Dear Ms Pierce

Proposal: Erection of a new road, pedestrian and cycle bridge; alterations to an existing rail bridge at River Way; alterations to the existing local highway network; lighting and landscaping works; listed building works to Fiddlers Brook Bridge; and other associated works

Location: Land To The South And East Of Gilston Village, And North Of River Stort, Gilston

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 ecology of the waterway corridor.

c) Impact on the structural integrity of the canal walls.

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 the positive engagement with the design team prior to the submission of this application and the changes that have been agreed as a result. As detailed in the reports, these include the proposals to use column piers, which should maintain openness and avoid a tunnel effect along the navigation, and the use of a solid parapet on the bridge as it crosses the River Stort Navigation itself that will alleviate the view enjoyed by waterway users of continuously passing traffic. Nevertheless, the Trust believes that the proposals will adversely affect the setting of the River Stort Navigation, including its towpath, and users’ enjoyment of this green infrastructure asset. Our concerns relate to the impact of the development of the bridge over the River Stort.

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Navigation and the development of roads 1 and 3 and the eastern crossing central roundabout on raised ground or structures north of the navigation.

At the site of the proposed new crossing, the shallow embankment of the River Stort Navigation lies at the southern edge of the floodplain; the proposed north abutment of the 220m long deck span will be located some 175m to the north of the towpath, and the south abutment only some 25m to the south of the southern bank.

This 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. If approved a significant level of detail will be deferred to control through planning conditions in relation to matters such as appearance and landscaping.

In relation to the River Stort Navigation bridge crossing, a clean and simple approach should be taken to the detailing that makes the bridge as 'light' as possible. We welcome that the options assessment indicates that a solid parapet will be included which should help to prevent noise and litter from escaping the roadway down to the navigation, as well as reduce the visual impact of passing vehicles. This is not, however, what is proposed on the elevation drawing (VD1756-EC 106-BE). Likewise, there is uncertainty over the form and materials to be used in the development of the bridge. Para 4.4.6.2 of the options report suggests the use of weathered steel beams and concrete deck with concrete abutments, but para 4.4.2.3 goes on to suggest that an integral concrete deck, beam and abutment structure may be used. If permission is granted, notwithstanding plans submitted to date, elevations and details of materials will be required through suitably worded planning conditions.

Whilst we welcome the intention to retain as much vegetation flanking the River Stort Navigation as possible in this location in order to provide screening to the remainder of the structure, the bridge deck will be wide and we are doubtful that plants will thrive beneath it. A detailed hard and soft landscaping scheme for the spaces beneath and adjacent to the bridge over the Stort Navigation (on both sides) is required and should be secured by condition. Lighting and visual interest under the bridge should be considered (such as artwork or interesting concrete formwork), as should positively planned uses that result in some 'ownership' of these spaces and limit antisocial behaviour.

It would be highly unusual for the Trust to agree to a road or pedestrian/cycle crossing of our network without a connection between it and the towpath. In this instance, we accept that the options that have been considered to date (detailed in the Design & Access Statement) would result in a loss of further vegetation and screening. We have suggested that a sensitively designed ramp(s) directly down to the towpath running parallel to the bridge on the north side could be introduced. The current proposed routing of pedestrians and cyclists to the towpath is not at all direct and, if kept as it is, would require a lot of signposting and improvement of the path from the roadway to the towpath. If no direct connection to the towpath on the north side of the crossing is introduced then we suggest that, at minimum, planning obligations should be secured to upgrade the surfacing and signage of public rights of way routes connecting the eastern half of the proposed Gilston Park area to the towpath to the west of the proposed crossing. These would provide significantly more direct connection to the towpath for new residents in village 2, for example.

In principle, we welcome the intention to improve the bridges over the River Stort Navigation and feeder channel to the south that provide the proposed access route from the eastern crossing to the towpath (VD17516 EC 106-BE). Few details have been provided about the nature of these bridge improvements. A requirement to submit (and for the council(s) to approve) details of appearance, scale, layout and landscaping should be secured through condition. Details of the proposed improvements to the Stort Navigation pedestrian/cycle crossing will need be agreed with the Trust through our Code of Practice, as will all matters affecting our assets. This will involve meeting requirements for clearance above water level.

We welcome the intention (set out in the options assessment) 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.

