whilst I accept that the ramps will impact on the setting of the listed building and be in conflict with Policy LHH of the Purbeck Local Plan Part 1, the NPPF states that impact on the heritage asset should be weighed against the public benefits that would arise from granting the proposal. The Office of Rail Regulation and Network Rail clearly believe the existing arrangements are unsafe and that there is potential for injury. I consider this level of risk should not be taken lightly and that the benefits to the public of the scheme are therefore substantial and clearly outweigh the less than substantial harm to the setting of the listed building.

#### **Alternative Options**

- 7.34 A number of objectors have suggested alternative options. Normally an application would be determined on its merits, without the need to consider alternatives. But because of the impact on the Listed Building a range of options need to be considered.

#### **Retention of crossing with electronic barriers**

- 7.35 Some local residents have requested the provision of an automated level crossing. This would not impact on the fabric of the Listed Building and have limited impact on the setting of the Listed Building. However, the use of pedestrian level crossings, however well controlled, present a risk to users. Such a risk is undesirable and the rail industry is legally obliged to eliminate

it wherever reasonably practical. The gap next to the rail for the passage of rail wheels is also a trap and trip hazard. Network Rail have provided information on the abuse of level crossings by motorists and pedestrians resulting in near misses. There is always the risk of people trying to 'beat the lights' which could result in a catastrophic event. Network rail has closed 1,100 level crossings since 2009 and aims to close another 350 by the spring of 2020. It is likely that there would be a greater risk to safety with an automated crossing than the current manned crossing. Indeed, Network Rail have stated that the level of misuse prior to the introduction of attendants shows that passive mitigation measures which rely on people following instructions on usage would not be appropriate as the risk profile is too high. Although a crossing with electronic barriers would have minimal impact on the Listed Building and its setting, the potentially lesser harm to the heritage asset is outweighed by the health and safety implications.

#### Underpass – Subway

- 7.36 An underpass would require a 5 metre cutting, to allow 3m headroom for the subway and a 2m. soffit to carry the tracks. The slopes required to give access to the subway would involve a large land take either side of the crossing, extending into the highway to the north and south of the railway line. It would also involve the construction of ramps from the subway to the platforms. The length of ramp with landings would be 128.5m at 1:20 slope and 85m at 1:12 degree slope. Ramps of this size would have a substantial adverse impact on the station platforms and setting of the listed Buildings.

#### Lifts

- 7.37 The applicants have provided examples of lifts at other railway stations. They are large in order to accommodate prams, cycles, wheelchairs and scooters. In view of the services below ground, and the high water table in the area, it is likely the lifts and lift housing would all be above ground. Consequently, lifts together with their housing would form a high structure, exceeding the height of the bridge and surrounding buildings, and would be more intrusive to the street scene and to the setting of the Listed Buildings than the proposed ramps. The applicants have identified potential problems if there is a maintenance issue or a lift fails, which will mean there would be no step free access over the railway line until these failures were resolved.

#### Less steep ramps

- 7.38 Planning permission has previously been granted for the provision of a ramp at 1:20. This would have required the removal of one flight of two flights of steps (one from each side) from the Listed bridge, leaving a single flight of steps to each platform. This could not be built for technical reasons and a subsequent application at 1:20 was refused. The current proposal involves alterations to the parapet but not the substantial demolition involved with the previously approved scheme and would have less impact on the listed building.
- 7.39 In summary in looking at potential alternatives special regard has been had to the desirability of preserving and enhancing of the listed building(s) and their setting, in accordance with the Purbeck Local Plan and the NPPF. Alternatives have in this respect either been disregarded because of the increased safety risk or because they would have a greater impact on the listed buildings and their setting. The modern ramps structure proposed would have a negative impact on the fabric and setting of the listed building(s). In my opinion though, the harm to the listed building and its setting is less than substantial, which is consistent with English Heritage's

comments on the Listed Building Consent application, and is clearly outweighed by the substantial health and safety benefits.

### **Impact on the street scene**

- 7.40 When approaching the station from the north along Bere Road there are residential properties flanking both sides of the road. The signal box is located to the east of the crossing, a vehicle sales area and industrial estate to the west and a roundabout surrounded by tarmac immediately adjacent. Closer to the crossing the flyover dominates the view to the east. In this respect the ramps would be seen as a modern structure amongst a range of modern and traditional structures.
- 7.41 When approaching the station from the south the signal box is central to the street scene, with the old Railway Hotel to the east. Policy D of the Purbeck Local Plan requires that all proposals for development should positively integrate with their surroundings and reflect the diverse but localized traditions of building material useage. Overall views from the south are mainly of 19<sup>th</sup> century buildings of traditional construction. The base walls of the new ramps would be in brickwork but the rails to the ramps would be the dominant feature, at odds with the predominant character of the street scene contrary to Policy D of the Purbeck District Local Plan.
- 7.42 The proposed works could be mitigated in part by a sympathetic external finishes. The scheme shows white painted struts with dark blue handrails. The structure would be less obvious if all the ironwork was painted dark blue to match the bridge parapet. Proposed conditions require details of the external finish to be approved prior to work commencing.
- 7.43 Despite modifications to the external treatment, I consider the ramps would detract from the street scene, and not be in accordance with Policy D of the Purbeck Local Plan Part 1. However, I consider that the harm to the street scene is outweighed by the public safety benefits.

### **Residential Amenity**

- 7.44 There is a residential property located immediately to the east of the ramps on the southern side of the line. The ramp would be approximately 3.5m from the boundary fence of the house, which in turn is only 1-1.5m from the gable wall of the house. There is a small window on the first floor which gives light to the stairs and landing, and a glazed door and window on the ground floor. The owner of the property has raised the following concerns:-
- Pedestrians using the southern ramp would be able to look directly into the window on the first floor;
  - People would be able to throw litter over the parapet into the side garden - a problem particularly late at night at weekends;
  - There is likely to be noise at night, particularly late at night at weekends from people returning from the town centre.
  - The use of piling of foundations could have an impact on the structural stability of his property.
- 7.45 The applicants have amended the application and propose to erect a perforated metal screen parapet 1.8m high adjacent to the property to prevent problems with overlooking and litter. This has been discussed with the property owner who is now satisfied with the design. The owner has

also been advised that the foundations would not be created by piling as this would destabilise the line. Instead concrete pads would be used.

- 7.46 The screen may not reduce the noise impact because the ambient noise levels of the property adjacent the main pedestrian crossing over the railway line are already likely to be high. Conditions would be imposed for the details of the screen and the details of foundations for the ramps and minimizing impact on the nearby property. Furthermore, conditions would be imposed on lighting to ensure there is an appropriate level of lighting without unduly impacting on residential amenity. In view of the proximity of the railway line the provision of foundations would be designed to ground disturbance to meet Network Rail standards and piling would not be used.
- 7.47 Local Plan Policy D requires proposals for all development and other works to avoid and mitigate effects of overshadowing, overlooking and other adverse impacts including light pollution from artificial light on local amenity; Subject to the imposition of appropriate conditions the development would be in accordance with Policy D.

### **Summary**

- 7.48 For the town to function cohesively it is essential that there is a crossing over the railway line between Northmoor, and residential and commercial areas to the north of the line, and the town centre to the south. At present, there is a relatively direct and convenient step free route at ground level.
- 7.49 The Office for the Rail Regulator does not consider that this crossing is acceptable and have issued an order to Network Rail and Dorset County Council. There have been reported near misses on the manned level crossing and Network Rail intend to close it. The listed bridge provides a stepped crossing, but this does not cater for cyclists, ambulant disabled and wheelchair users. There is no footpath up the flyover to the east, and no footpaths along its length and in any event the flyover would not provide a convenient route. Therefore, if an alternative step free crossing is needed, it needs to be on the line of the existing crossing. The applicants have assessed a number of options, including an underpass, a controlled crossing, lifts and ramps. In my view, the ramped access is the most appropriate option.
- 7.50 Important to the consideration of options is the impact of any development on the fabric of the Listed bridge and the setting of the Listed station and its buildings. The proposed ramps would be located to the east of the railway bridge and would, in my view, have less impact on the listed bridge, than previously approved schemes. Although there is a negative impact on the fabric of the Listed Bridge, and the setting of Listed Buildings, I consider the harm to be 'less than substantial' and that this is clearly outweighed by the public safety concerns.
- 7.51 The step free crossing is proposed for ambulant disabled and wheelchair users. Normally ramps would be designed at 1:20 to provide for their needs and only in exceptional circumstances would a ramp at 1:12 be considered. In assessing whether such exceptional circumstances exist there are a number of considerations:-
- In view of the importance of providing a link between properties to the north of the line with the town centre the crossing needs to be on a



direct route.

- A direct route will also reduce the risk of crossing abuse
- Ramps are considered the safest and most appropriate form of crossing, and are preferable to retaining the existing crossing.
- In view of the limited space available on the direct route a relatively compact and buildable design is required.
- To reduce the impact on the setting of Listed bridge it is preferable to retain as much of the original fabric as possible.
- To reduce the impact on the setting of the Listed station buildings and the street scene, it is preferable to reduce the height and footprint of the structure.

7.52 In view of the above factors it is considered that there are exceptional circumstances to raise the gradient of the ramps to 1:12 with landings at 7m. This is considered to be a proportionate response to the provision for ambulant disabled.

7.53 Taking in to account all the material considerations, I consider that the public benefit of providing a safe and convenient means for pedestrians to cross the railway line outweighs the harm caused to the bridge, to the setting of the historic context of the railway station and the harm to the street scene.

## **8. Human Rights Implications**

8.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

- (i) Article 8 - Right to respect for private and family life; and
- (ii) The First Protocol, Article 1 - Protection of Property.

8.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

## **9. Recommendation**

Subject to the conditions set out in paragraph 8.1 below, planning permission be granted.

### **9.1 SCHEDULE OF CONDITIONS**

#### **Commencement of Development**

1. The development must start within three years of the date of this permission.

#### **Reason:**

This condition is required by Section 91 of the Town and Country Planning Act 1990 as amended.

#### Approved Plans

2. The development permitted shall be carried out in accordance with the following approved plans: BS4971/701/01 Revision B, BS4971/704/02 Revision A, BS4971/707/01 Orig. unless otherwise agreed in writing by the County Planning Authority.

#### Reason:

For the avoidance of doubt and in the interests of proper planning.

#### Construction Environmental Management Plan (CEMP)

3. No development approved by this permission shall be commenced until a Construction Environmental Management Plan has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include the phasing of development and the means of access for pedestrians during the construction period. The CEMP shall be implemented in accordance with the approved details and agreed timetable as approved by the County Planning authority.

#### Reason:

To provide a public access route during construction and in the interests of the residential amenities of the area and the character and appearance of the setting of Listed Buildings in accordance with Policies CEN, D, IAT and LHH of the Purbeck District Local Plan Part 1.

#### Details/Samples of Materials

4. Before any new brickwork is laid, a sample panel will be built on site, inspected and approved by the Council. The brickwork panel will remain on site during the construction works. The development will be built in accordance with the approved panel.

#### Reason:

To ensure the new brickwork matches the existing in the interests of the visual amenity of the area in accordance with Policies D and LHH of the Purbeck District Local Plan Part 1.

#### Lighting

5. Prior to works commencing a lighting scheme shall be submitted to, and approved in writing by, the County Planning Authority. The scheme shall include the position and design of lighting columns and cowls, lux levels, and hours of illumination. The approved lighting scheme shall be implemented and no changes shall be made to this lighting scheme unless the Council first gives written consent to any variation.

#### Reason:

To ensure the satisfactory implementation of the approved lighting scheme in the interests of the visual amenity of the area and to minimise unacceptable impacts upon residential properties, in accordance with Policies D, IAT and LHH of the Purbeck District Local Plan Part 1.

#### Amenity Screen

6. Prior to works commencing details of the amenity screen on the southern ramp shall be submitted to, and approved in writing by, the County Planning Authority, and the works shall be carried out in accordance with the approved details.

Reason:

To protect the amenities of adjoining residential properties in accordance with Policy D of the Purbeck District Local Plan Part 1.

Construction Details.

7. Prior to works commencing details of the

- construction of the foundations;
- handrail, balustrade and decking,
- shall be submitted to, and agreed in writing by, the County Planning Authority, and the works shall be carried out in accordance with the approved details.

Reason.

In the interests of the residential amenities of the area and in accordance with Policy D of the Purbeck District Local Plan Part 1.

External Finish

8. Prior to works commencing details of external decoration of the ramps, including 1:5 sections showing the profiles to be used, shall be submitted to and agreed in writing by the County Planning Authority. All sections of galvanised steel (support columns, parapet, and vertical columns) shall as far as possible match the colour scheme of the listed bridge. The scheme shall be constructed in accordance with the approved details unless the County Planning Authority first gives written consent to any variation.

Reason:

In the interests of the visual amenity of the area and the character and appearance and setting of the listed buildings in accordance with Policy LHH of the Purbeck District Local Plan Part 1.

Informative Note: All buildings and especially roof spaces can support bat roosts which may be damaged or disturbed by demolition, building works or timber treatment. Please note that all bats and their roosts are fully protected under law. It is a requirement of the legislation to notify Natural England on 0300 060 3900 of any operation which may affect bats or their roosts, even when the bats are apparently absent. A contravention of the Wildlife and Countryside Act 1981 may constitute a criminal offence. The grant of this Consent does not override any requirements to notify Natural England or to comply with the legislation.

Further Information

Further details including application documents and the Planning Officers report can be viewed by entering the application reference given above in to the relevant search field at the following url:  
[www.dorsetforyou.com/ePlanning/searchPageLoad.do](http://www.dorsetforyou.com/ePlanning/searchPageLoad.do).


**Maxine Bodell**  
Head of Planning  
Economy

14 June 2018

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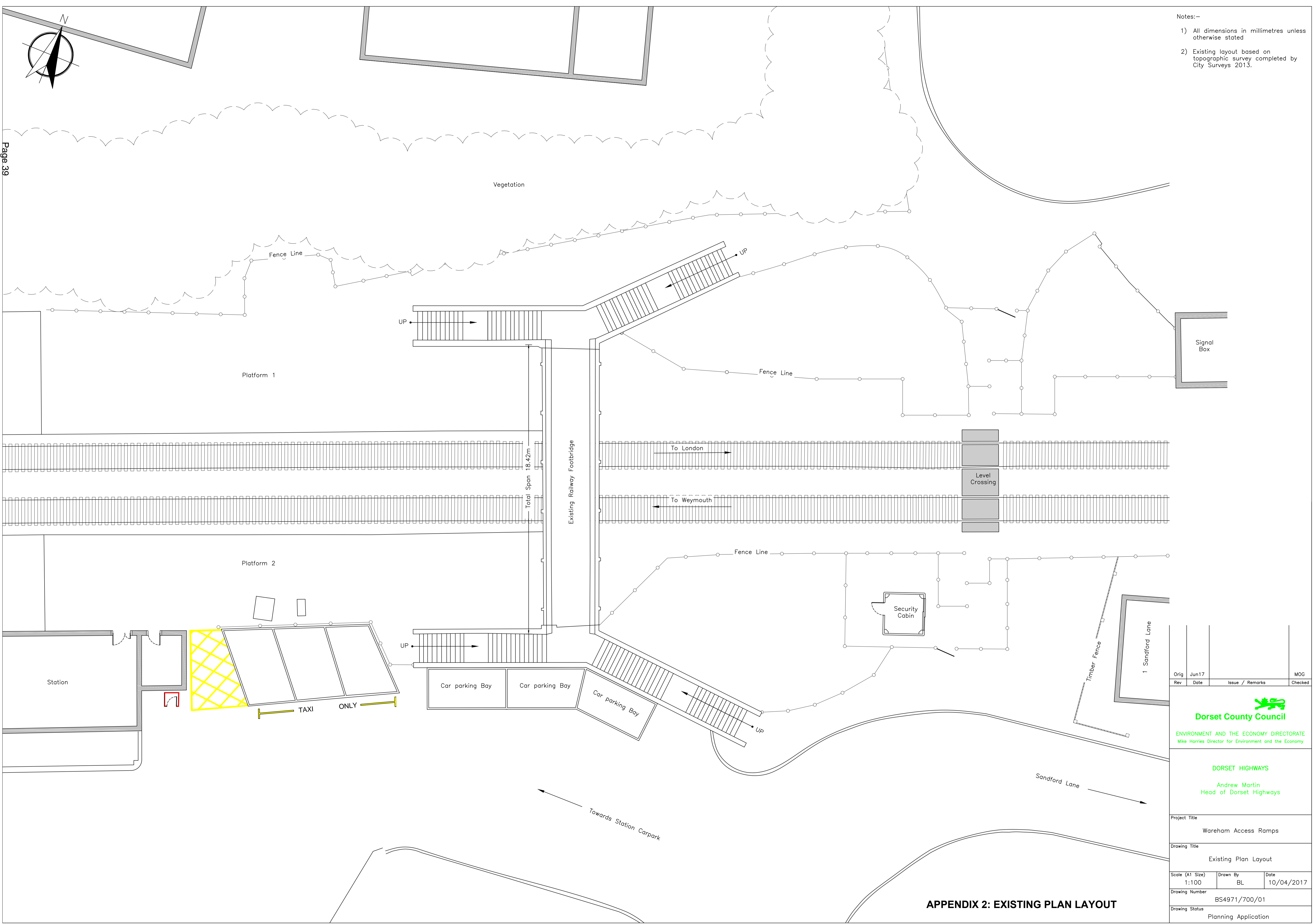
# APPENDIX 1: SITE LOCATION PLAN



