Shipton Lift Bridge 219 East Of Railway Line Over Oxford Canal East Of, Jerome Way, Shipton On Cherwell **21/02580/LB**

Case Officer: Catherine Harker **Recommendation:** Approve

Applicant: Canal & River Trust

Proposal: RETROSPECTIVE - Removal of timber deck of Shipton Lift Bridge (Bridge 219), Shipton-on-Cherwell, Oxford Canal

Expiry Date: 20 October 2021

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1. APPLICATION SITE AND SUMMARY OF SIGNIFICANCE

1.1. Shipton Lift Bridge (Bridge 219) is a Grade II Listed structure within a conservation area, located on the Oxford Canal approximately 200m to the east of the eastern limits of the village of Shipton-on-Cherwell. The bridge serves a public footpath which crosses the Oxford Canal north- south via the bridge and runs east-west alongside the canal.

1.2. Listing Entry (1992):

1.3. Accommodation lift-bridge. L C18 origins, C19 and C20 alterations. Tilting, wooden plank deck with wooden hand rails and two balance beams set at a raking angle. Brick abutments with concrete sills. Brick wing walls with trailing edges and stone rubbing blocks on faces to canal. One of an important series of Oxford Canal lift-bridges, of a type now rare in England.

1.4. From the Heritage Statement: The bridge comprises abutment walls, some 3.02m apart, and adjoining approach (or wing) walls that expand from the “narrows” at the abutment to the full width of the canal. The abutments are constructed chiefly in brick and capped with concrete cast in situ. A substantial limestone rubbing stone that stands slightly proud of the brickwork face is extant on each end of each abutment (essentially quoins) and an additional rubbing stone is located centrally on the offside abutment only. The approach walls are in brick, capped with stone copings with a row of bullnose brick copings being present on the eastern offside wing walls.

1.5. The deck comprises eleven lateral planks supported upon six longitudinal beams connecting between (principal) lateral end-beams. Longitudinal steel tie rods, three in total, are located between the central pair of beams and between the two outer pairs. Each of the long raking counterweight beams is attached via a bracket to the side beam, and a pinion bolted to the flange of this bracket engages with the horizontal pivot rack set in concrete to form the hinge. A steel tie or straining bar connects via brackets between the upper end of the counterweight beam and the farthest end of the side beam. The scantlings, which include the handrail, are attached to the side beams and the counterweight beams.

1.6. The decayed timber deck was dismantled on 11 April 2021 to avoid a catastrophic collapse, for the safety of canal and footpath users.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. This application seeks retrospective permission for emergency works to the bridge to prevent collapse. On 11 April 2021, the balance beams and handrails were detached to enable the deck to be lifted using a crane mounted on a work boat. All of the dismantled items were stacked on the offside abutment, where they were recorded by an archaeologist on 4 May 2021. The metalwork was then recovered and secured at Nell Bridge Yard for recording and re-use on the replacement deck.

2.2. From the Heritage Statement: The periodic replacement of life-expired bridge timbers, and in some cases entire deck assemblies, is a routine process to maintain these lift bridges in a safe operational state. The oak timbers of this dismantled deck are believed to have been felled in the late 20th century. This renewal is part of the working tradition of the Oxford Canal and is not in itself considered harmful to the heritage significance of the asset.

2.3. Ideally the installation of the replacement deck would immediately follow the removal of its predecessor. However, in this case there is an interim period of at least eleven months between these operations because of the emergency nature of the removal to make the structure safe.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

Application: 22/00135/LB

Repair of abutments and approach walls, reinstatement of timber deck and conversion to manual hydraulic operation

3.2. This application covers the replacement of the parts which were removed as well as other remedial works and works to replace the manual lift mechanism with a hydraulic one.

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **24 September 2021**, by advertisement in the local newspaper expiring **30 September 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from it's records. The overall final date for comments was **30 September 2021.**

5.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Shipton-On-Cherwell & Thrupp Parish Council** would like to object against this application due to the grounds that this is public right of way

OTHER CONSULTEES

6.3. **Inland Waterways Association** - We wish to submit a comment on behalf of the Inland Waterways Oxfordshire Branch to the effect that permission should only be granted with the addition of a planning condition requiring the replacement of the deck and the full reinstatement of the bridge, following a suitable application for consent, within 2 years of the grant of the retrospective permission for the removal of the deck.

6.4. **CDC Conservation** –

6.5. The bridge has been removed due to issues with safety. This is regrettable as inevitably this results in some harm to the significance due to a loss of fabric. However, the justification is accepted, and it is acknowledged that the timber deck will have likely been renewed over time due to its nature. The intention is to retain the parts of the bridge that can be reused and to re construct on a like for like basis. This application is for the removal and storage only and there are no objections to this subject to a further proposal for the bridge reconstruction on a like for like basis.

6.6. Level of harm – Less than substantial

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C18 – Development proposals affecting a listed building

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Managing Significance in Decision-Taking in the Historic Environment: Historic England Good Practice (2015)
- The Setting of Heritage Assets: Historic England Good Practice (2015)
- Cherwell Residential Design Guide (2018)
- Cherwell Council Home Extensions and Alterations Design Guide (2007)

8. APPRAISAL

8.1. The key issue for consideration in this case is the impact on the historic significance and setting of the listed building(s).

8.2. Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that: *In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Further, under Section 72(1) of the same Act the Local Planning Authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

8.3. Listed Buildings and Conservation Areas are designated heritage assets, and Paragraph 190 of the NPPF states that: *Local planning authorities should 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) taking account of the available evidence and any necessary expertise.*

8.4. Paragraph 193 of the NPPF directs that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.

8.5. The Parish Council's and Inland Waterways Association's comments and objections regarding the footpath are noted, however it is accepted that the work was required in order to prevent catastrophic bridge failure whist in use, with potential harm to pedestrians. Moreover, the Canal Trust have now obtained permission to replace the footplate and other parts which will enable the bridge and footpath to be used again.

8.6. Likewise, the Conservation Officer's comments were that the work would not harm the structure, as this application did not include the replacement of the damaged materials. However, the latest application (22/00135/LB) does include the replacement of these materials, so it is now clear that the damaged material will be replaced like for like.

8.7. It is unfortunate that such a large space of time was necessary between the removal of the damaged material and its replacement. However, it is acknowledged that this was due to the collapse of other such bridges within the applicants trust, and concerns over the likely failure of the bridge during use, with associated harm to members of the public, and a positive recommendation is made.

9. RECOMMENDATION

That consent is granted, subject to the following conditions

1. Except where otherwise stipulated by conditions attached to this permission, the development shall remain strictly in accordance with the information contained within the application form and the following approved plans: Site location plan, Plan and Elevation and Heritage Statement.

   Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with

Government guidance contained within the National Planning Policy Framework.

Case Officer: Catherine Harker DATE: 10 March 2022

Checked By: DATE: