|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | BT | | | | **Date:** | 8/7/2021 | **Manager:** | |  | | **Date:** |  |
| **Site Notice displayed** | N/A | **Photos uploaded** | | | | Y |  | | | | | | |
|  | | | | | | | | | | | | | |
| **Application Ref:** | | | 3/2021/0515 | | | | | |  | | | | |
| **Date Inspected:** | | | N/A | | | | | |
| **Officer:** | | | BT | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | **Decision** | | **APPROVAL** | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | | Proposed works to reconstruct the Settle Road (A682) railway bridge at Newsholme. | | | | | | | | |
| **Site Address/Location:** | | | | | Settle Road (A682) Railway Bridge, Newsholme | | | | | | | | |
|  | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | |
| None | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | |
| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| Schedule 2, Part 18, Class A of the Town and Country Planning (General Permitted Development) Order 2015. | | | | | | | | | | | | | |
| **Relevant Planning History:**  No recent planning history relevant to the determination of the application | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | |
| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a railway bridge in Newsholme which forms part of the Clitheroe-Hellifield railway line. The surrounding area comprises a mixture of rural dwellings, farmsteads and open countryside. | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The application seeks a determination as to whether the prior approval of the local planning authority is required for the reconstruction of an existing railway bridge. | | | | | | | | | | | | | |
| **Principle of Development:**  Assessment of proposal in relation to the provisions of Schedule 2, Part 18, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015:  In order to be permitted development, the proposal needs to satisfy a number of criteria as comprised in Schedule 2, Part 18, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for:  (a) development authorised by a local or private Act of Parliament,  (b) an order approved by both Houses of Parliament, or  (c) an order under section 14 or 16 of the Harbours Act 1964 (orders for securing harbour efficiency etc, and orders conferring powers for improvement, construction etc of harbours)  which designates specifically the nature of the development authorised and the land upon which it may be carried out.  Development is not permitted by Class A if it consists of or includes—  (a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam; or  (b) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic,  unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.  **Details of the proposed works have been submitted to the appropriate authority which in this instance is Ribble Valley Borough Council**  The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—  (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; or  **The development could not be reasonably carried out elsewhere**  (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.  **The design and external appearance of the reconstructed bridge would not injure the amenity of the neighbourhood** | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposal meets all of the criteria set out within Schedule 2, Part 18, Class A of the Town and Country Planning (General Permitted Development) Order 2015; therefore, prior approval is not required. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | Prior approval not required. | | | | | | | | | |