 <b>Dorset County Council</b> ENVIRONMENT AND THE ECONOMY DIRECTORATE Mike Harries Director for Environment and the Economy  <b>DORSET HIGHWAYS</b> Andrew Martin Head of Dorset Highways	Project Title		Wareham Access Ramps			Orig 21Aug17 Rev Date Issue / Remarks Checked - MOG	
	Drawing Title		Site Location Block Plan 2		Drawing Number		BS4971/700/05
	Scale (A4 Size)	1:5000	Drawn	MOG	Date		21Aug17

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- Notes:-
- 1) All dimensions in millimetres unless otherwise stated
  - 2) Existing layout based on topographic survey completed by City Surveys 2013.



Orig	Date	Issue / Remarks	MOG
Jun17			Checked

**Dorset County Council**  
 ENVIRONMENT AND THE ECONOMY DIRECTORATE  
 Mike Harries Director for Environment and the Economy

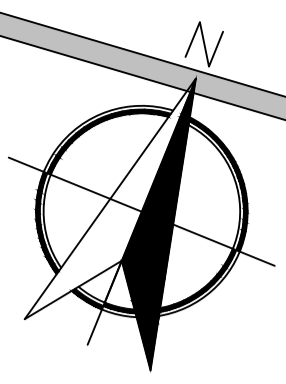
**DORSET HIGHWAYS**  
 Andrew Martin  
 Head of Dorset Highways

Project Title		
Wareham Access Ramps		
Drawing Title		
Existing Plan Layout		
Scale (A1 Size)	Drawn By	Date
1:100	BL	10/04/2017
Drawing Number		
BS4971/700/01		
Drawing Status		
Planning Application		

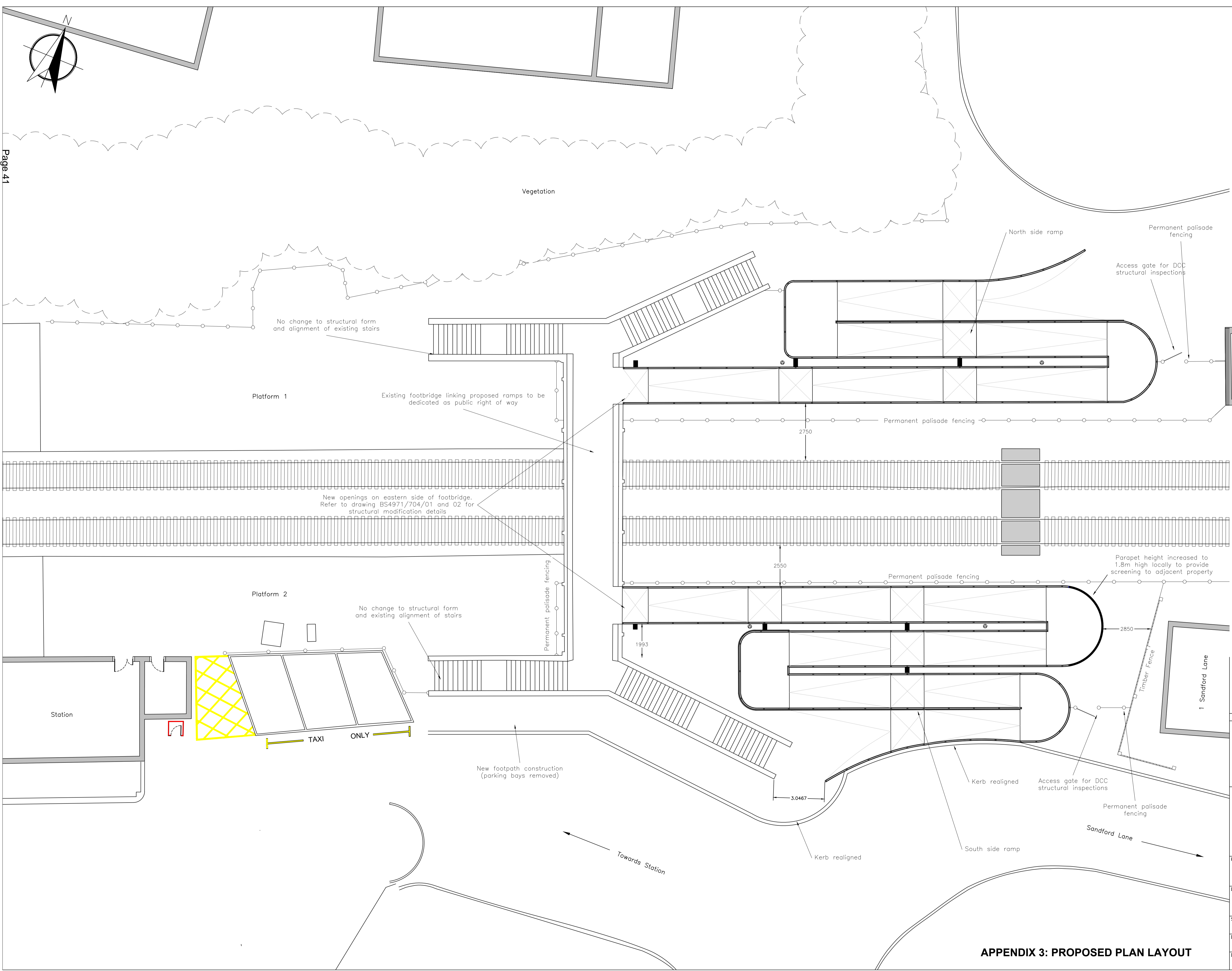
**APPENDIX 2: EXISTING PLAN LAYOUT**

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- Notes:-
- 1) All measurements in millimetres unless otherwise stated
  - 2) Existing plan layout produced from topographic survey completed by City Survey 2013
  - 3) Ramp and bridge modification proposal subject to Network Rail approval
  - 4) Ramp structures to be structurally independent from existing Network rail footbridge
  - 5) Proposal subject to planning permission approval
  - 6) Permanent closure of existing level crossing to be managed by Network Rail
  - 7) Ramp structures to be owned and maintained by Dorset County Council
  - 8) Intention to dedicate footbridge as public right of way subject to agreement with Network Rail



- Legend:-
- Ramp structural column/beam
  - ⊙ Lighting columns

Rev	Date	Issue / Remarks	Checked
B	May18	Screen added, remove barrier	MOG
A	Jul17	Changes to north ramp	MOG
Orig	Jun17		MOG

