

**15/02403/FUL**

**Proposed demolition of existing bridge and construction of new bridge and highway over Cod Beck  
at Dalton Bridge, Dalton  
for Hambleton District Council**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The present Dalton Bridge is a traditional sandstone bridge that crosses Cod Beck and provides the principal access to Dalton Industrial Estate (via Eldmire Lane) from the A168 and a means of accessing Dalton village beyond (via Dalton Lane). It is in a rural setting, mainly surrounded by farmland. During flood events, access across the bridge can be severed, which can have severe consequences for businesses operating from the Industrial Estate.
- 1.2 To prevent this occurring, the District Council now proposes to provide a new carriageway and bridge on a different alignment and with higher finished levels. The application site extends to 2.48 hectares and includes a section of carriageway to the west of the bridge, as well as space for a compound to the south off Eldmire Lane. The impetus for this comes from a recommendation in the Economic Study prepared for the Council by GVA in April 2014. Under the heading "growing the rural business base" the study recommended the Council to address access constraints relating to the existing bridge and flooding issues in respect of Dalton Industrial Estate.
- 1.3 The proposed bridge would be constructed to a modern engineering solution and would therefore be different in appearance to the existing low stone arched bridge. It is also proposed to raise the height of the proposed highway to a maximum of approximately 2.4m above the existing carriageway, in order to be above the predicted maximum flood level. The structure would essentially comprise structural steelwork with concrete superstructure, and with a steel guard rail on either side of the carriageway. Concrete buttresses would be added either side of the existing river channel, which would not be altered in any way. The bridge would have a span of 16m and a width of 12.6m, therefore being wide enough to allow unhindered two-way traffic to pass. The new bridge would be located approximately 8m to the south of the current one.
- 1.4 A new section of carriageway would extend from the bend in Dalton Lane to the west, joining the new bridge at Cod Beck. The new section of carriageway would be gradually built up on banking to reach the new higher surface level of the proposed bridge. This would involve the removal and subsequent reinstatement of a section of hedgerow, along with further tree planting.
- 1.5 One house, Dalton Bridge House, is sited nearby, approximately 40m from the existing bridge. The boundaries of this property comprise high hedgerow, with a number of trees dispersed throughout. This provides an effective screen at ground floor level but the new bridge would be visible from the upper floors of the property.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 There is no relevant history associated with this site.

**3.0 RELEVANT PLANNING POLICIES**

### 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP3 - Community assets  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP12 - Priorities for employment development  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Core Strategy Policy CP21 - Safe response to natural and other forces  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP6 - Utilities and infrastructure  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP16 - Specific measures to assist the economy and employment  
Development Policies DP28 - Conservation  
Development Policies DP29 - Archaeology  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
Development Policies DP43 - Flooding and floodplains  
National Planning Policy Framework, March 2012

## 4.0 CONSULTATIONS

- 4.1 Dalton Parish Council - No objection.
- 4.2 NYCC Highways – to be reported at the meeting.
- 4.3 Environment Agency - Discussions have taken place between the EA and the Council's flooding consultant, resulting in the production of a revised Flood Risk Assessment. The EA have been consulted on this revised document and a response is awaited. Any comments will be updated at Committee.
- 4.4 Ministry of Defence - No safeguarding objections.
- 4.5 Swale and Ure Drainage Board - no comments to make
- 4.6 Neighbours were notified of the scheme on 29 October. A site notice was also posted at the site on 5 November 2015. Two responses have been received from local residents, both expressing support for the proposal. However, the occupant of Dalton Bridge House, closest to the proposed bridge, requests the following:
1. A solid fence along the length of the property to a height of 3 metres and an evergreen (western red cedar) hedge on the outside of this fence.
  2. Consultation on landscaping.
  3. Advice on how traffic noise will be limited so it is at least no worse than at present. It is suggested that a fence would help this.
  4. Advice on what safety measures/barriers will be put in place.
  5. Construction of a bund to give added protection to Dalton Bridge House.

6. The following measures to minimise disturbance to Dalton Bridge House and the caravan park behind during construction: no weekend working; weekday working limited to 7 am - 5pm; monitoring of noise levels; modern equipment including generators correctly silenced; piling/drilling to use the method which would cause the least disruption; adherence to the Considerate Contractor Scheme, including weekly liaison; and a flood defence solution that does not decrease the current flood protection to Dalton Bridge House.

## **5.0 OBSERVATIONS**

5.1 The main issues with the application are:

- The design of the bridge and road and their impact on local character
- Flooding
- Highway impact
- Residential amenity
- Ecology
- Economic impact

### Design and character

5.2 The stated aim of the proposed design is to provide a solution that maintains the character of the existing route. To achieve this, a single carriageway highway with grass verges, similar in design and character to the existing carriageway, is proposed. Nonetheless, the proposed bridge would change the character of the area by reason of its height, modern design, and the need to realign and raise the carriageway on a new embankment to pass over the new bridge, which would be some 2.4m higher than the existing stone bridge. However, the area is not subject to any landscape designations and there are no heritage assets in the vicinity, and the site is within view of the existing modern bridge spanning the A167 through Dalton. A Landscape and Visual Impact Assessment submitted with the application recommends that landscaping is planted around the new bridge in order to help screen the bridge and soften its impact over time. It is therefore considered that the new bridge would not, of itself, have any adverse visual impact.

5.3 The carriageway realignment would also require the removal of a section of hawthorn hedgerow to the south of the existing highway, which would be replaced either side of the new highway once construction is completed. In this respect the works and replanting would therefore only have a negative impact in the short term and this impact would diminish as the new vegetation matures. As such, in the longer term it is considered that there would not be any significant adverse impact on the character of the area.

5.4 The loss of the existing bridge has also been taken into consideration. This structure is not considered to be a heritage asset in its own right and there are no heritage assets in its vicinity. Since the present bridge cannot be altered to alleviate the flooding issue, there is no option other than to demolish it and re-landscape the area in order to address the acknowledged access and flooding problems.

### Flooding

5.5 The application is accompanied by a Flood Risk Assessment (FRA), which has been revised during the course of the application after consultation with the Environment Agency (EA). The FRA has assessed the impact of the new bridge structure taking into account the historic flood issues caused by the existing low stone bridge. In order to assess this, a hydraulic model of the watercourses was developed and peak water levels and flood extents for the study area were predicted for a 1 in 1000 year

return period event. The EA and the Internal Drainage Board were consulted throughout the assessment. The EA required that the proposed development should not increase flood risk, upstream or downstream of the Site. In summary the FRA concludes that the proposed development does not increase flood risk to Dalton Bridge House. Given that Dalton Bridge House lies on the periphery of the flood extents for the 1 in 100 year plus climate change and 1 in 1000 year event scenarios, and to account for any uncertainty in the assessment, the FRA recommends that a short length of bunding (approximately 25m), parallel to the eastern bank of the river, connecting the proposed road with the existing flood defence is considered as further mitigation at detailed design stage. The EA's advice is awaited as to whether this needs to be the subject of a planning condition. The proposed development impacts on the distribution of flood conveyance within the river channel and floodplain with all the flow being conveyed through the proposed bridge and Thacker Beck culvert. The impact diminishes with distance, both upstream and downstream, from the site. The FRA concludes that once the flood flows join the River Swale, the difference between the proposed and existing scenario is minor.

- 5.6 Any further comments from the EA on the revised FRA will be reported to the meeting.

#### Highway impact

- 5.7 The proposal involves the realignment of the carriageway and an increase in the width of the river crossing which would fully allow two-way traffic without the burden of the 'give way' system operating over the current narrow bridge. This would improve the flow of traffic, especially HGVs accessing the nearby Dalton Industrial Estate, without causing undue impacts. The Highway Authority's formal comments are awaited and will be reported to the meeting.

