



Canal & River Trust

Making life better by water

FAO. Tracey Carey
Oadby & Wigston Borough Council
Council Offices
Station Road
Wigston
Leicestershire
LE18 2DR

Your Ref 18/00258/FUL

Our Ref CRTR-PLAN-2018-25783

Wednesday 24th October 2018

Dear Mrs Carey,

Proposal: Construction of a steel footbridge spanning Ervin's Lock (Grand Union Canal) to provide access from the northern residential area to the canal towpath

Location: Ervins Lock, Lock Keeper Close, Wigston

Waterway: Leicester Line (Grand Union Canal)

Thank you for your email of 2nd October advising us that the Council wish to determine the application at committee on 25th October on the design as originally submitted.

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 Trust provided our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) to the design originally submitted in our letter of 6th July 2018. The Trust's opinion upon the original design with brick supporting piers is based upon our experience with bridges across our national network and remains unchanged for the following reasons:

- Our Heritage and Urban Design professionals maintain that the brick structure results in a visually dominating design that detracts from the character and appearance of the lock within the Conservation Area, particularly as viewed on the approach along the towpath from the west.
- That the brick pillars will create an area of towpath south of the bridge that is hidden from natural surveillance, thus creating potential for fear of crime by future users.
- The brick pillars provide space for graffiti.
- The brick pillars create areas beneath the ramps where litter could accumulate, people could shelter, and which would be difficult to maintain due to their inaccessible nature.

The Trust has been concerned about the design of the proposal and the space available for the structure in relation to our assets and the hedgerow boundary from the outset. The information submitted in the form of basic cross-sections is not considered to accurately represent the complex changes in levels that occur currently and are proposed to facilitate the provision of the diverted towpath. As a result it is not considered that the information available is sufficient to assess:

- The full impact of the proposal upon the hedgerow root protection area.

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- The ability to provide a diverted towpath of a minimum of 1.5m width without the loss of all or part of the hedge adjacent to the southern ramp or the need for a retaining structure/s that are not included as part of this application.

We note that the proposal is on the committee agenda for Thursday 25th October and have accordingly read the report to Members.

The consultation response of the LCC Heritage Team appears to indicate that their opinion of the scheme is that it will cause less than substantial harm, but that this is outweighed by the public benefits. No reference to policy either national or local is given, and they “*remain concerned that the new bridge and associated ramps, are unlikely to preserve or enhance the Grand Union Conservation Area*”. Here the Trust, with reference to paragraphs 196 and 197 of the revised NPPF are in agreement with the LCC Heritage Team.

In assessing the Planning Considerations the report refers in paragraph 4 to “*taking account of the canal vernacular*”. The proposed bridge with its metal parapet and long straight ramps should not be compared to canal vernacular, because it is a modern structure which as a result of its dimensional requirements and the space available is not capable of achieving a pastiche of a traditional brick canal bridge. The proposal should therefore be treated as a modern insertion into this heritage setting and should be designed to maximise views into and within the Conservation Area to best preserve the appreciation of the lock as a heritage asset. The Trust’s substantive response of the 6th July referred to these matters and the revised design using metal piers was considered (with conditions) in our response of 25th September to be acceptable as a modern insertion into the Conservation Area.

The Trust are pleased that conditions 2, 3 and 4 are proposed to protect the Trust’s assets. The Trust request that a note be added to those proposed to state: You are advised that the proposal is located on land within the ownership of the Canal & River Trust and that prior to any works occurring on site written consent for those works should be obtained from the Trust. Please contact Steve Robinson in the Estates Team, Steve.Robinson@canalrivertrust.org.uk in the first instance.

Landowner Comments

We appreciate that this is not a planning matter, however we wish to be clear to the Council as Applicant that we have set out our preferences and the reasons why the metal piers are in the opinion of the Trust more suitable. We have expressed our concerns above in relation to the design proposed and advise that this will be a considerable factor in our decision as to whether to enter into an Options Agreement for the construction of a bridge at Ervin’s Lock. We also note that the report does not mention that the Trust are the landowner in this case.

In paragraph 2 of Site and Location, the towpath is referred to as a “public footpath”. Most towpaths are not public rights of way. Instead, the majority of our towpaths are ‘permissive paths’ as we allow members of the public to use them. Occasionally we need to close towpaths to carry out maintenance work. We would therefore recommend that this reference is checked upon the definitive map. If the towpath has been designated as a public footpath then the LCC Footpaths team should be consulted about the implications of the temporary closure that may be necessary to construct the bridge safely.

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

Yours sincerely,

Hazel Smith MRTPI
Planner

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

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