

26th November 2012

To: **Andrew Smith**
Planning Case Officer
Lake District National Park Authority
Murley Moss
Oxenholme Road
KENDAL
Cumbria
LA9 7RL

Sent by e-mail to: planning@lakedistrict.gov.uk

Y/ref: 7 / 2012 / 3110

Dear Mr. Smith,

COMMENTS ON PLANNING APPLICATION 7/ 2012 / 3110
PROPOSED INFILLING OF BRIDGE CKP 91 AT HIGHGATE BY BRB RESIDUARY

I have just become aware of this planning application through the weekly lists circulated by e-mail. I note that about half of the available time for comment has already passed.

I am rather surprised and concerned that we had not been contacted earlier, as this planning application directly affects the trackbed of the Keswick to Penrith Railway which we have been working for several years to re-open.

We have so far invested over £400,000 in design and development work on the Railway Re-opening Project, raised entirely from our supporters.

All such planning applications are therefore of great significance to us.

Relevant policies and processes

The Lake District National Park Authority (LDNPA) included protection of the trackbed of the Keswick to Penrith Railway in its core policies in 2009.

Reports such as "Low Carbon Lake District" also recognised the contributions which the re-opened Railway would make to the National Park's communications, economic development, visitor appeal and sustainability.

We have previously been consulted directly at an early stage about applications affecting the potential for re-opening the Railway.

We aim always to provide constructive comments which recognise the needs of all parties.

Reasons for the Application understood

We understand the concerns that BRB (Residuary) and its Contractors have about the condition of bridge 91 and the need for some action to ensure its continued ability to carry road vehicle traffic.

It is quite clear that the road could not be closed completely and that diversions might be disproportionately costly or complex, perhaps creating other problems.

Alternative actions might, we suggest, include strengthening the existing deck, without infringing the clearance underneath, or providing a new deck, again without reducing clearances underneath.

Alternatives not discussed

There is no obvious reference in the application documents to how any options for repair or strengthening were evaluated or compared. Blockage of the railway trackbed is noted as a consequence – it would be a major issue for us, not a mere technicality.

Infilling appears to have been recommended only on the basis of having been carried out at other locations where, presumably, re-opening of the railway was not being pursued.

Infilling would give the wrong impression

We strongly feel that infilling the bridge would be an in-appropriate course of action as the finished works would appear visually as a new “obstacle” to re-opening the Railway, physically blocking a route which is “protected” for re-opening.

Adding costs and complexity for re-opening the Railway

The works proposed in planning application 7/2012/3110 would add significantly to the scope and cost of re-opening the Railway.

At the time of re-opening, had the work under this planning application been completed, it would be necessary to remove all the works proposed by this planning application and build a new deck for bridge 91 in order to provide the necessary clearance for trains to pass underneath.

It would not be enough to “dig out” the earthworks as the concrete encasement proposed would occupy a significant part of the space under the bridge deck and would not provide sufficient clearance for trains to pass. That structure would also not be self-supporting.

Allowing the works to go ahead as proposed in application 7/2012/3110 would, we believe, create the impression that the LDNPA had allowed the line to be “blocked”, in contradiction of its own policies.

It might also give the impression that adding to the cost and complexity of re-opening the Railway was not considered a problem by the LDNPA.

That would be entirely negative for all parties.

Alternative solutions should be appraised

We therefore suggest that the LDNPA should reject application 7/2012/3110 in its current form and ask the applicants (BRB Residuary Ltd.) and its contractors to propose alternative solutions which would strengthen the bridge deck in situ, or replace it, without reducing the clearance underneath where trains would pass when the Railway is re-opened.

Such a course of action would be consistent with the LDNPA's core policies which include protection of the trackbed of the Keswick to Penrith Railway.

Granting permission to application 7/2012/3110 as currently submitted could give the impression to observers that the LDNPA was not complying with its own policies (and regional and national Government policies) to protect the Railway trackbed for re-opening.

We would be more than happy to discuss possible courses of action with any or all parties involved to reach a mutually acceptable solution.

Yours sincerely,

Cedric Martindale
Director
CKP Railways plc

Reference documents: "Low carbon Lake District" report LDNPA June 2008
Lake District Transport Framework April 2009
LDNPA Core Strategies (submitted September 2009)
LDNPA Sustainable Transport five point plan Dec 2009



Extract from aerial photograph of the Highgate area with bridge 91 annotated.
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