Dear Ms Pierce

Proposal: Alterations to the existing Fifth Avenue road/rail bridge, and creation of new bridges to support the widened highway to west of the existing structure to create the Central Stort Crossing, including embankment works, pedestrian and cycle facilities, a pedestrian and cycle bridge over Eastwick Road, lighting and landscaping works and other associated works

Location: Land Adj To Fifth Avenue, Existing Eastwick Crossing

Waterway: River Stort

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The main issues relevant to the Trust as statutory consultee on this application are:

a) Impact on the river and towpath users.
b) Impact on the structural integrity of the river wall.
c) Impact on the ecology of the waterway corridor.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:

a) Impact on the river and towpath users.

The Trust welcomes that many of the points raised in relation to the River Stort Navigation crossing during our pre-application discussions with the developer have been taken on board, including a proposal for a wet abutment on the south side of the navigation and the separation of the bridges to allow light to penetrate. Nevertheless, the addition of two new bridges in this location will have an adverse impact on the experience of canal and towpath users.
The Fifth Avenue Road Bridge is located at an acute bend in the River Stort Navigation, accentuating its impact as a barrier on appreciation of the meandering course of the river. The proposed addition of a further deck to its west, essentially doubling the length of the bridge hole, will compound this adverse effect. It is therefore important that the hard landscape design emphasises the primacy of the curving navigation. These measures should allow the plan form of the waterway to be read and importantly, for safety reasons, anticipated by both boaters and towpath users.

The application is considered to be somewhat light on fixed details in relation to the bridges over the River Stort Navigation for a full planning application. This is especially the case with the pedestrian and cycle bridge, which is proposed to be the subject of a design competition, but is also true of the road bridge. We note from the options report that decisions about the nature of the construction and finish, which will impact on the appearance of the road bridge from the canal towpath, are still to be taken.

New crossings should be designed in such a way that when the existing crossing is upgraded, it can be integrated into a coherent 'family' of bridges in this location. This means using relatively simple detailing that can be easily replicated or at least related to.

The link between the pedestrian/cycling paths flanking the crossings should be given particular consideration. The proposed ramps joining the towpath at right-angles beside the bridge hole may cause a blind corner and result in conflict/safety issues if a cyclist using the ramp were to meet another user on the towpath junction. We therefore require further detail on the connections to the towpath, including path materials, planting lists and lighting, along with a detailed section through any embankments. Detail on how potential erosion off the slope will be dealt with should also be provided. We have suggested a condition below for this detail to be provided prior to commencement of works.

The detail of any gap between existing and proposed bridges, potentially prone to harbouring anti-social behaviour and litter, also needs careful consideration. The multiple bridges will allow some light through, but not much and it will be a very shadowy place. Lighting and visual interest under the bridges (for example artwork or interesting concrete formwork) could alleviate anti-social behaviour. The spaces between bridges on both sides will need to be fenced off (preferably with hedgehog gaps) to prevent rough sleeping in these tucked away locations. We have suggested a condition for hard and soft landscaping details to be submitted for approval.

We understand that headroom between the water level and towpath will be at least consistent with the existing bridge.

We welcome the intention that the bridges will be positively drained to ensure water will not be allowed to fall to the towpath, which would adversely affect towpath uses and potentially cause pooling. We suggest that detailed plans of how this will be achieved and how water quality will be maintained should be the subject of a suitably worded condition.

The pedestrian and cycle bridge will cross the Trust's assets and require the use of our air rights, therefore requiring our consent. It also has the potential to have a significant impact (positive or negative) on the character and appearance of the waterway and its enjoyment by users. We believe that the Trust should be involved in selecting the winner of the foot/cycle bridge crossing design competition. We have an in house architect who would be able to assist in judging the entries.

b) Impact on the structural integrity of the canal wall.

It will be necessary to ensure that the proposed works do not adversely affect the integrity of the river walls and towpath and that these will not be put at undue risk due to loading from the proposed bridge. We require the submission of a Risk Assessment and Method Statement to inform potential mitigation measures to carry out demolition, construction and piling work safely, and we have therefore suggested a condition regarding this be attached, below. We consider this request to be consistent with paras 170 and 178 of the NPPF.

Canal & River Trust

http://canalrivertrust.org.uk/contact-us
http://canalrivertrust.org.uk

Patrons HRH The Prince of Wales, Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address: 8 Granary Square, Kings Cross, London N1C 4MA
It should be noted that there is a flood relief weir situated on the offside of the river within the outdoor pursuit centre. This would raise the water level and flow considerably should there be a heavy rain event. The flood relief weir at this location would benefit from automation.

