

## Geoff Porter

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**From:** Gary Patrick <Gary.Patrick@dft.gov.uk>  
**Sent:** 18 November 2019 14:40  
**To:** Sharon Bennett-Matthews  
**Subject:** RE: York's Bridge - 2014 Walsall Metropolitan Borough Council Yorks Bridge Scheme

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Dear Sharon

Having reviewed the revised documentation, the changes appear to be so minor that they would not alter any of the details provided in the Schedule to the Statutory Instrument. That being the case, we would advise that no amendments are required to make reference to the revised plans.

If changes were made that affected the details set out in the Schedule then it could be argued that the scheme had been amended to such an extent that the whole process would need to be re-commenced. We would need to seek further advice in that eventuality but, based on the information provided, there does not appear to be any justification for taking any further action with regard to the Bridge Scheme as confirmed in 2014.

Regards

Gary



**Gary Patrick**  
Manager, National Transport Casework Team  
Tyneside House, Skinnerburn Road  
Newcastle Business Park, Newcastle Upon Tyne NE4 7AR  
0207 944 4107

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**From:** Sharon Bennett-Matthews [mailto:Sharon.Bennett-Matthews@walsall.gov.uk]  
**Sent:** 14 November 2019 11:13  
**To:** NATIONALCASEWORK <NATIONALCASEWORK@dft.gov.uk>  
**Subject:** FW: York's Bridge - 2014 Walsall Metropolitan Borough Council Yorks Bridge Scheme  
**Importance:** High

I refer to the emails below which I originally sent to the National Planning Casework Team.

Having spoken to your offices this morning, I have been informed that my query would be handled by yourselves. The original case officer was:

Ray Oldfield  
National Transport Casework Team  
Tyneside House  
Skinnerburn Road  
Newcastle upon Tyne  
NE4 7AR

Kind regards.

Sharon Bennett-Matthews  
Planning Solicitor  
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Walsall Metropolitan Borough Council  
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**From:** Sharon Bennett-Matthews  
**Sent:** 13 November 2019 13:31  
**To:** 'pcu@communities.gov.uk' <[pcu@communities.gov.uk](mailto:pcu@communities.gov.uk)>  
**Subject:** York's Bridge - Confirmed Bridging Order 2014

Dear Sir/Madam

I refer to the above matter.

In 2014, Walsall Metropolitan Borough Council submitted an application to the Planning Inspectorate for the confirmation of a Bridging Order in accordance with S106(3) of the Highways Act 1980. The Bridging Order was sought in connection with the construction of a new bridge adjacent to the existing York's Bridge and to locally realign the B4154 Norton Road, so that traffic crosses the new structure. The existing York's Bridge was built in the mid-19th century and carries the B4154 Norton Road over the Wryley and Essington Canal approximately 190m north of the junction of the B4154 and oat Farm In Pelsall Walsal.

The Bridging Order was processed the Planning Case Work Unit in Birmingham and confirmed by the Secretary of State on the 4<sup>th</sup> July 2014. The sealed bridging order ( attached) was accompanied by the following plans and documents ( attached ).

- 1.YB-BRO-01
2. YB-BRO-02
3. YB-BRO-03

- 4. Sealed Bridging Order
- 5. Statement of Reasons ( which sets out the background to the scheme)

Following the granting of planning permission for the York's Bridge Scheme, consent was subsequently sort from the Secretary of State for the deregistration of parts of the common land affected by the scheme. The application for the deregistration of the common land was made under Section 16 of the Commons Act 2006 an submitted to the Secretary of State via the Planning Inspectorate in October 2014.

The Planning Inspectorate issued a decision in May 2015 refusing the deregistration application. The reason given for refusal was that the Inspectorate were not satisfied that they could place sufficient reliance on the intention to re-register land following the development and considered there to be a negative effect on the neighbourhood and the public interest in relation to access as there would be a detrimental loss to the overall area of common land.

The Council has taken steps to address the issues outlined in the Planning Inspectorate refusal decision notice and is currently in the process of submitting a new S16 application to de-register parts of the common land to enable the York's Bridge Scheme to progress.

However, it has been necessary for the Council to revise plans YB-BR0-01-03 attached to the sealed Bridging Order and Statutory Instrument. The revised drawings show the changes that have occurred to the design since the original Bridging Order was produced in 2014. I have highlighted the differences from the original drawings in Yellow.

Consequently , drawings MP/YB/BRO/101 to 103 (attached )replace original drawings MP/YB/BRO/01 to 03 which accompanied the original sealed 2014 Bridging Order confirmed by the Secretary of State . The changes to the bridge design as reflected in the new plans are relatively minor.

I would be grateful if you would clarify the position on whether the 2014 Bridging Order and Statutory Instrument will require amendment to make reference to the revised plans.

Kind regards.

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