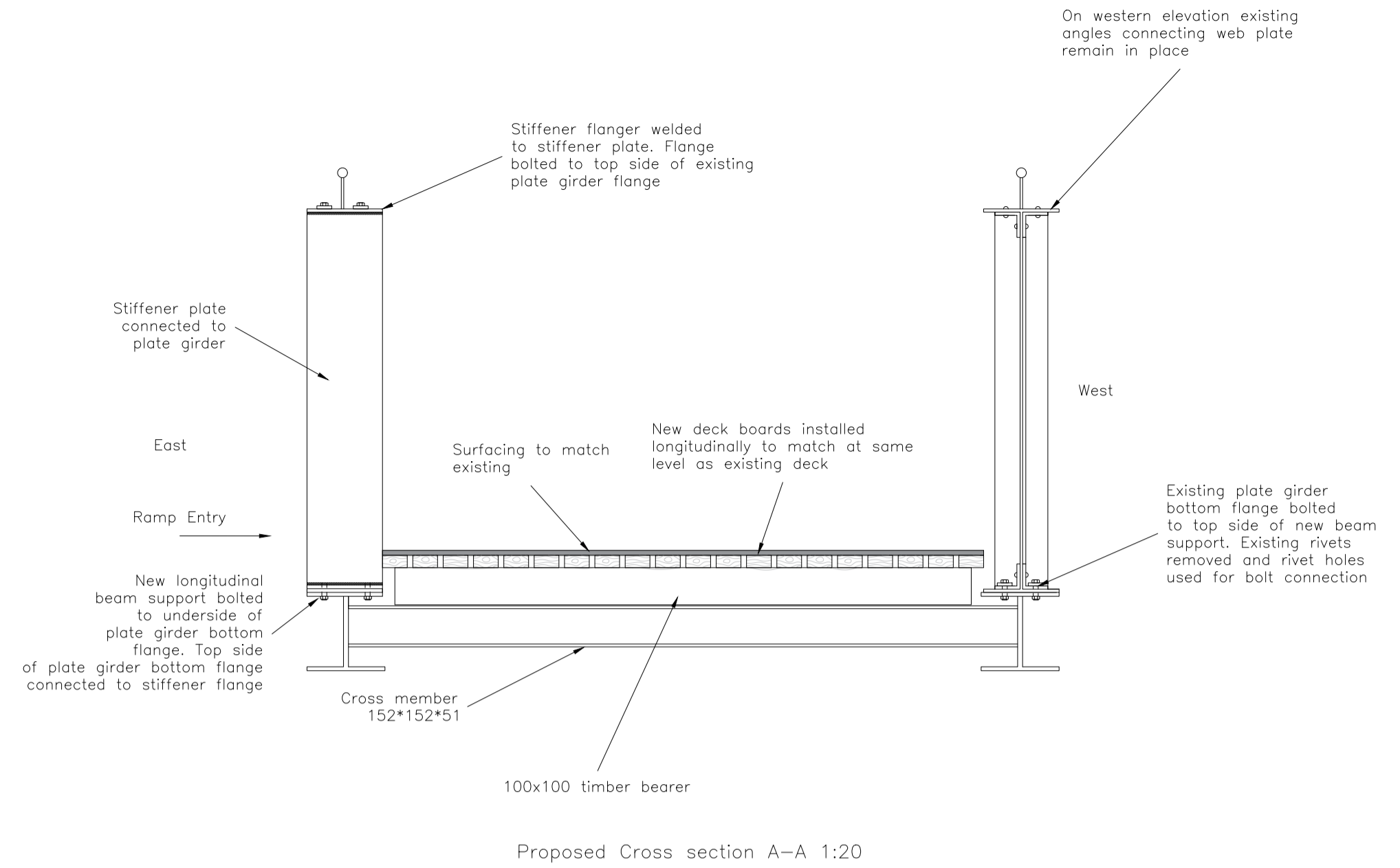
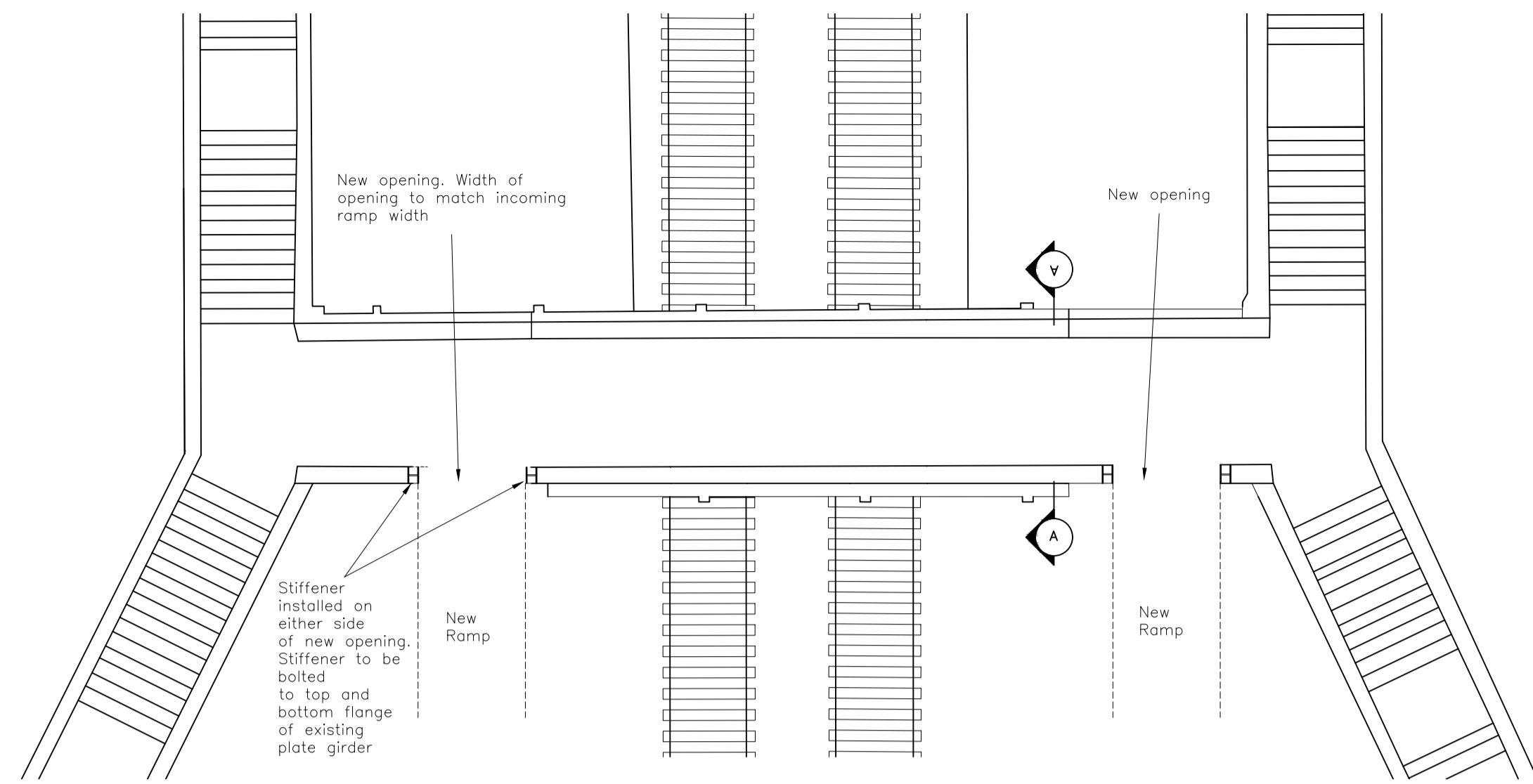
**Dorset County Council**  
 ENVIRONMENT AND THE ECONOMY DIRECTORATE  
 Mike Harries Director for Environment and the Economy