Whilst much of the culverted structure on which road 3 will sit appears to be well screened by vegetation on the north side of the Stort Navigation, we have significant concerns about the impact that the roundabout and road 1 will have on the character of the waterway corridor in this section. As we understand the proposal, the road will sit on top of an embankment created as part of the old quarry site. It will therefore be elevated about the Stort Navigation at a point where vegetation screening views to the north from the towpath and waterway is limited. Ideally, we would suggest that sections with dimensions of how high the embankments will be for road 1 into Terlings Park in relation to the Stort Navigation are provided, as we have concern that it could be quite large and looming over that stretch of water.

It is also not clear to us whether this impact has been considered in the Landscape and Visual Impact Assessment as the assessment from a large number of the viewpoints appear to be missing in the submitted documents. As a minimum, we suggest that a detailed landscaping condition will be required to demonstrate how views of the road, the traffic using it and light columns can be appropriately screened. Achieving an appropriate level of screening may also require a planning obligation to deliver screening outside of the site boundary.

b) Impact on the ecology of the waterway corridor.

Whilst we welcome the proposal to include measures to prevent birds perching on the beams of the crossing over the Stort Navigation and towpath, the design should incorporate areas within the wider bridge structure for bats to roost and birds to nest.

Light spill over the river extent should be avoided as bats use this area to forage amongst many other nocturnal species.

There should be habitat enhancement compensation for the area of trees to be removed and the ensuing sterile environment beneath the bridge. Hibernacula and an otter holt could be incorporated as well as aquatic enhancements to the soft bank in the area.

We have requested lighting details as a proposed condition below. We would be keen to discuss ecological improvements along the canal corridor as part of the proposed landscaping conditions.

c) 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 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.

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

Other comments

The Trust as Landowner

The Trust’s agreement for the use of its land and airspace above the River Stort Navigation 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. In addition, we suggest that consideration is given to securing planning obligations in relation to improvements to public rights of way connecting to the River Stort Navigation towpath and landscaping between the River Stort and road 1 and the eastern crossing roundabout, outside of the site boundary:

“Prior to the commencement of the road bridge crossing over the Stort Navigation hereby permitted, full details of the appearance of the crossing shall be submitted to the LPA, approved and implemented. Notwithstanding previously submitted drawings, this shall include detailed elevation drawings and details of materials and finishes.

Reason: In the interests of users of the River Stort and its character and appearance. The condition must be discharged prior to the commencement of the crossing over the Stort Navigation to ensure that the impact on the navigation and its users is appropriate from the outset of the development”.

“Prior to the first public use of the road bridge crossing over the Stort Navigation hereby permitted, a detailed hard and soft landscaping scheme shall be submitted to the LPA, approved and implemented, detailing the landscaping condition to be delivered under and adjacent to the Stort Navigation crossing. A maintenance plan will also be submitted and, once agreed by the LPA, implemented. This will set out the steps to be taken in the event that the initial landscaping fails or dies.

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

“Prior to first public use of the road bridge crossing over the Stort Navigation hereby permitted, full details of the scale, layout, appearance and landscaping of the improved pedestrian crossing over the Stort Navigation shall be submitted to the LPA, approved and implemented. This shall include detailed elevation drawings and details of materials and finishes.

Reason: In the interests of users of the River Stort and its character and appearance. This condition must be discharged prior to the first public use of the road bridge to ensure that from this point an improved connection to the River Stort Navigation towpath is provided”.

“Prior to the first public use of road 1, the eastern crossing central roundabout or road 3, a detailed hard and soft landscaping scheme shall be submitted to the LPA, approved and implemented, detailing the landscaping condition to be delivered adjacent to these sections.

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

“Prior to the first public use of the road bridge crossing over the River Stort Navigation 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”.

“Prior to the commencement of the development hereby permitted, options for a scheme of biodiversity enhancement and improvement, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. Once agreed, the enhancement measures shall be implemented to the satisfaction of the Local Planning Authority and maintained thereafter.

Reason: In the interest of preserving the setting and ecology of the River Stort.”

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“Prior to the first public use of the crossing 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 bridge structure.
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 Stort environment, its users and its biodiversity”.

“Prior to the commencement of the development hereby permitted, a Risk Assessment and Method Statement 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.

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 river corridor may occur during the initial construction 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 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.

Yours sincerely,

Tessa Craig
Area Planner

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

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