

APPLICATION NO	PA/2010/0961
APPLICANT	RES UK and Ireland Ltd
DEVELOPMENT	Planning permission to construct a permanent bridge structure across the Stainforth and Keadby Canal and railway utilising existing track and abutment structures at the site
LOCATION	Land west of Keadby, either side of the Stainforth and Keadby Canal, Keadby
PARISH	KEADBY/ALTHORPE
WARD	Axholme North
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor J Briggs – significant public interest)

POLICIES

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside) sets out criteria for development in the open countryside where development is strictly controlled. At point ii) this development is categorised as employment-related development appropriate to the open countryside and accordingly has to meet certain requirements set out in the policy relating to clarifying the need for development and its design approach.

Policy T2 (Access to Development) requires all development to have a satisfactory access, all alternatives to have been considered and, where appropriate, the development should be served primarily by the existing highway network.

Policy LC5 (Species Protection) – where developments are in areas where the Wildlife and Countryside Act 1981 (as amended) is relevant, species surveys have to be carried out and, where appropriate, identified species on application sites have to be protected.

CONSULTATIONS

Highways: No objections.

Environment Agency: No objections, but recommend conditions.

British Waterways: No objections, but recommend conditions and advisory notes relating to contractual obligations required between British Waterways and the applicants in order to carry out the necessary works within British Waterways' jurisdiction and also relating to retaining the character of the waterway and its banks.

National Grid: Object to the application because one of their gas transmission pipelines passes through the application site. The problem relates to the specification of the pipeline

and may be overcome providing certain engineering procedures and specifications can be agreed with the applicants.

Discussions are ongoing between the applicants and National Grid.

PARISH COUNCIL

Keadby with Althorpe Parish Council: Support the application providing that all traffic that emanates from the wind farm development uses this bridge to access the site.

Eastoft Parish Council: No objection providing that no materials or products necessitated by the development of the wind farm site are transported through Eastoft and local villages.

Crowle Town Council: Support the application providing that all traffic uses the bridge to access the wind farm site.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. A number of representations have been received both supporting and objecting to the development. These can be summarised as follows:

- It is pleasing to see that the applicant company for the wind farm proposal is viewing the access to the site as a serious issue and this proposal to construct a bridge across the canal and railway is welcomed with caution.
- The application for planning permission to construct this bridge should incorporate a traffic management plan for the wind farm development.
- This bridge, as proposed, must be the only access to the wind farm and no alternative accesses should be required except in extreme emergencies.
- The canal should be used, wherever possible, for the delivery of aggregates to the site to facilitate the construction of the wind farm bases and access roads.
- A detailed study of the use of water transport should be submitted with this application which should include, as well as the potential for delivering aggregates to the site, the facility to deliver abnormal loads to the site.
- In support of the application it has been expressed that the bridge will relieve the local villages of Keadby, Eastoft, Crowle and Ealand of a large number of heavy goods vehicles and other vehicles required for the development of the wind farm site. The support for this proposal is quantified further in that it encourages the use of the canal and local waterway network to deliver aggregates and other products, and engineering equipment, to the site.

Other comments have been made by third parties which are not material to this application to construct the bridge – they relate to the principle of the wind farm, the way the development of the wind farm will take place and the impact of construction of the wind farm on specific local businesses, and the fact that a local highway/footpath has been blocked unlawfully.

ASSESSMENT

This application to construct a bridge over the canal and railway line to facilitate access to the approved Keadby wind farm development follows on from the council's refusal to agree a traffic management plan which was submitted to the council last year pursuant to conditions attached to the wind farm planning consent granted by the Secretary of State. The site of this bridge is the same site that has had permission in the past for a temporary bridge to provide access to the Scottish and Southern Energy (SSE) power station site at Keadby which was to facilitate an expansion proposal which did not go ahead.

This proposal is to build a permanent bridge across the canal and railway both to facilitate access for the construction and maintenance of the wind farm that has been approved and also to benefit SSE with any future proposals or maintenance requirements that they may have. In due course the conditions on the planning permission for the wind farm will have to be complied with insofar as a traffic management plan still has to be submitted to North Lincolnshire Council for approval before any development can commence on site. This bridge proposal is an integral part of the strategy for accessing the wind farm site and in due course will form a pivotal section of the traffic management plan which will need to be submitted to the council separately to seek compliance with the appropriate condition on the original wind farm consent.

The determining issues in this case are the appearance of the bridge and its impact on the open countryside and the objection from National Grid in terms of the security of the gas supply network.

The council's archaeology team have confirmed that there are no objections from an archaeological perspective and the Environmental Protection team have confirmed that there are no issues of concern. However the council's Environment Team have made reference to a survey that has been carried out and submitted with the application for the ecology of the area and the fact that protected species may be at risk from this proposal (although none have been identified as being present on site now).

Dealing first with the bridge's appearance, reference has been made in this report to an earlier approval for a temporary bridge that was utilitarian in nature. The bridge now proposed is a permanent structure with a flowing design which, subject to conditions relating to the external materials and colour of the bridge, will not harm the amenity of the open countryside.

