



**Canal &
River Trust**

Making life better by water

M42junction6@planninginspectorate.gov.uk

Your Ref TR010027

Our Ref IPP - 61

Monday 3 June 2019

Dear Mr Cullingford,

Application for a Development Consent Order for the M42 Junction 6 Improvement

Waterway: Grand Union Canal

Deadline 1 Response

Written Representation

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 prescribed consultee in the Nationally Significant Infrastructure Projects (NSIPs) process and a statutory undertaker for the purposes of S.127 Planning Act 2008.

The Trust owns, maintains and operates the Grand Union Canal, the relevant stretch of which runs approximately north south, passing under the existing M42 at Barston Lane approximately 750m east from J5 of the M42 and then running north to Catherine de Barnes, before curving west away from the proposed order limits. The canal is rural and verdant in character along this stretch, with a mix of mature planting that screens views out towards the surrounding countryside, and areas where the boundary treatment is much lower and allows wide ranging views eastwards across fields. Whilst there is traffic noise, this is very much at background levels that do not disturb. The M42 is generally well screened from view from the canal by tree belts.

The canal includes a number of mooring sites through Catherine de Barnes, and there is a customer service facility where boaters can stop to take on fresh water and deposit refuse. This is also a popular stretch for anglers, with an angling club operating the fishing rights along the canal. These are users who linger for longer periods rather than passing through as they travel by boat or along the towpath. The towpath is also used for walking and cycling. The canal is a non-designated heritage asset, with opportunities and benefits for sustainable travel, leisure and recreation, health and wellbeing and as such should be protected from any threats to its tranquil character and environment.

Within Chapter 7 of the ES the Canal is referred to as the '*Birmingham & Warwick Canal*' though it should be noted it is the Grand Union Canal.

The Trust have previously commented on the Preliminary Environmental Information Report (PEIR) and advised that as land owner / operator of the Grand Union Canal we would wish to see any potential impacts on the canal

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and its users fully identified and addressed within the final Environmental Statement (ES). This is addressed in further detail below.

Draft DCO

The submission acknowledges that there will be no surface water drainage to the canal due to existing topography. The definition of a watercourse in the draft DCO includes reference to 'canal'. As there is no potential for SWD to a canal in this instance it would seem appropriate to remove 'canal' from the definition to ensure clarity.

As noted in our earlier relevant representation, the Trust are interested in the proposed scheme in relation to:

- ◆ The impacts on noise and air quality of the canal environment
- ◆ The visual impacts on the users of the canal corridor
- ◆ The impact of the drainage proposals on the water quality of the canal
- ◆ Impact of potential construction traffic routes crossing canal bridges.

Noise and air quality

The canal has been considered as a sensitive receptor to noise though it does not appear to have been considered in relation to air quality impacts. Canal users are considered as 'transient' though it should be noted that the canals are not simply places that people pass through. Noise disturbance / poor air quality can adversely impact on those utilising the waterway for the health and wellbeing benefits that they deliver, as well as those choosing to moor boats or fish for longer or more frequent periods of time. We note that at 12.9.49 in chapter 12 of the ES a section of the canal falls within the 600m calculation area and that there would be an increase in noise levels along the canal, which has been classed as not significant. We therefore ask that the Examining Authority consider the impacts of noise and air quality on the canal corridor and its users to establish whether any necessary mitigation is required so that they can be included in the DCO requirements. This is consistent with the principles set out in paragraphs 5.186-5.200 of the National Policy Statement for National Networks ("the NPS").

Visual impact

The ES does include an assessment of the Landscape and Visual Impacts from the canal though Viewpoint DD (found at figure 8.2 sheet 4 of 31) was subsequently scoped out as no views towards the scheme would be available to users of the canal. This is because the location of Viewpoint DD is where the canal is in a cutting at the northern end of Catherine de Barnes. Within the 'Zone of Theoretical Visibility' (Figure 8.6) there are sections of the canal to the south of Hampton Lane which are not within a cutting and where views towards the scheme will be available across arable fields that slope away from the canal towards the order limits. We consider that further viewpoints from along this stretch would benefit the understanding of the potential impacts of the proposed works on users within the canal corridor and ask that further assessment be undertaken to this effect. This would demonstrate any requirements for screening to protect the outward views from the towpath and waterspace.

It is noted that the submission includes proposed landscaping adjacent to the junction works. We therefore consider that this natural screening is of importance to protect the views from the canal corridor and ask that these be delivered as early on as possible in order that they grow to provide an appropriate level of screening as soon as possible, for both visual and noise protection, to minimise the visual impacts of the proposal on canal users.

Water quality

Should the drainage proposals for the proposed development alter, we ask that we be notified in order that we can consider further any potential impacts on the water quality of the canal network.

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Construction traffic routes

Our historic canal network includes several bridges that carry roads over the canal in the area around the order limits. Many of these are heritage assets, and some have weight limits attached to protect them from heavy traffic impacts. The Trust is keen to ensure that no damage is caused to any of its bridges by construction traffic resulting from this proposal. We are yet to identify any detailed information concerning construction traffic routes and therefore seek either assurances through further information or protection in the DCO documentation to prevent any inappropriate use or damage to our structures.

We consider that these points all fall within the remit of the DCO and accord with the provisions of the NPS.

Forthcoming accompanied site inspection

We ask that the examining authority panel consider walking a section of the Grand Union Canal towpath, from the access point on Hampton Lane in Catherine de Barnes south to the bridge that carries Henwood Lane over the canal (or the opposite) to consider the landscape and visual impacts of the proposal on canal users, in the absence of any viewpoint information in the ES that might otherwise assist. We are, of course, willing to accompany you on this part of your inspection. Parking is available for a small number of vehicles at either end of this stretch.

Issue Specific Hearing appearances

It is unlikely that we would wish to appear at any of the issue specific hearings, however we reserve the right to do so should matters on the agenda be of interest to us.

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

Yours sincerely,

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Planning Manager

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

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