

## COMMITTEE REPORT

**Committee:** Main  
**Date:** 29.5.08  
**Ward:** Guildhall  
**Parish:** Guildhall Planning Panel

**Reference:** 08/00300/FUL  
**Application at:** Hungate Development Site Hungate York  
**For:** Erection of pedestrian/cycle bridge over the River Foss (resubmission)  
**By:** Hungate (York) Regeneration Ltd  
**Application Type:** Full Application  
**Target Date:** 3 April 2008

### 1.0 PROPOSAL

#### The application

1.1 Planning permission is sought for a cycle and pedestrian bridge over the River Foss. The bridge would cross the river from the Hungate site (between phases I and II) and land on the south side of the river between Navigation Wharf (its car park) and Corporation Depot, providing a link from Navigation Road toward the city centre.

1.2 The bridge's deck would be curved at a gradient of 1:14 and suspended by a solid mast and suspension rods. The supporting structure would land on the north side of the river. The bridge would have a timber deck; the supporting structure and handrails would be steel.

#### Background

1.3 An aspiration for the Hungate site was that it would provide a bridge over the River Foss; this would provide a safe, direct route toward the city centre and generate activity within the Hungate area. The development brief for the site (created by the Council) sought to strengthen links across the River Foss and build a pedestrian/cycle bridge. When outline consent was granted for the Hungate scheme, it was subject to a legal agreement. Paragraph 9 of the agreement required the developer to submit a "Navigation Wharf Bridge Scheme", it is a further requirement that the bridge be constructed prior to occupation of Hungate phase I, which was approved by the planning committee in February 2007.

1.4 The application is a resubmission. The first scheme was withdrawn as concern was raised over the safety of waterfowl. The river is used as a fly way for waterfowl, and there was concern over the implications of the low visibility of the bridge's deck and its supporting cables.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006  
Conservation Area Central Historic Core 0038

Contaminated Land  
City Boundary York City Boundary 0001  
DC Area Teams Central Area 0002  
Floodzone 2 Flood Zone 2 CONF  
Floodzone 3 Flood Zone 3

## 2.2 Policies:

CYNE2	Rivers and Stream Corridors, Ponds and Wetland Habitats
CYGP1	Design
CYNE8	Green corridors
CYT3	New pedestrian/cycle bridges
CYL4	Development adjacent to rivers

## 3.0 CONSULTATIONS

Internal

### Design, Conservation and Sustainable Development

3.1 As revised (since the first application which was withdrawn) proposed is a simple suspension bridge with an apparently solid mast and angled stays, the deck and its sides appear open and are of robust materials with integrated lighting for safety at night. The scheme has been revised to reduce the girth of the mast and it is considered that the width to height ratio would result in an elegant structure.

3.2 Drawings also show the bridge in context and, whilst it is close to proposed phase 2 of the Hungate Development, the plans show that free pedestrian passage is possible and that the bridge would not prevent the necessary green landscape around the riverbank being implemented.

3.3 The bridge would be sufficiently detached from the Rowntree Wharf building to have little effect on the setting of the listed building.

3.4 Overall, the bridge would appear to have a neutral to positive effect on the setting of the conservation area.

### Countryside Officer

3.5 No objection, advise that the reduction in the number of cables supporting the structure is welcome and this, linked with the proposals to light the cables to increase their visibility in low light should reduce the likelihood of birdstrike.

### Highway Network Management and drainage engineers

3.6 No objection, recommend conditions to cover the details of lighting, surface of the bridge (including friction strips), measures to prevent vehicle access and safety on the south side of the river. Otherwise advise as follows.

The bridge is wide enough (4m) to cater for shared use by pedestrians and cyclists.

- A suitable package of measures (which may consist of signing, lining and other engineering measures) can be implemented (secured through condition) to overcome concerns raised in relation to the interface between the bridge ramp, Navigation Road and the adjacent entrance to Rowntrees Wharf.
- The costs for future maintenance is set out in the development agreement between the council and the developer and will be secured through the Section 38 Highways Act Agreement which will be used to adopt the route as publicly maintainable highway.
- The principles of the bridge design are as discussed with the developer's consultant last year, and the resulting design is substantially the same as that presented as the preferred option in the feasibility study.
- There are significant constraints imposed on the design by flood risk and navigation considerations which require a minimum headroom to be provided above normal summer water level. Additionally the presence of utility equipment at the southern end (Navigation Road approach) requires that the majority, if not all, of the load of the bridge to be supported from the north side.
- The steel supporting rods should be stainless steel to prevent possible failure due to hydrogen embrittlement.