#### Residential amenity

- 5.8 The chief issues to consider are the outlook from nearby dwellings to the new bridge and, whether it would lead to any increase in noise levels experienced by nearby residents.
- 5.9 It is considered that over time the new bridge will not have any adverse impact on the outlook from the closest property at Dalton Bridge House. This property already has extensive screening to the front (south) boundary comprising mature hedgerow, trees and fencing, and further trees are proposed as part of the landscape mitigation strategy. Landscaping is also proposed around the new bridge which would reduce its visual impact over time. Whilst the bridge would be higher than the existing carriageway, it would also be located further away from Dalton Bridge House, and therefore on balance it is considered that there would not be any materially adverse impact.
- 5.10 In terms of noise impact it has been agreed with the Council's Environmental Health Officers that a Noise Impact Assessment was not required for the operational element of the proposal, the reasons being that the new bridge would be further away from the existing property; it will not increase traffic movements; and it will improve traffic flow (one way to two way), thus reducing acceleration and deceleration. The chief impacts of the proposal would come during the construction phase. However, the Noise Impact Assessment for this element of the scheme concludes that with best practice construction methods and mitigation, this would not be likely to have any undue impacts. The Council's Environmental Health Officer has reviewed this information and also concludes that there would be no adverse impacts to residential amenity.

## Ecology

- 5.11 The main ecological impacts of the proposal would be upon the existing water course and hedgerow to the south of the existing carriageway. An ecological assessment has been carried out and submitted with the application. This has assessed the site for the presence of protected species as well as the impact upon habitat. No habitats or features of high value were recorded and the proposed scheme would not impact on any statutory or non-statutory designated wildlife sites. Habitats and structures within the proposed scheme extent were identified as having the potential to support several protected or notable species, including: bats within Dalton Bridge and mature trees; otter, water vole and white-clawed crayfish within watercourses and nesting birds.
- 5.12 The scheme does not include in-channel works to Cod Beck, though precautionary measures are proposed to prevent any adverse impacts upon native white crayfish. However, this could alter if the detailed design stage were to produce any significant alterations to the design of the bridge or the surrounding works, in which event further detailed surveys could be required by condition.
- 5.13 In addition, outline mitigation is proposed to ensure protected species are safeguarded. Should further survey work confirm the presence of roosting bats within Dalton Bridge, a European Protected Species mitigation licence would be required from Natural England to permit destruction of the roost during bridge demolition. However, this is not a planning requirement. Similar requirements are likely to be necessary for any tree roosts found.
- 5.14 Similar mitigation is proposed for other protected species (if found) including otter, water vole, white-clawed crayfish and nesting birds. It is also proposed to remove small sections of Japanese knotweed that has been found at the site. The scheme should also avoid the need for felling mature trees wherever possible, and native hedgerows reinstated where removed. Root protection areas should be established around all retained trees that may be affected by construction activities, in accordance with BS5837:20126.
- 5.15 Enhancement opportunities are also proposed to improve the wildlife value of the new scheme, including the provision of roosting opportunities incorporated into the new bridge. An ecological report submitted with the application recommends that an otter pass is installed on the underside of the new bridge. The report also recommends that a mature poplar to the north of Dalton Bridge should be tested to see if it is a native black poplar specimen. The proposal does not include the removal of this tree but black poplar is recognised as a comparatively rare species in Hambleton and extra precautions should be taken if the tree is identified as such.

## Economic impacts

- 5.16 In terms of the economic impact of the new bridge, the key aspects to consider are the benefits that would be attained from the alleviation of flooding in the study area and the widening of the road at the point where it crosses the Cod Beck. The alleviation of flooding would give existing businesses in the Dalton Industrial Estate greater confidence to invest, and help attract new businesses to the site. This would help secure the existing 850 jobs there and could possibly create a further 1,050, with expansion into the Dalton Airfield as envisioned in the Core Strategy and Development Plan Document.
- 5.17 Similarly, the wider new bridge would improve the accessibility, and therefore the attractiveness, of the Dalton Industrial Estate which can only help in the retention and