In terms of protected species, no evidence has been found of protected mammals or other species close to the site and accordingly the precautionary approach presented by the Environment Agency's suggested conditions is welcomed.

This bridge, the subject of significant negotiations over recent months involving local Members of Parliament from the previous administration as well as the current one, sets out a solution to a significant issue to the local community, that is providing access to the approved wind farm. With minor alterations to the access with the old A18 road, the existing access road to this bridge is suitable to serve the development and with the construction of this bridge, traffic attendant to the construction and operation of the wind farm will be taken away from the local highway network around the villages of Eastoft, Crowle, Ealand and Swinefleet in the East Riding of Yorkshire. This is to be welcomed.

There are no reasons to withhold permission for this bridge but certain agreements and provisions have to be made with other statutory bodies such as British Waterways and National Grid to facilitate its construction. These agreements are beyond the remit of land use planning and a verbal update will be made at the meeting with regard to the outstanding objection from National Grid.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: 01253D2524-01 and 01253D2328-01 (sheets 1 & 2).

Reason

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

3.
Prior to, during and after construction of the proposal, the additional surveys regarding mitigation, enhancement and creation works outlined in the Ecological Report undertaken by AECOM dated April 2010 shall be carried out. Any variation in the suggested mitigation proposals must be agreed in writing with the local planning authority.

Reason

To ensure that the development has minimal impact on the flora and fauna utilising the site prior to, during and after construction of the bridge.

4.
Notwithstanding details on the submitted plans, prior to the commencement of development, details of the proposed external (green, brown or black) colour of the bridge structure shall be submitted to and agreed in writing by the local planning authority.