The developer will be required to follow the Code of Practice for Works Affecting the Canal & River Trust, we have requested an informative below to advise of this requirement.

  c) Impact on the ecology of the waterway corridor.

Plantings should be exclusively native species, preferably a mixed hedge (multiple species) should be included in any landscaping and shade tolerant species in the underbridge environment. Lighting proposals for the crossings should be carefully designed to avoid any impact on the river corridor and its biodiversity, particularly for bats, who use the waterways as feeding corridors. Furthermore, installation of bat boxes beneath the bridge structure could aid in mitigating loss of habitat.

We have requested a condition for landscaping details including plantings and lighting details be submitted for approval.

The Trust’s Comments as Landowner

The Trust’s agreement for the use of its land and airspace above the canal will be required and the payment of a premium will be required consistent with the requirements of the Charities Act. As the bridge affects our Infrastructure Trust Property, approval from the Secretary of State for Environment, Food and Rural Affairs will also be required. To date, no meaningful engagement about an agreement with the Trust has taken place. An informative has been provided below, advising the applicant to contact our Estates Team.

Should planning permission be granted we request that the following conditions and informatives are appended to the decision notice:

Conditions

“Prior to the first public use of the proposed additional road crossing hereby permitted over the River Stort Navigation, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Details of materials and finishes to be used in the construction of bridge abutments, beams, deck and parapets.
- The proposed layout and materials of the ramp and steps adjacent to the towpath including any railings and detail of how the ramp with interact with the bridge holes adjacent;
- A maintenance strategy in relation to the above.

The approved details should be implemented prior to the first public use of the crossing.

Reason: To ensure the proposals have no adverse impact on the character and appearance of the River Stort, or the use of its towpath.”

“Prior to the commencement of the development of the pedestrian and cycle bridge over the River Stort Navigation hereby permitted, full details of the scale, layout, appearance and landscaping of the bridge and any supporting structures will be submitted to and approved by the local planning authority.

Reason: To ensure the proposals have no adverse impact on the character and appearance of the River Stort, or the use of its towpath”.

Canal & River Trust

E canalrivertrust.org.uk/contact us  W canalrivertrust.org.uk
“Prior to the first public use of the River Stort Navigation crossings hereby permitted, a detailed hard and soft landscaping scheme including fencing shall be submitted to the LPA, approved and implemented. A maintenance plan will also be submitted and, once agreed by the LPA, implemented.

Reason: In the interests of users of the River Stort and its character and appearance”.

“Prior to the first public use of the River Stort Navigation crossings hereby permitted, a lighting strategy shall be submitted to the LPA, approved and implemented. Such a strategy shall:

   a) Show the proposed location of any lighting to be installed on the new or existing bridge structures.
   b) Identify the make and model of lighting to be installed.
   c) Include a LUX plan demonstrating the light spill from the proposed lighting over the River Stort.
   d) Include an operation and maintenance plan.

Reason: In the interests of the river environment, its users and its biodiversity”.

“Prior to the first public use of the River Stort Navigation crossings hereby permitted, a detailed drainage strategy shall be submitted to the LPA, approved and implemented.

Reason: In the interests of users of the River Stort and its water quality”.

“Prior to the commencement of the development of the road and pedestrian/cycle bridges over the River Stort Navigation hereby permitted, Risk Assessment and Method Statements outlining all works to be carried out adjacent to or affecting (directly or indirectly) the water must be submitted to and approved in writing by the Local Planning Authority, and implemented as agreed. This will include any works to the north and south banks of the River Stort Navigation and any works that may increase loading on the canal infrastructure.

Reason: To ensure that the works have no adverse impact on the structural integrity of the river walls and towpath. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.”

It is our understanding that the developer will need to agree to the imposition of any pre commencement conditions in advance. Should the developer not be willing to do so, we would be grateful if the Council could notify us as we will need to consider whether the only course of action available to us is to object to the development on these grounds until the information and guarantees requested above are provided.

Informatives

“The applicant/developer is advised that any oversail, encroachment or access on land owned by the Canal & River Trust requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust’s Estates Surveyor, Bernadette McNicholas[redacted] regarding the required access agreement.”

“The applicant/developer should refer to the current “Code of Practice for Works affecting the Canal & River Trust” to ensure that any necessary consents are obtained [https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice].”

For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

Please do not hesitate to contact me with any queries you may have.

Canal & River Trust

E canalrivertrust.org.uk/contact us W canalrivertrust.org.uk

Patrons H.R.H. The Prince of Wales, Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address [redacted].
Yours sincerely,

Tessa Craig  
Area Planner

https://canalrivertrust.org.uk/specialist-teams/planning-and-design