

DELEGATED DECISION REPORT

HPK/2024/0420
Valid 14/11/2024

WHALEY BRIDGE RAILWAY
STATION MARKET STREET
WHALEY BRIDGE

APPLICATION FOR A LAWFUL
DEVELOPMENT CERTIFICATE
FOR PROPOSED
REPLACEMENT OF SCREENS
AND SPEAKERS ON
PLATFORMS.

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

- Whether the proposed development complies with the relevant parameters contained within the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO)

DESCRIPTION OF SITE

The application relates to the platforms that serve Whaley Bridge Railway Station, which is operated by Northern Trans Limited. The Station lies within the centre of Whaley Bridge, with a footbridge providing access to each platform, which serves Manchester Piccadilly in one direction, and Buxton in the other direction.

PROPOSAL

The applicant seeks a Lawful Development Certificate to confirm that the upgrade and replacement of Customer information Systems (display screens and Tanoy speakers) do not require planning permission having regard to Schedule 2, Part 8, Class A of the GPDO.

In the interests of being concise the description of development has been amended slightly, in line with relevant guidance contained under the online Planning Practice Guidance (PPG).

OFFICER COMMENTS

Whether the proposed development complies with the relevant parameters contained within the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO)

Schedule 2, Part 8 of the GPDO relates to 'Transport Related Development' with Class A specifically making provision for the following permitted development relating to railway or light railway undertakings:

- A. *Development by railway undertakers on their operational land, required in connection with the movement of traffic by rail.*

The proposed works as described on the Application Form and as shown by the submitted plans, which amount to the ongoing maintenance and improvement of Customer information Systems (display screens and Tanoy speakers), are clearly required for, and directly relate to, the movement of traffic by rail, and thus the works are covered under Part 8, Class A of the GPDO.

In order to be permitted, the proposed works must not be in conflict with restrictive parameters set out under Paragraph A.1, an assessment of which is carried out as follows:

A.1 Development is not permitted by Class A if it consists of or includes—

- (a) the construction of a railway;**

The works do not involve the construction of a new or existing railway (i.e. the track) and as such the application is compliant with Paragraph A.1(a).

- (b) the construction or erection of a hotel, railway station or bridge; or**

The works do not include the construction or erection of any hotel, railway station or bridge, and thus the application is compliant with Paragraph A.1(b).

- (c) the construction or erection otherwise than wholly within a railway station of—**

- (i) an office, residential or educational building, or a building used for an industrial process, or**
- (ii) a car park, shop, restaurant, garage, petrol filling station or other building or structure provided under transport legislation.**

No new buildings are proposed as part of the proposed improvement works. Indeed, all works are contained entirely within the railway station (i.e. on platforms) and as such the application is compliant with Paragraph A.1(c).

CONCLUSION / PLANNING BALANCE

Having regard to the above, the works as described on the Application Form and as shown on submitted plans are permitted having regard to the provisions of Schedule 2, Part 8, Class A of the GPDO and as such it is recommended that a Certificate of Lawful Development be granted.

OFFICER RECOMMENDATION : Grant Certificate

Case Officer: James Stannard

Recommendation Date: 06/01/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council