**DORSET HIGHWAYS**  
 Andrew Martin  
 Head of Dorset Highways

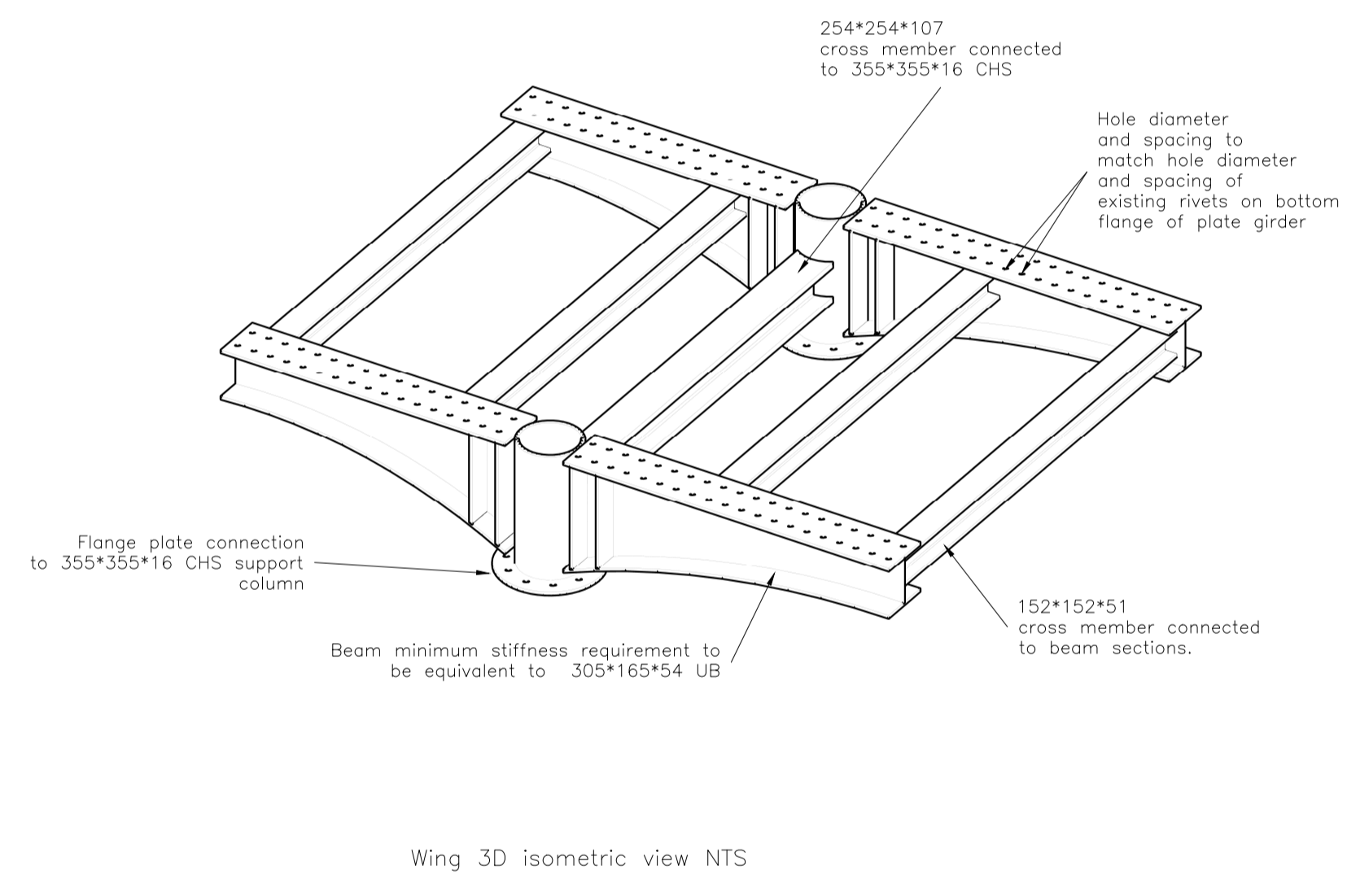
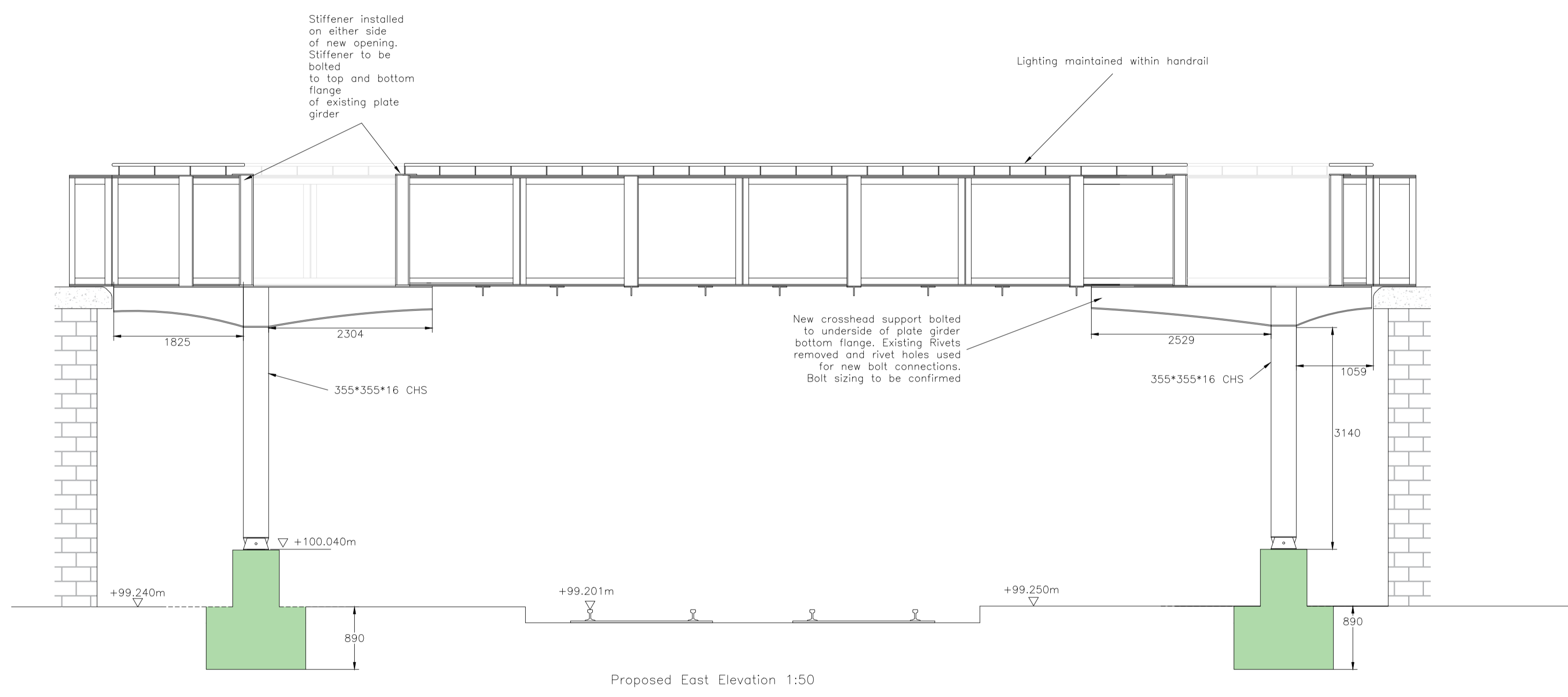
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Wareham Access Ramps		
Drawing Title		
Proposed Plan Layout		
Scale (A1 Size)	Drawn By	Date
1:100	BL	12/04/2017
Drawing Number		
BS4971/701/01		
Drawing Status		
Planning Application		

**APPENDIX 3: PROPOSED PLAN LAYOUT**

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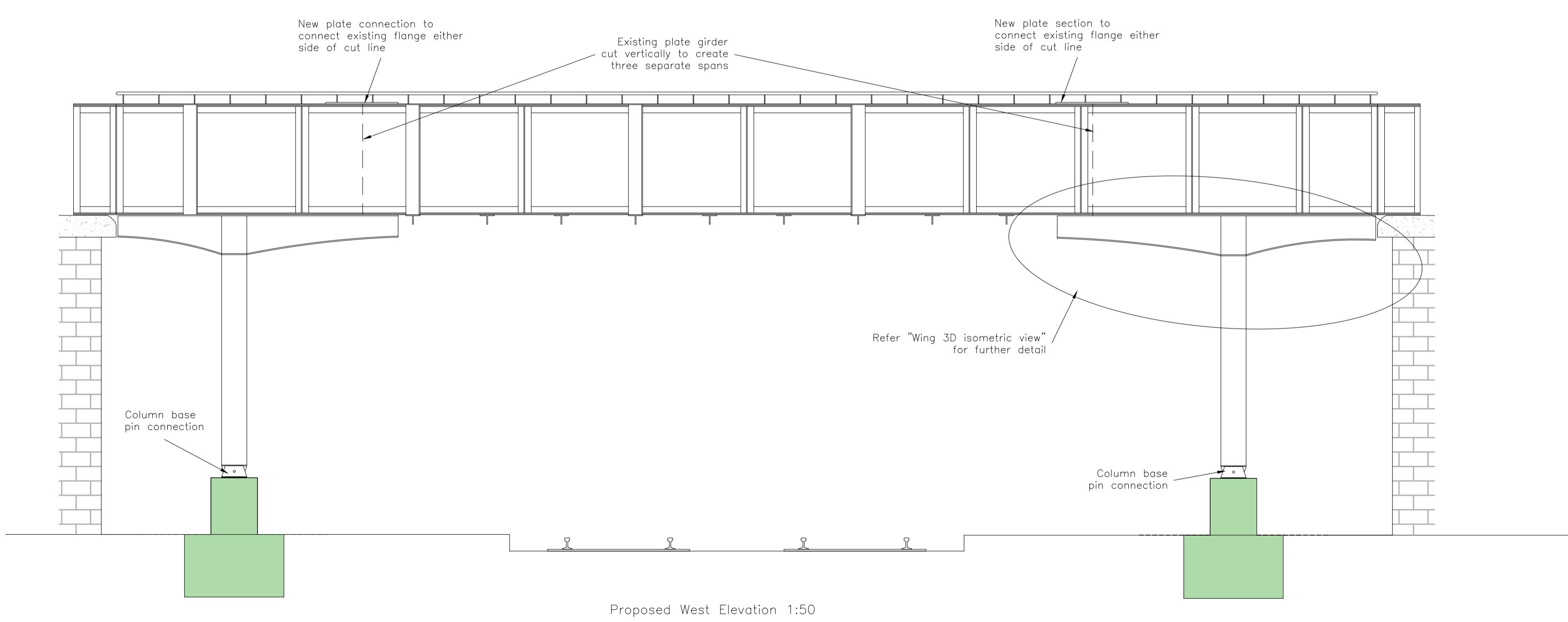