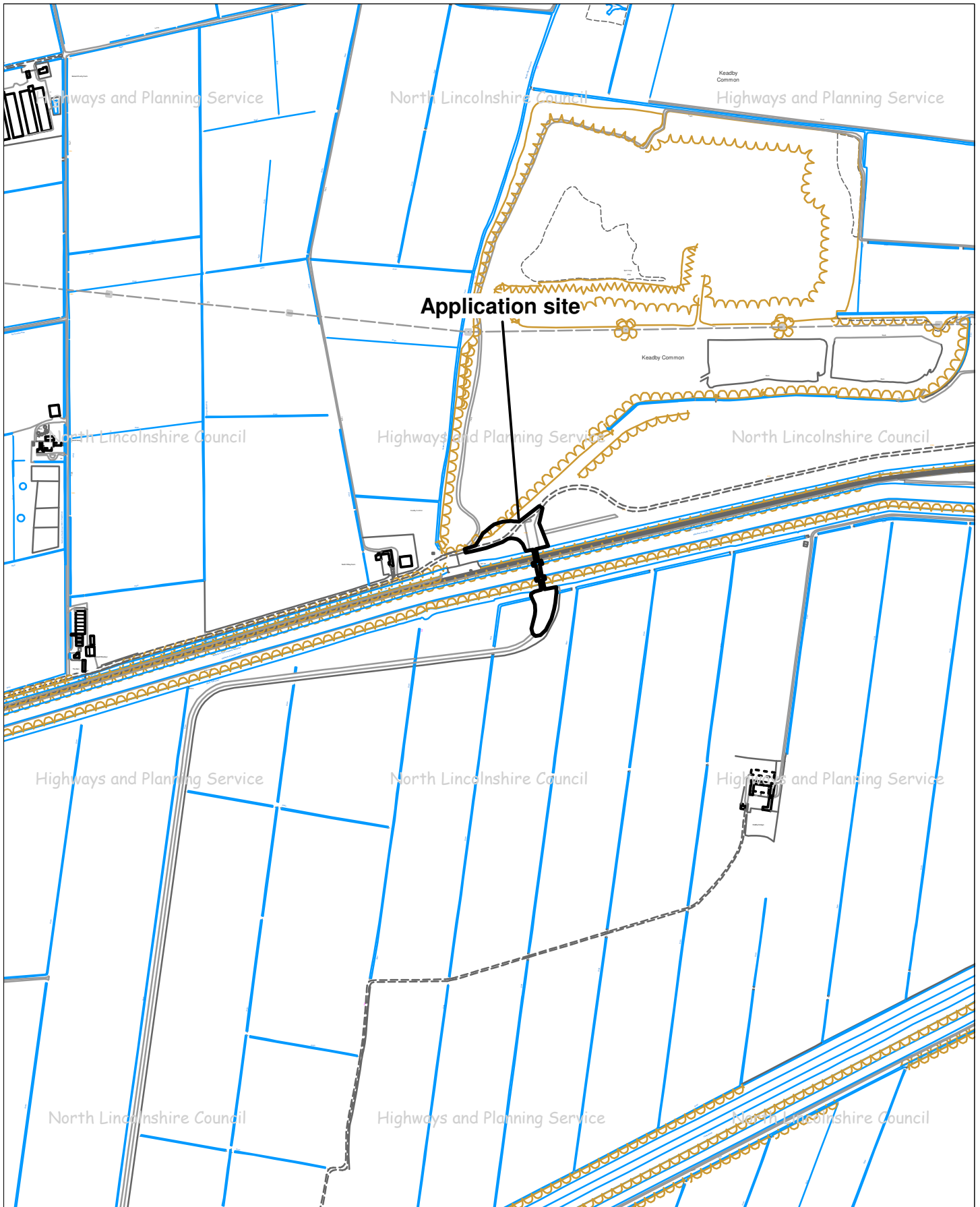
Reason

To achieve an external colour finish that will be sympathetic to the surrounding environment and comply with policy DS1 of the North Lincolnshire Local Plan.

5.
Prior to the commencement of development, details of the surfacing, sealing and drainage of the proposed road surface shall be submitted to and agreed in writing by the local planning authority.

Reason

To ensure that the road surface is drained to a satisfactory manner.



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Date: 02/11/2010



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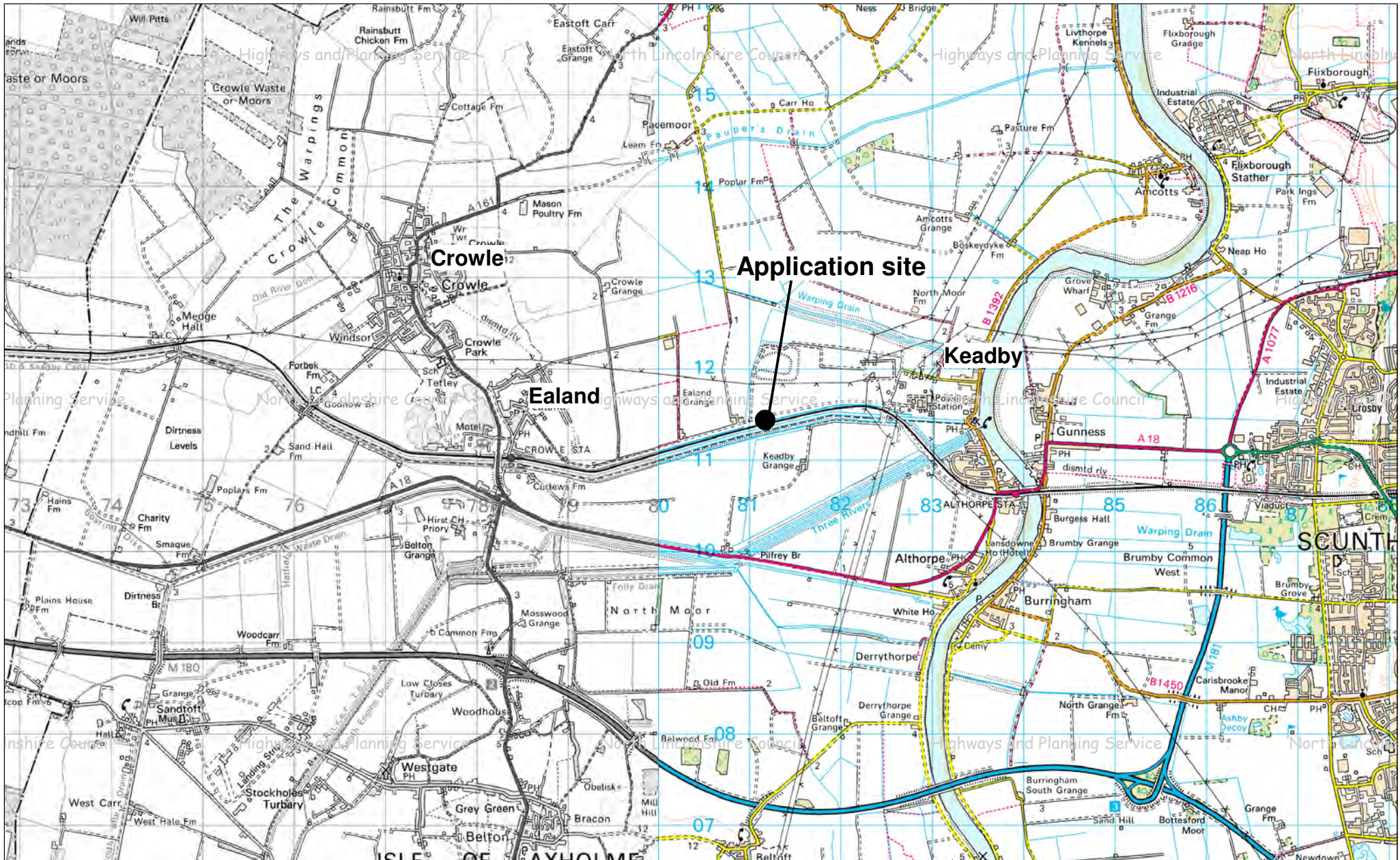
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Highways and Planning Service


Service Director,
G Popple

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