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| Application Number: | 6/2021/0283 |
| Webpage: | https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=288234 |
| Site address: | Briantspuddle Bridge, Briantspuddle, Dorset |
| Proposal: | Undertake concrete repairs on underside of arches, repair/replace stones in headwalls and repoint. Repair concrete footpath. Install loose rock aprons. Retrospective. |
| Applicant name: | Mr James Statham |
| Case Officer: | Oliver Haydon |
| Ward Member(s): | Cllr Miller and Cllr Wharf |

1.0 The application for Listed building consent has been submitted by Dorset Council Highways Department and falls to be determined by the Area Planning Committee in accordance with Part 3(2) of the Constitution

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- The repairs are required to ensure the structural integrity of the structure, for the safety of road users and to enable on-going movement of vehicles including HGVs.
- The works would lead to less than substantial harm to significance of the heritage asset. The public benefits of the bridge repair works outweigh this level of harm.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

| Issue | Conclusion |
|---------------------------|------------------------------------|
| Impact on heritage assets | Acceptable, subject to conditions. |

5.0 Description of Site

The site features the road bridge over the River Piddle, north of the village of Briantspuddle. The bridge carries the class D road "Moor Lane" over the river and is Grade-II listed. The structure consists of six round concrete arches.

6.0 Description of Development

The application seeks retrospective consent for:

1. Repairs to the bridge- which fall into three types:

- Repairs to the faces of spalled stones; this involves new stone facings to be secured where the existing stones are eroded or cracked. Where a stone requires replacement, they are to be replaced like for like.
- Repairs to spalled concrete; this involves removal of any broken material until sound concrete is reached, it will be treated with a rust inhibitor and re-mortared.
- Scour repair; on the upstream and downstream sides of the bridge, scour on the foundations has been observed due to vegetation narrowing the river flow and concentrating flow and erosion to the central arch.

2. Constructing a loose rock apron

The loose rock apron lies adjacent to the bridge abutments and piers to spread the lateral erosion and prevent undermining.

3. Repair/resurface concrete footpath

The concrete footway is on the upstream side of the structure only. The works are to repair longitudinal cracks by breaking out the concrete pathway for a depth of approx. 25mm and replacing the concrete.

The repairs are required to ensure the structural integrity of the structure, for the safety of road users and to enable on-going movement of vehicles including HGVs.

Due to the timing, budget and ecological constraints of the environmental permit, temporary traffic regulation order and road closure permit, the works have been completed since the application was submitted so the proposal is retrospective.

7.0 Relevant Planning History

6/2019/0644 - Certificate of Lawfulness of Proposed works to a Listed Building - Repairs to concrete spalling on underside of bridge arches 1-5. Insert stones around cutwaters to protect against scour. Granted 18.12.2019

8.0 List of Constraints

Within Conservation Area

Flood zone 2

Flood zone 3

Grade II listed structure (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Affpuddle & Turnerspudde Parish Council (received 24 June 2021)

Affpuddle and Turnerspudde Parish Council supports this application.

2. Design and Conservation (received 01 September 2021)

No objection

The Conservation Officer discussed these works with the applicant and believes they have been carried out. The applicant was advised to submit a retrospective application.

Representations received

The application was advertised by means of a site notice displayed on 16 June 2021. No other responses received.

10.0 Relevant Policies

Adopted Purbeck Local Plan Part 1:

The following policies are considered to be relevant to this proposal:

- Policy LHH – Landscape, Historic Environment and Heritage
- Policy D – Design
- Policy IAT – Improving Accessibility & Transport

Emerging Purbeck Local Plan:

Officers have considered the emerging Purbeck Local Plan when assessing this planning application. The plan was submitted for examination in January 2019. At the point of assessing this planning application the examination is ongoing following hearing sessions and consultation on proposed Main Modifications (carried out between November 2020 and January 2021). The council's website provides the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, council and other interested parties). Taking account of Paragraph 48 of the National Planning Policy Framework, the plans progress through the examination and the council's position following consultation on proposed Main Modifications, at this stage only very limited weight can be given to this emerging plan.

The following policies of the emerging Local Plan are considered relevant to the application but cannot be given any significant weight in the decision-making process:

- E2: Historic Environment
- E12: Design
- I2: Improving accessibility and transport

Material Considerations

National Planning Policy Framework

Particularly section 16, paras. 194-208:

‘Conserving and Enhancing the Historic Environment’-

When considering designated heritage assets, great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Other Material Considerations

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 16(2) requires that the local planning authority shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses.

Purbeck District Design Guide supplementary planning document adopted January 2014.