External

#### Planning Panel

3.8 No objection. However advise there is scant acknowledgement for the navigation of the river - there should be clearance for larger craft to pass at all times.

#### British Waterways

3.9 No response (did not wish to comment on the first bridge application).

#### Civic Trust

3.10 No response. Supported the first application advising that the scheme would add interest to the area and improve accessibility.

#### Conservation Areas Advisory Panel

3.11 Satisfied with the proposed design.

#### Cyclists Touring Club

3.12 Advise that the bridge will be a valuable part of the growing cycle network. Ask that the bridge has a non-slip finish and that bollards are used to slow down cyclists.

#### Environment Agency

3.13 No objection. The Environment Agency accept the soffit level which is set at 10.7 metres AOD in the centre of the bridge and reduces to 10.15m on the south bank and 10m on the north. The soffit levels needs to be a minimum of 600mm above the 1 in 100 year flood level (or highest recorded level) to ensure that the bridge does not impede flood flows by gathering debris and causing a blockage. Conditions are requested which require an area for solids and surface water run-off

during construction and that any storage facilities for oils, fuels or chemicals are sited/designed so such do not enter the watercourse.

#### River Foss Society

3.14 The pedestrian/cycle bridge is an important feature of the proposed Foss Walkway Project which aims "to carry out integrated environmental improvements along the River Foss for community, environmental and economic gain". The society are aware of the constraints imposed by the existing services but feel that the design of the bridge at its southern end does not do justice to the concept of the Foss Walkway. Those following the walkway from the north will either have to turn left down a fairly narrow flight of steps or continue to the end of the ramp and double back to the Walkway through a restricted space. Ask for a scheme which is a little grander and more user friendly.

#### York Access Group

3.15 No response to date.

#### York Conservation Trust

3.16 No response to date.

#### York Natural Environment Panel

3.17 (comments made by Barry Potter, supported by YNEP)

- The design of bridge objected to, it would look like an asymmetrical clothes line and light pollution of a tranquil river corridor would occur.
- There is a continuing potential risk of bird (and possibly, but less likely, bat) strike of the supporting cables. Though the risk is reduced it is certainly not eliminated by reducing the number of such cables and by lighting the structure at night. The closely set, horizontal wires (handrails/safety barriers at the edge of the decking) appear to add a further hazard for birds.
- The cable supported structure is unjustified. The inherent weight of the concrete pile cap to be placed on the south bank will be substantial. It will however be supported by the piles. If the specification of the piling were increased, there seems no good reason why these south bank piles, perhaps with added, horizontal internal supports within the plinth to piles on either side of the structure, should not support the additional weight of a redesigned, lightweight bridge, in addition to the weight of the cap itself.
- Alternatively, a modern, high tech carbon fibre, monocoque structure (one without supports) of minimal weight is suggested and it is asked that the applicants demonstrate why such a structure cannot be proposed.

#### Publicity

3.18 The application was publicised by site notice, press notice and letters of neighbour notification. The deadline for comments was 26.3.08. The following comments have been received:

- Concern about safety of cars/chance of collision between cycles and cars leaving the Navigation Wharf car park. There should be additional measures to slow down cyclists.
- The design of the bridge should match its setting. An arch or drawbridge has been suggested.
- The supporting post would be too prominent. It is suggested the post is not coloured/painted.
- A letter in full support of the scheme.
- The bridge should have a no-slip surface.
- Wires could be harmful to birds.

Comment from Councillor Merrett

- Is the bridge wide enough for cycling and walking usage, especially if it becomes a principle eastern access for the city centre?. The Millenium bridge target width was wider than it finished up (for costs reasons, but it at least has the advantage of the back railings and benches on the south side), and is not always comfortable in terms of pedestrian/cyclist interaction. This will in effect be tighter.
- The current east bank landing breaks the along river route and substitutes steps. These should be ramps.