- Notes:-
- 1) All dimensions in millimetres unless other stated
  - 2) Datum for displayed levels consistent with datum used for topographic survey completed by City Survey 2013
  - 3) Design subject to confirmation of existing structure dimensions. Dimensions to be confirmed by tactile inspection.
  - 4) Pad foundation design based on assumed characteristic mobilised angle of friction of 30 degrees for bearing soil.
  - 5) All new steel work colour to match colour of existing footbridge. Paint specification to be confirmed.
  - 6) Design subject to Network Rail technical approval in accordance with standard NR/L2/CIV/003
  - 7) Specified distance from column to rail track in accordance with standard NR/CIV/TUM/400
  - 8) Detailed design of modifications to be in accordance with standard NR/L3/CIV/020
  - 9) Steelwork to be fabricated in accordance with BS-EN 1090-2 execution class EXC3



Legend:-

Reinforced Concrete



**APPENDIX 4: PROPOSED BRIDGE MODIFICATIONS**

Rev	Date	Issue / Remarks	MOG MOG	Checked
A	Aug17	Northern Cut Realigned	MOG	
Orig	Jun17		MOG	

**Dorset County Council**  
 ENVIRONMENT AND THE ECONOMY DIRECTORATE  
 Mike Harries Director for Environment and the Economy

**DORSET HIGHWAYS**  
 Andrew Martin  
 Head of Dorset Highways

Project Title  
 Wareham Access Ramps

Drawing Title  
 Proposed Bridge Modifications-  
 General Arrangement

Scale (A1 Size)  
 AS SHOWN

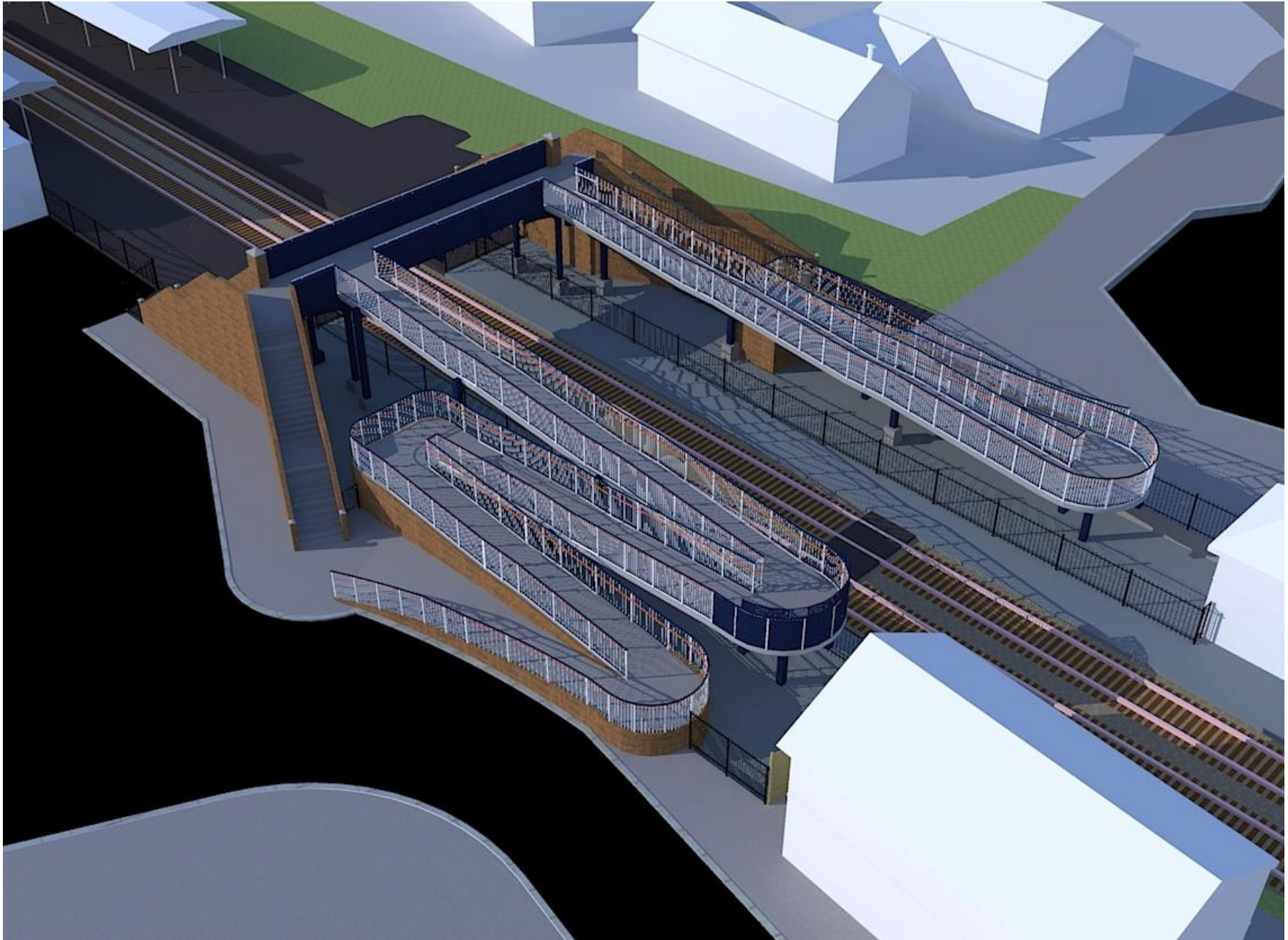
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Date  
 21 APR 17

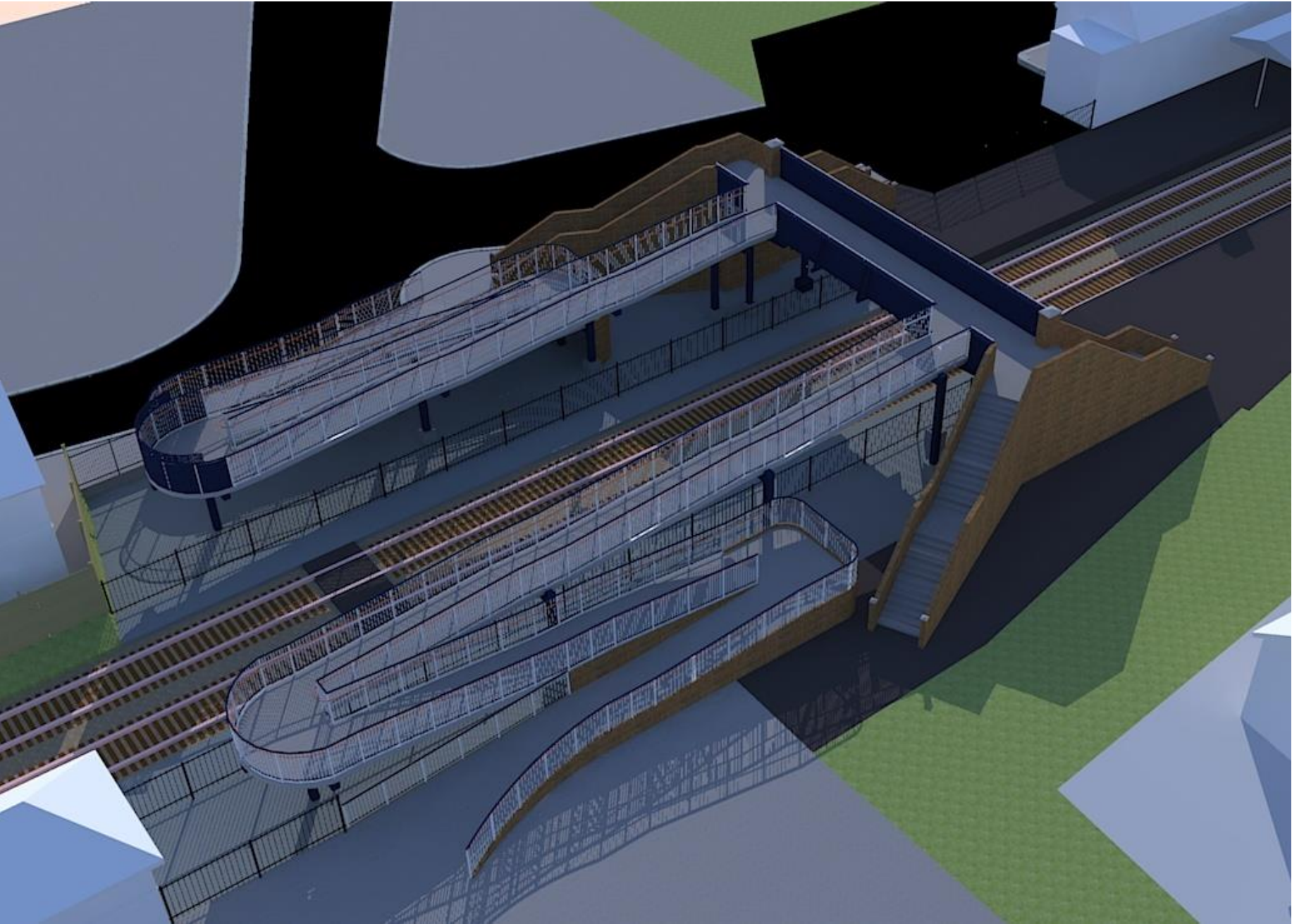
Drawing Number  
 BS4971/704/02

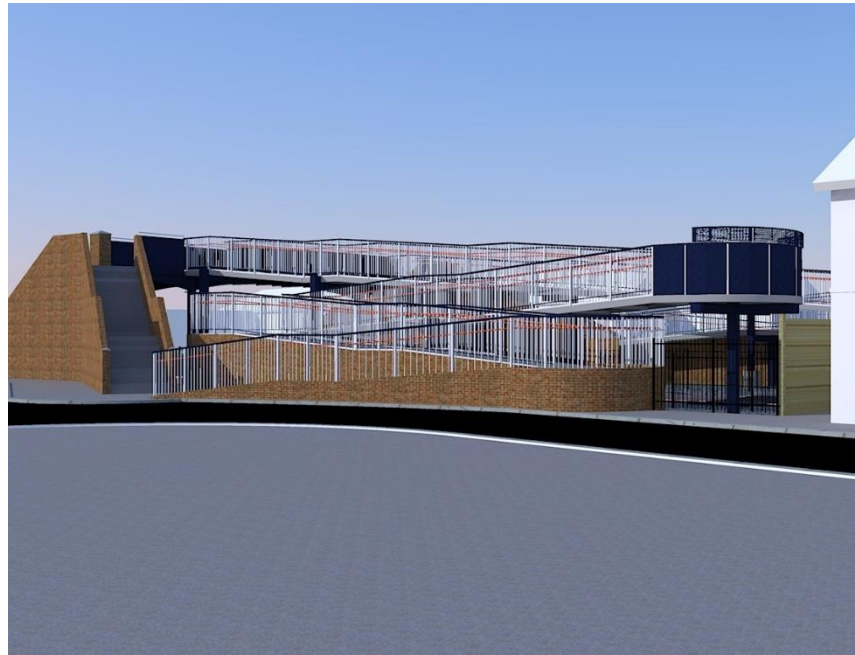
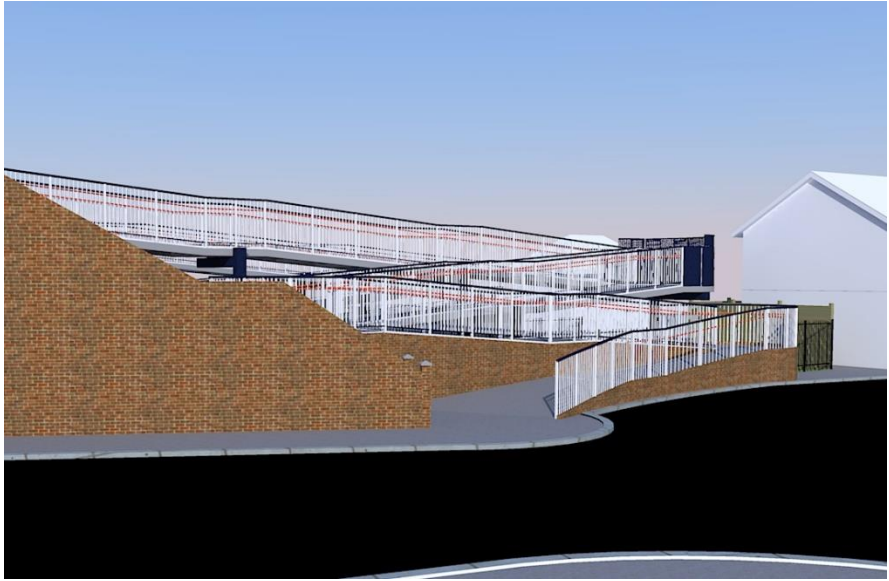
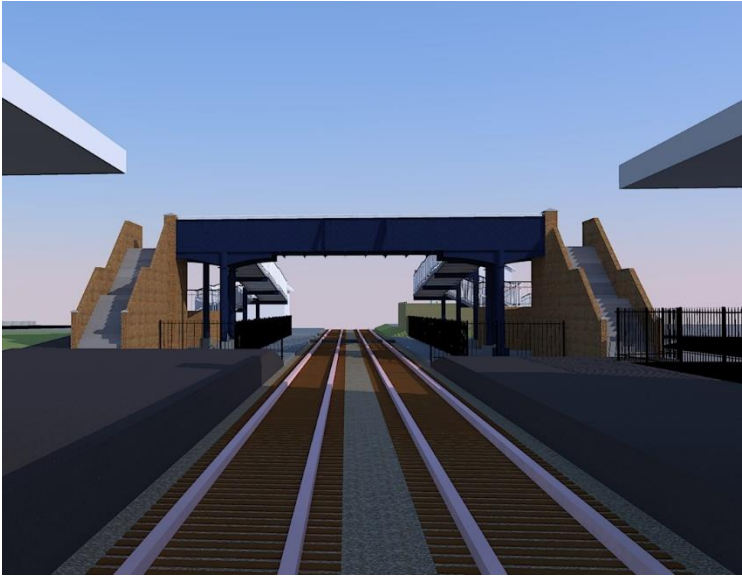
Drawing Status  
 Planning Application

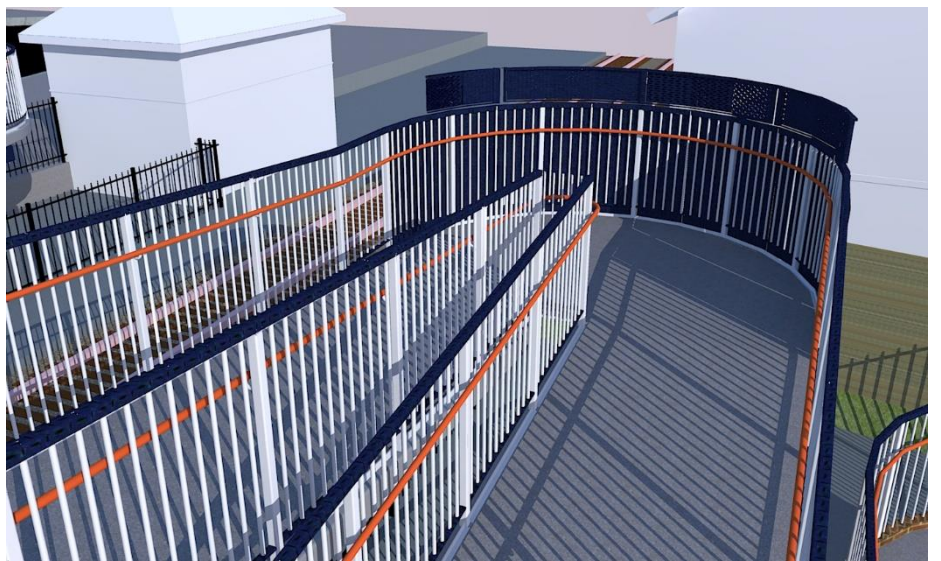
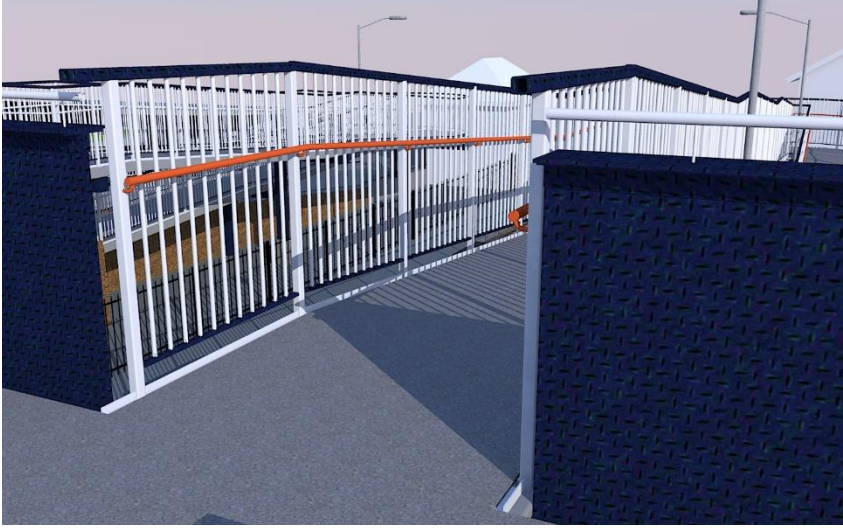
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**APPENDIX 5: WAREHAM BRIDGE VISUALISATIONS**

