

## **OFFICER REPORT**

**Application Number: LB/2020/1224**

**Sowe Viaduct**

**Installation of parapet guardrail to southern side of viaduct**

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<b>WITHIN GREEN BELT?</b>	<b>Yes</b>
<b>VISIBLE FROM GREEN BELT?</b>	<b>Yes</b>
<b>WITHIN CONSERVATION AREA?</b>	<b>No</b>
<b>LISTED BUILDING?</b>	<b>Yes – Grade II</b>

### **POLICY GUIDANCE**

#### **Local plan**

The Coventry Local Plan 2016 to 2031 has been adopted on 05/12/2017. Policies that are relevant include: DE1, HE2, GE1

#### **National Policy**

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

### **ADDRESS AND DATE OF NEIGHBOUR NOTIFICATION**

Notification letters sent as per the communications report.  
Site Notice posted 19/06/20  
Press Notice posted 25/06/20  
No representations received.

### **RELEVANT HISTORY**

None recent/relevant.

### **CONSULTATION RESPONSES**

Conservation: No objection, no conditions.

### **SITE DESCRIPTION**

The Sowe Viaduct, completed in 1838, is Grade II listed and recognised as an early example of a viaduct dating from the pioneering phase of railway development with architectural and engineering interest and historic interest being designed by Robert Stephenson, one of the most important transport engineers of the C19. The viaduct spans the River Sowe and is located in Local Green Space south of Langbank Avenue. The viaduct is largely screened by mature trees and has limited views from surrounding public vantage points.

### **PROPOSAL DESCRIPTION**

Listed Building Consent is sought for the installation of parapet guard rails to the southern side of the viaduct.

The supporting DAS states that: *Network Rail is proposing to undertake works to install a new protective guard rail to the southern side of the viaduct. The viaduct already features a guardrail to the northern side and the proposed works will provide coverage from this safety feature. The guardrail works are necessary in order to provide edge protection to any persons, such a railway maintenance operatives, on the structure, which is required to be provided in accordance with railway safety standards. The guardrails will be constructed from GRP in a Steel Grey colour. The interventions proposed in this application are all benign and intended to enable safe maintenance access to the viaduct, which will assist with ensuring that maintenance and*

*inspection of this heritage asset are undertaken on a regular basis, assisting with the structure's continued role and purpose as operational railway infrastructure. The installation of the guardrails will involve only minimal intervention to existing historic fabric and this will be undertaken using a sensitive methodology, ensuring the intervention is kept to the minimum.*

### **ISSUES AND ASSESSMENT**

Section 66 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

NPPF Paragraph 193 states 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. NPPF Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as in this case, this harm should be weighed against the public benefits of the proposal.

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

It is considered that the proposal is minor in nature and will not detract from the overall appearance and architectural detailing of the viaduct. The new materials are of an appropriate visual quality and the Conservation Officer has raised no objections.

The works are considered to lead to less than substantial harm to the significance of the designated heritage asset. The NPPF Paragraph 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case the works are required for the safe continued operation of the railway to which the viaduct has an operational function, which may be considered as a public benefit.

### **Equality Implications**

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - a) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - b) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

### **CONCLUSION**

In view of the railings acceptable design and siting the scheme accords with development plan policies and therefore the application is recommended for approval, subject to conditions.