expansion of business and employment opportunities, as intended by the 2014 Economic Study.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
  2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on 23/10/15, and revised FRA (received 23/11/15); unless otherwise agreed in writing by the Local Planning Authority.
  3. The external surfaces of the bridge shall not be constructed other than of materials, details of which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the bridge.
  4. Construction of the bridge shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
  5. The development shall not be commenced until a plan has been submitted to and approved by the Local Planning Authority to show all existing trees which are to be felled or retained together with the positions and height of protective fences, the areas for the storage of materials and the stationing of machines and huts, and the direction and width of temporary site roads and accesses. No works shall commence until the approved tree protection has been installed, which shall be retained as approved for the duration of the works.
  6. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0700 hours and 1800 hours Monday to Friday, 0700 hours to 1700 hours Saturday and there shall be no such work on Sunday or on any public holidays unless by prior written consent of the Local Planning Authority.
  7. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.
  8. At all times construction shall be carried out in accordance with the details contained in the submitted document 'Dalton Lane Noise Assessment (Rev.1) September 2015'.

9. No development shall commence until full details of the proposed compound, including any fencing, structures, buildings, fuel storage areas and laydown areas, have been submitted to the Local planning Authority and approved in writing.
10. The existing bridge shall not be demolished until the new road bridge is fully open and operational. Following demolition the site of the bridge and any carriageway removed shall be re-landscaped within the first available planting season following demolition, in accordance with details that have been submitted to the Local Planning Authority and approved in writing.
11. No hedgerows or trees shall be removed from the application site unless outside the official bird-nesting season for this location.
12. Prior to the commencement of any development at the site, a detailed ecological mitigation strategy shall be submitted to the Local planning Authority and approved in writing. The mitigation strategy shall set out the detailed measures (including enhancements, as set out in the submitted Ecological Report 23/10/15) to safeguard and promote the protected species known to be present within the vicinity of the site, including bats, water voles, white-clawed crayfish, otter and nesting birds.
13. Following completion of the development the compound area shall be removed and within the first planting season following removal, the land shall be restored to its previous use and appearance, in accordance with a detailed landscape and restoration scheme to be submitted and approved in writing by the Local Planning Authority.
14. Prior to the commencement of any works on site, on site investigations shall be carried out to determine the exact species of the suspected Black Poplar tree, located on the edge of the grounds of Dalton Bridge House. Once identified, details of this shall be submitted to the Local Planning Authority along with any measures to ensure its protection during the course of the work programme as required by condition 5 above.

The reasons for the above conditions are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the development is built in accordance with the approved plans and other details, in accordance with Hambleton District Wide Local Plan Policies.
3. To safeguard the visual amenities of the area in accordance with Hambleton District Wide Local Plan Policy BD4.
4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
5. To ensure that existing trees within the site, which are of amenity value, are adequately protected during the period of construction in accordance with Hambleton District Wide Local Plan Policy L14.
6. In order to protect the amenities of residential property in the locality.
7. In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

8. In the interests of the amenities of residents, in accordance with policy DP1 of the Development Policies DPD.
9. In order to safeguard the amenities of the area and in the interests of environmental quality, in accordance with policies CP1 and DP1 of the Core Strategy and Development Policies DPD.
10. In order to ensure adequate access is maintained across Cod Beck and in the interests of visual amenity, in accordance with policies CP1, CP2, DP1, DP3 and DP25 of the Core Strategy and Development Policies DPD.
11. In order to protect the nesting sites of birds, in accordance with European Legislation and the National Planning Policy Framework 2012.
12. In order to protect and promote the habitat of protected species, in accordance with European Legislation and the National Planning Policy Framework 2012.
13. In the interests of visual amenity in accordance with Policies CP1 and DP1 of the Core Strategy and Development policies DPD.
14. In the interests of amenity and to safeguard the health and vitality of this potential Black Poplar tree, an important species in the local Biodiversity Action Plan.

#### Informatives

1. Should any material alterations be required following the detailed design stage of the new bridge, road and any associated structures or earthworks, you should contact the Local Planning Authority to determine whether any resubmission of details is required or whether any further survey works will be required on site in order to ensure protected species suspected to inhabit the site and surrounding area are safeguarded.