## **4.0 APPRAISAL**

### 4.1 Key issues

- Principle of the development
- Design
- Highway safety
- Navigation of the river
- Impact on vegetation
- Impact on wildlife

#### Principle

4.2 Policy T3 of the Local Plan allocates the Hungate site as a location for a bridge over the River Foss. It advises that proposals for a pedestrian/cycle bridge will be supported, provided the design is to a high architectural standard and appropriate to its character and setting. As part of the Hungate regeneration scheme, this specific location was established in the development brief as that for a bridge over the Foss. Furthermore it a requirement of the outline permission for the site that the bridge be delivered prior to occupation of the site. Overall, the proposed bridge and its location are consistent with planning policies for the Hungate site.

4.3 There are policies in the Local Plan that cover issues pertinent to the proposed scheme - design, amenity and safety, and river related issues such as the respect for navigation, access and the protection of wildlife and vegetation. The policies are as follows:

- Policy L4 states that planning permission will only be granted for development adjacent to rivers where there would be no loss to established recreational interests and uses, the proposed development would complement existing recreational uses and the existing character of the area, the navigational capacity of the rivers would not be decreased, and existing walkways and cycleways along river banks are retained or enhanced.
- NE2 seeks to protect river corridors and wetland habitats from development, which is likely to have a detrimental impact and seeks to conserve and enhance their environment and amenity value.
- NE8 advises that planning permission will not be granted for development, which would destroy or impair the integrity of green corridors, such as river corridors.

#### Design

4.4 GP1 Refers to design, for all types of development. It states that development proposals will be expected to, respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with the surrounding area; use appropriate materials; avoid the loss of open spaces, vegetation and other features which contribute to the quality of the local environment; retain, enhance, or create urban spaces; provide and protect amenity space; provide space for waste storage; ensure no undue adverse impact from noise disturbance, overlooking, overshadowing or from overdominant structures.

4.5 The design of the bridge arises as a consequence of site constraints and the requirement to deliver a bridge that is structurally sound and respects its setting. The level of the deck is the required clearance height from the common water level (requested by the Environment Agency) and is a reasonable gradient so it is accessible to all, including those with mobility problems. The location of the structural supports are dictated by site circumstances as the presence of storm water culverts and electricity cables on the south side mean that the bridge must be supported from the north (Hungate) side of the river and thus a drawbridge or symmetrical structure is not achievable. It is considered that the overall design creates a slender/lightweight structure that would be visually acceptable. The bridge would not detract from the prominence or setting of the Rowntree/Navigation Wharf building, which is listed or the buildings proposed in the Hungate scheme. Details such as the finish of materials and lighting will be subject to condition, to ensure a tasteful appearance that respects the bridge but does not lead to unnecessary light pollution.

#### Highway safety

4.6 The design of the bridge arises as a consequence of discussions with the Council's highways and engineering officers, thus the bridge is useable, safe and conforms to waterways requirements so highway consent can be secured (see 4.10).

4.7 The bridge would have a shared surface for pedestrians and cyclists, the width is adequate to allow such and the bridge would thus function in a similar manner to Millennium Bridge, where a shared surface has not lead to undue conflict or harm to safety.

4.8 There is space around the bridge so not to impede movement, the gradient is 1:14 which is adequate for access, and friction strips will prevent persons slipping on the bridge. To control cycle speeds, there will be signs and bollards at both ends of the bridge and visibility is considered to be adequate so there will be no undue risks in terms of collisions between cyclists, pedestrians or vehicles (in particular on the Navigation Road side). Details of signs, directional lighting and speed calming measures would be agreed through an appropriately worded condition.

#### Foss Walkway

4.9 The moveable ramp on the south side of the bridge will act as a landing; it is required so the gradient of the bridge is adequate. The steps up to the bridge are in their proposed location to allow wheelchairs to negotiate around them. The ramp has been objected to, as it is claimed it would divert movement along the south side of the river. However the steps do provide access directly across the bridge and also west of the bridge the walkway only runs another 25m before a number of steps lead up to Navigation Wharf. At present there is access over the bridge to the Shambles Car Park on the north side. This route is not adopted (thus no public right to access) and it is expected that were the bridge installed, it would provide the preferred route toward the city centre, as it would be more direct and welcoming. As such the proposed bridge would not harm movement or enjoyment of the river.

