



24 July 2017

Mr Brett McAllister
Tower Hamlets Borough Council
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London
E14 2BG

Our Ref CRTR-PLAN-2017-22746
Your Ref PA/17/01618

Dear Mr McAllister,

Proposal: Residential development comprising 17 one, two, three and four bedroom flats available for affordable rent. The height of the building ranges from five to eight storeys.

Location: (Locksley Estate Site D) Land Adjacent to 1-12, Parnham Street, London

Waterway: Regent's Canal

Thank you for your consultation.

The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that "living waterways transform places and enrich lives". We are a statutory consultee in the development management process.

The Trust has reviewed the application. This is our substantive response under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Trust welcomes the fact that changes to the design have been made to reduce the height of the building and to set all but the reception area back from the retaining wall at the site's boundary with the canal towpath. However, we continue to advise that, on the basis of the information available, **planning permission should not be granted** for the following reason:

- a) Impact on the character and appearance of the Blue Ribbon Network, and its users.

Should the Council be minded to grant planning permission, we would advise that suitably worded **conditions are necessary** to address additional matters that are relevant to us as a statutory consultee:

- a) Impact on the structural integrity of the towpath, due to the proximity of the proposed development;
- b) Impact on the water quality of the canal.

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Staffordshire, DE13 7DN**

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Impact on the character and appearance of the waterway corridor, and its users, due to the design of the development.

As we previously advised, the proposed development should be assessed against policy SP04 of the Council's Core Strategy and policy DM12 of the Managing Development Document. These require that development responds positively or sensitively to the setting of the waterspace, demonstrates that there is no adverse impact on the Blue Ribbon Network, provides suitable setbacks (where appropriate) and identifies how it will improve the quality of the waterspace.

We welcome the changes that have been made by the applicant to move the development back from the canal, reduce its height and address our concerns regarding materials at the top and base of the building. However, we remain of the opinion that the adverse impact on the quality of the environment of the Blue Ribbon Network around the bridge hole as a result of building so tall and so close to the back of an approx. 4m wall at the back of the towpath is excessive. We consider that the development will make the towpath in this location feel oppressive and give rise to increased fears of crime or anti-social behaviour (or instances of such). A 1m set back does not overcome this, nor does a reduction from 9 to 8 stories on the tallest section immediately adjacent to the bridge hole.

We consider that there are positive aspects of the design, such as the projecting box at ground floor level to promote passive surveillance, the simplification of the building form and the improved ground floor appearance. However, we remain of the opinion that the building is still too tall and imposing at the Salmon Lane end, immediately adjacent to the bridge hole. We suggest that it does not meet the requirements of policy SP04 of the Council's Core Strategy and policy DM12 of the Managing Development Document.

The Trust previously raised concerns about the impact of the proposed development on the adjacent Regent's Canal Conservation Area. We remain unconvinced that the development will preserve or enhance the character and appearance of the Conservation Area, as a result of its height and proximity to the towpath and particularly the Salmon Lane bridge hole. However, our primary concern and our objection in relation to this application is the impact on the Blue Ribbon Network and its users.

Impact on the structural integrity of the towpath, due to the proximity of the proposed development

We note that the towpath wall is intended to be retained as part of the development, which we would support. We are concerned at the potential impact of the construction of the development on the towpath and towpath wall, and would therefore request that further details

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of works that may affect the towpath wall, including the digging of foundations and piling, are agreed by the council by way of a suitably worded planning condition. We would want to be consulted on any details submitted to discharge this condition.

The applicant should consult the Code of Practice for Works Affecting the Canal & River Trust and contact our Works Engineer, Toby Pearce (toby.pearce@canalrivertrust.org.uk) to ensure that the necessary consents are obtained. I have suggested an informative in relation to this below.

Impact on the water quality of the canal due to the drainage proposals

The Application Form incorrectly states that land contamination is not suspected, which contradicts the information in the Phase 1 Desk Study.

The submitted Phase 1 Desk Study concludes that the site may be contaminated and the report recommends that an intrusive site investigation be undertaken to characterise soil and groundwater contamination. However, from the details submitted it would appear that an intrusive investigation has not been undertaken. In the absence of such an investigation and to ensure that the development does not have an adverse impact on water quality (in accordance with policy DM12), we would request a precautionary approach and that a Construction Environmental Management Plan be submitted, to include the following requirements:

- No surface water (either via drains or surface water run-off) or extracted/perched groundwater is to be discharged into the Regent's Canal during the demolition/construction works;
- Stockpiles of soil from the site must be located at a suitable distance away from the canalside elevation and suitable methods should be used to minimise dust emissions from the site during demolition/construction.
- If it is found that there are any surface water drains connecting the site with the canal, these must be capped off at both ends prior to the demolition and construction work beginning – i.e. at the point of surface water ingress and at the canal outfall.

We would request that the Trust be consulted on the CEMP when it is submitted to discharge this condition.

The Application Form indicates that it is not the intention to discharge any of the surface water to the canal. If the developer intends to discharge site surface drainage into the canal, this must be approved by the Trust. We suggest that if the Council is minded to grant planning

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permission, it should require further details on the surface water drainage strategy by way of a suitably worded planning condition.

Biodiversity

We consider that at present this site will be making a positive contribution to the biodiversity of the canal corridor. The removal of vegetation on the canal-side of the site would disrupt the blue/ green interface which provides important refugia and foraging habitat for numerous avian and mammal species. In accordance with policies DM11 and DM12, we suggest that more should be done to enhance the canal side wildlife now that most of the building will be set back from the towpath wall. We suggest that this matter should be addressed through a planning condition that requires further details of the landscaping proposals. A greater set back, which may help to resolve the objection that we have raised in relation to the impact on the Blue Ribbon Network and its users, may provide an even greater opportunity.

Should the Council be minded to grant planning permission, we request that the following conditions are imposed:

Conditions

“Prior to the commencement of the development hereby permitted, a Risk Assessment and Method Statement that assesses the impact of demolition and construction works on the Regent’s Canal (including its towpath) and the towpath retaining wall, along with measures to manage any risks identified to prevent damage to the structural integrity of the canal and the towpath retaining wall and harm to canal users, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the structural integrity of the Regent’s Canal and the safety of its users. The condition must be discharged prior to commencement to prevent adverse impacts during the demolition and construction phases”.

“Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include the following requirements:

- No surface water (either via drains or surface water run-off) or extracted/perched groundwater is to be discharged into the Regent’s Canal during the demolition/construction works;*
- Stockpiles of soil from the site must be located at a suitable distance away from the canalside elevation and suitable methods should be used to minimise dust emissions from the site during demolition/construction.*

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- *If it is found that there are any surface water drains connecting the site with the canal, these must be capped off at both ends prior to the demolition and construction work beginning – i.e. at the point of surface water ingress and at the canal outfall.*

Reason: In the interest of water quality of the Regent's Canal. The condition must be discharged prior to commencement to prevent adverse impacts on the water quality of the Regent's Canal during the demolition and construction phases.

Informatives

"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>)."

"The applicant/developer is advised that any encroachment into, or access over the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) regarding the required access agreement."

"The applicant/developer is advised that any drainage to the canal requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Utilities team for more information (Liz.Murdoch@canalrivertrust.org.uk)."

If you have any queries please contact me, my details are below.

Yours sincerely

Steve Craddock MRTPI
Planning Manager London, South & South Wales
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07768 560282

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