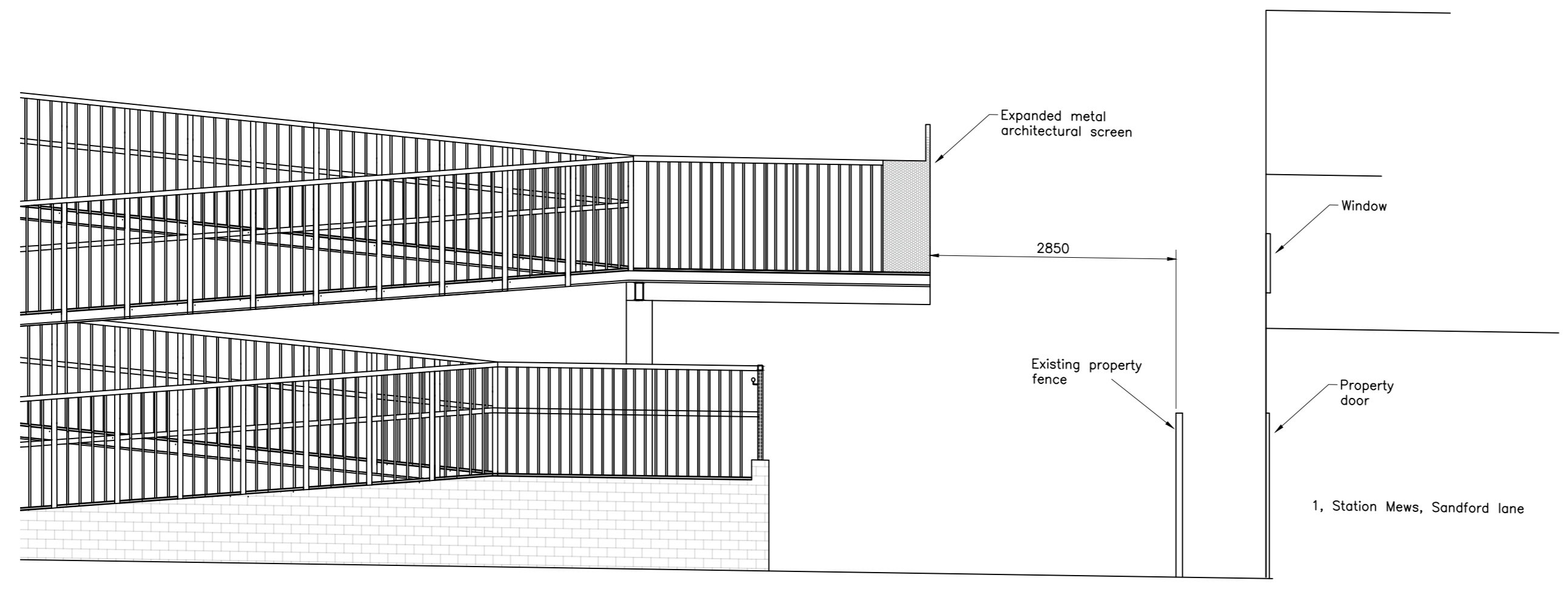




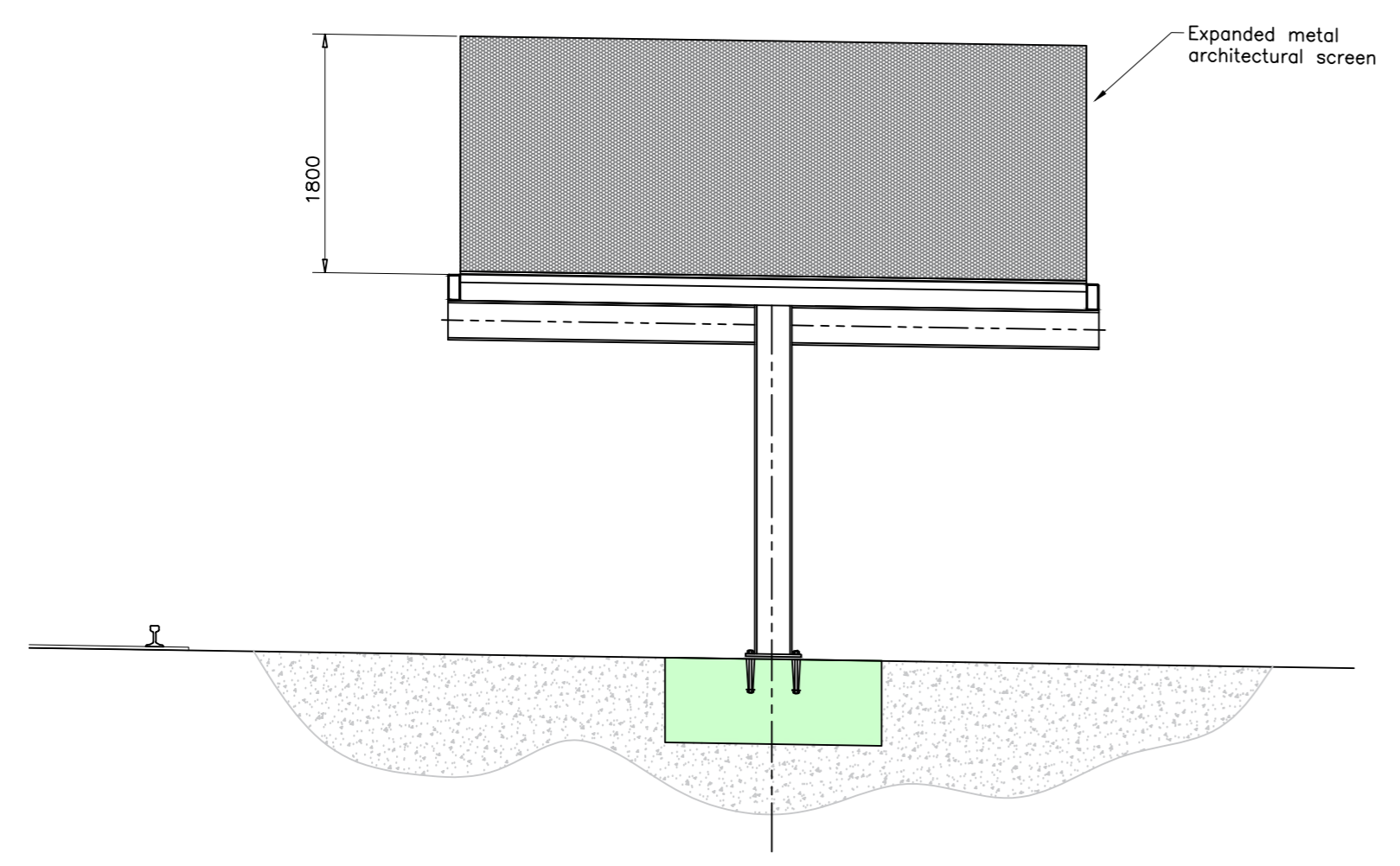




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Elevation



End Elevation

- Notes:-
- 1) All measurements in millimetres unless otherwise stated
  - 2) Existing layout produced from topographic survey completed by City Survey 2013

Orig	10May18	-	MOG
Rev	Date	Issue / Remarks	Checked
 <b>Dorset County Council</b> ENVIRONMENT AND THE ECONOMY DIRECTORATE Mike Harries Director for Environment and the Economy			
<b>DORSET HIGHWAYS</b> Andrew Martin Head of Dorset Highways			
Project Title		BS 4971 Wareham Ramps	
Drawing Title			
Architectural Screen Adjacent to 1 Station Mews			
Scale (A2 Size)	Drawn By	Date	
1:50	TC	10 May 2018	
Drawing Number			
BS4971-707-01			
Drawing Status			
Planning Application			

**APPENDIX 6: ARCHITECTURAL SCREEN**