#### Navigation of the river

4.10 The bridge will require navigational consent under the Highways Act, which involves the Council submitting a scheme to the secretary of state for approval. This dictates the design/engineering of the structure as there are constraints imposed on the design by flood risk and navigational considerations. The bridge has been designed with this in mind and the Council's Structures and Drainage Engineers confirm that the deck is adequately clear of water levels to meet the requirements of the Environment Agency. British Waterways have not commented on this submission, but advised that they had no comment to make when the first application of the bridge was submitted. In terms of impact on the river, the design of this scheme is as previous and is acceptable to all interested parties.

4.11 Navigation is limited on the Foss due to the low clearance/height of existing bridges over the Foss, such as that at Fossgate. The clearance height to allow river vehicles to pass is acceptable.

#### Impact on vegetation - recreation & character

4.12 The proposed main support and two of the support stays both land within the Hungate site, where it is proposed to form an area of soft landscaping; an extension of the Foss Nature Reserve, between phase I and the river. The development will interrupt this landscaped area. However, there is justification for the location of the supports and it is considered the ongoing ecological management plan can be updated accordingly to compensate for this through replacement planting around the supports.

4.13 Details of the hard surfacing around the bridge at the south bank are required by condition, so this part of the scheme is consistent with the Hungate site. The surfacing within the Hungate site is subject to the comprehensive hard/soft landscaping scheme for the site.

#### Impact on wildlife

4.14 Since the first bridge application was withdrawn the design has been revised, to avoid waterfowl colliding with the bridge. The key alteration has been the reduction in the amount of support rods. Although the number of rods is only reduced from 4 to 3, this allows the rods to be more generously spaced across the bridge. This will reduce the chance of collision. Also the rods visibility will be enhanced by illumination. Although this will not completely rule out the chance of collision, it is considered to be reasonable, given the constraints around the site and the required gradient of the deck, which mean the bridge needs to be at a certain height and supported from above.

### **5.0 CONCLUSION**

5.1 The proposed development is welcomed, it would improve links to the city centre and is as aspiration of the Local Plan. This proposal is considered to be in accordance with other relevant policy as the design, appearance and visual impact on the surrounds would be acceptable in accordance with policy GP1 of the local plan. The scheme will preserve the river corridor and its environment in accordance with policies NE2 and NE8, and recreational uses and the navigational capacity of the river would not be compromised. The bridge will enhance walkways and cycleways along riverbank, which will links the south side of the river with Hungate and the city centre, in accordance with policy L4.

### **6.0 RECOMMENDATION:**            Approve

1        TIME2            Development start within three years

2        PLANS2            Apprvd plans and other submitted details

3        To scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.



- Large scale details of the two sets of steps and their balustrades
- Large scale details with dimensions of the concrete anchors as exposed above ground
- Details of the supplementary lighting, including fixings, luminaries and locations (this lighting is to protect birds from flying into the structure and it should be specified to avoid unnecessary light pollution).

Reason: So that the Local Planning Authority may be satisfied with these details.

4 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

#### INFORMATIVES

- It is preferred that samples are agreed onsite simultaneously.
- The steel supporting rods should be stainless steel to prevent possible failure due to hydrogen embrittlement.

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed hard landscaping scheme which shall illustrate any changes in surfacing on the south side of the River Foss. This scheme shall be implemented within a period of six months of the completion of the development.

Reason: So that the development is of a comprehensive consistent appearance.

6 No development shall commence until a scheme for replacement planting and soft landscaping has been submitted and approved by the Local Planning Authority. The scheme shall subsequently be implemented accordingly.

Reason: To respect and enhance the river corridor.

#### INFORMATIVE

The required plans could be submitted through updating the Ecological Management Plan for the Hungate site accordingly.

7 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

- Scheme for lighting the bridge and surrounding area to highway standards
- The surface treatment including friction strips
- Measures to prevent vehicular access across the bridge including siting

- The design of the area where the bridge ramp meets Navigation Road including a package of surface treatment/signage and lining

Reason: So that the Local Planning Authority may be satisfied with these details.

8 Prior to the commencement of any works onsite, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided. The details of such shall be agreed in writing by the Local Planning Authority prior to installation.

Reason: To prevent pollution of the water environment.

9 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

## **7.0 INFORMATIVES:**

1 You are advised that this proposal may have an affect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

## **2. REASON FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to visual and residential amenity, wildlife preservation, highway safety and access to the river corridor, navigational capacity of the river, and flood risk. As such the proposal complies with Policies GP1, T3, NE2, NE8 and L4 of the City of York Local Plan Deposit Draft.

## **Contact details:**

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