

Delegated Report Prior Approval GPDO Part 18, Class A		Analysis sheet		Expiry Date:		17/03/2022	
		N/A		Consultation Expiry Date:		12/08/2022	
Officer				Application Number			
Edward Hodgson				2022/2619/P			
Application Address				Drawing Numbers			
Regent's Canal Bridge adjacent to Gilbeys Yard North Euston London NW1				Refer to Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Replacement of the expired decking of the existing bridge under Part 18 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development Order).							
Recommendation:		Grant Prior Approval					
Application Type:		GPDO Prior Approval Part 18, Class A					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	0	No. of objections	0
Summary of consultation responses:		<p>There is no requirement for the Local Planning Authority to advertise this type of Prior Approval application under the relevant planning legislation, however consultation letters were sent to the Canal and River Trust and the Regent's Canal CAAC.</p> <p>One response was received from the Canal and River Trust. Their comments can be summarised below:</p> <ul style="list-style-type: none"> The lowering of the clearance between the towpath and bridge to 2.64m would be below the 2.7m Code of Practice. The removal of the jack-arches is not supported The Trust haven't agreed to these works as a relevant landowner 					

Officer response:

- *National Rail has provided further justification in relation to the bridge structure, and that reduction in the bridge soffit would allow an increased height along the tow path would result in a step in the bridge. The Canal's and River Trust code of practice indicates that minimum headroom over tow path is usually accepted at 2.7 which allows some level of flexibility applied in this instance.*
- *The Jack-arches will be reinstated.*
- *Further clarification has been required from Canal and River Trust in relation to their objection and if agreement has been reached between themselves and Network Rail and no confirmation has been received. Officers have been advised that any decision the Trust reaches on this issue would need to be agreed by DEFRA due to the bridge impacts on Waterways Infrastructure Trust property.*

Site Description

The application site is a bridge serving cables and a walkway and two main railway tracks across the Regent's Canal between Camden Town and Primrose Hill and the canal towpath is designated open space. It is constructed of brick with metal parapets, beams and girders.

The surrounding area is residential in character. The application site is within the Regent's Canal Conservation Area but the structure is not listed.

Relevant History

Application Site:

PE9700247 - the retention of a facing wall (approx. 3m high by 2.7m wide), beneath the existing railway bridge, as shown on drawing Nos: 910/12,15 and location plan. **Granted - 19/06/1997**

Relevant policies

National Planning Policy Framework (2021)

General Permitted Development Order (2015)

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020

Assessment

1. Proposal

- 1.1. The proposal seeks prior approval for the replacement of the existing bridge decking and structure.
- 1.2. The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 (GPDO) Part 18 Class A Schedule 2 allows permitted development by a local or private Act of Parliament for the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam subject to prior approval of the appropriate authority being obtained. The Act of Parliament that allows the permitted development is the London and Birmingham Railway Act 1835.
- 1.3. This is subject to two conditions listed within sub-paragraph A.2 [(a)-(b)].
 - A) *the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land*
 - B) *the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.*

2. Assessment

2.1. *Assessment against Class A.2 conditions:*

The development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land:

The proposed works involve the replacement of the bridge decking which is in disrepair and is causing safety concerns. The works have to take place on the bridge, and therefore the development could not reasonably be carried out elsewhere on the land.

2.2. The design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury:

The proposal is for the replacement of the bridge decking, which involves the installation of metal girders, stiffeners, plates and beams, and the replacement of the brick jack-arches on the underside of the bridge with mortar jack-arches. The bridge in question serves an authorised walkway and cable bridge and two railway tracks and is located adjacent to another bridge serving four railway tracks. The new girders, beams, stiffeners and plates would have limited visibility from the public realm. The bridge adjacent to the application bridge would limit the visibility from the public realm. The bridge parapet externally facing on the south elevation would not be altered. The new jack-arches would only be visible from the canal towpath, and the clearance between the towpath and bridge would be marginally lowered by 0.4m, to 2.64m. Whilst the headroom tow path would be reduced below the 2.7m as advised by the Canal and River Trust as being the minimum usually accepted, in this instance due to technical requirements by Network Rail, the difference of 0.06m is not considered to result in harm to neighbouring amenity.

The materials proposed would be sympathetic to the existing bridge structure. The proposed works would have limited visibility from the public realm and are not considered to have a significant impact on the surrounding area and conservation area and would not injure the amenity of the neighbourhood.

3. Conclusion

The replacement bridge decking is permitted under Class A of Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by No.2 Order 2020).

4. Recommendation: Grant prior approval