National Planning Practice Guidance

HE Advice Notes 2: Making Changes to Heritage Assets

HE: Conservation Principles

HE Good Practice Advice Note 3: Setting of Heritage Assets

HE Good Practice advice Note 2: Managing Significance in Decision Taking
Conservation Area Appraisal

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

13.0 Planning Assessment

- 13.1 Retrospective Listed building consent is being sought for repairs to be carried out on the river structure, Briantspuddle Bridge. The works have been carried out by Dorset Highways following investigations into the structural condition of the bridge.
- 13.2 The works are proposed as being necessary to allow the continued use of the bridge, which connects Briantspuddle to the A35 to the north, without the need for vehicles to travel through neighbouring Affpuddle. The works comply with Policy IAT of the Purbeck Local Plan Part 1 (PLP1) as they result in improvement of the local highway network.
- 13.3 Much of the basic repair work, including masonry and concrete spalling repairs as well as any necessary repointing, has been granted a certificate of lawfulness (6/2019/0644). It was judged by the Design and Conservation Officer that the extent of those repairs did not require Listed building consent.
- 13.4 Subsequently additional proposed works comprising resurfacing an existing concrete footpath and the construction of a loose rock apron were considered to require listed building consent.
- 13.5 When considering whether or not to grant listed building consent the Council has a statutory duty under section 16(2) The Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest it possesses.
- 13.6 Paragraph 195 of the National Planning Policy Framework is also relevant. It requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraph 197 refers to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. When considering the impact of a

development on the significance of a heritage asset, great weight should be given to the asset's conservation (paragraph 199).

- 13.7 The listing for the bridge reads:
Road bridge over River Piddle. Probably C18. Ashlar stone structure. Six semi-circular stone arches with pendant keystones, divided by projecting stone cutwaters, carried up to form refuges in the parapets. At each end of the bridge the parapets curve outwards, and are stopped by square piers.

It appears that the current concrete arches were constructed in the 1920s.

- 13.8 The Council's Conservation Officer has discussed the repair works with the applicant and considers them to be acceptable, raising no objections. Minimal repairs are required to the stone parapets and these works, together with repairs to spalled concrete and scour repair are changes that already benefit from the certificate of proposed lawfulness; they have been identified as not affecting the character of the bridge as a structure of special historic interest. The works requiring consideration are the repairs to the existing concrete footway and the loose stone apron proposed to protect the foundations.
- 13.9 The stone apron comprises a mixture of angular flint and Purbeck stone placed around and over the foundations of upstream cutwaters. The rock will have limited visual impact at the base of the bridge, piled up to the concrete invert level. The concrete footway repairs will be more evident to users of the bridge, but these will reinstate the previous appearance of the footway prior to the damage it has sustained.
- 13.10 Notwithstanding the visual acceptability, as the proposal includes repairs in concrete, replacing the existing rather than restoration of the stone identified in the listing, the proposals result in harm to the listed bridge. The degree of harm is judged to be less than substantial harm.
- 13.11 The NPPF allows for an analysis of the significance or, where appropriate, of the substantiality of harm to the identified cultural interests, and a weighing of the identified harm against the actual benefits that could be expected to result from the benefits. There is no spectrum of degree of harm within the less than substantial harm category but the more important a heritage asset is, the greater the weight to be attached to its preservation or the preservation of its setting, irrespective of whether the harm caused is substantial or less than substantial (para 202).
- 13.12 In this case great weight is given to the conservation of the Grade II listed bridge. The proposals have been identified as resulting in less than substantial harm. The public benefits of the proposal are:

- protecting the bridge from potential structural failure which could otherwise arise from scour undermining the foundations
- securing safe pedestrian and vehicular access across the bridge thereby avoiding the need for vehicles to travel through Affpuddle to reach the A35

13.13 It is judged that these public benefits outweigh the less than substantial harm. The works therefore accord with policies LHH and D of the Purbeck Local Plan and Chapter 16 of the NPPF.



14.0 Conclusion

The works proposed will help to ensure the future preservation of the bridge structure and the continued safe and effective operation of the local highway network. The public benefits outweigh the less than substantial harm to the listed building arising from use of materials which match the existing rather than the original fabric. Approval is recommended.

15.0 Recommendation

To grant listed building consent, subject to the following conditions:

1. The development permitted must be carried out in accordance with the following approved plans:

BS0484_DC_00_00_NO_C_0001
BS0484_DC_00_00_DR_C_0002
BS0484_DC_00_00_DR_C_0004
BS0484_DC_00_24_SK_C_0001
BS0484_DC_00_24_SK_C_0002
BS0484_DC_00_24_SK_C_0003
BS0484_DC_00_24_SK_C_0004
BS0484_DC_00_24_SK_C_0005
BS0484_DC_00_24_SK_C_0006
BS0484_DC_00_00_NO_C_0001
BS0484_DC_A1_17_DR_C_0001
BS0484_DC_A2_17_DR_C_0001
BS0484_DC_A3_17_DR_C_0001

BS0484_DC_A4_17_DR_C_0001
BS0484_DC_A5_17_DR_C_0001
BS0484_DC_00_00_NO_C_0001
Location Plan

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.