



**Canal &  
River Trust**

Making life better by water

[WMInterchange@planninginspectorate.gov.uk](mailto:WMInterchange@planninginspectorate.gov.uk)

Your Ref TR050005

Our Ref West Mids NSIP (IPP-22)

Friday 7<sup>th</sup> February 2020

Dear Sir/Madam,

**Application by Four Ashes Limited for an Order Granting Development Consent for the proposed West Midlands Interchange**

**Additional questions from Department for Transport**

Thank you for your consultation in respect of the above.

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. As you will be aware, the Trust is a statutory undertaker for the purposes of S.127 Planning Act 2008 ("the 2008 Act") and a statutory party for the purposes of s.88(3)(c) of the 2008 Act. In addition, the Trust are also a landowner

**Proposed additional text in DCO requirement 3**

Calf Heath Reservoir is within the ownership and control of the Canal & River Trust (the Trust) and as such sailing and other leisure clubs are able to lease the use of the waterspace for their pursuits and agreements are entered into accordingly. We raised with the Applicants during the Examination our concerns regarding the potential loss of use and enjoyment of Calf Heath Reservoir for watersports that relied on wind. Such change would also extend to a reduction in opportunities for increasing people's health & wellbeing and a loss of wider potential benefits. We also identified at paragraph 6.1.2 of our statement of common ground that we had ongoing concerns regarding the potential loss of revenue that could result if the proposed development were to alter/reduce the wind patterns on the reservoir sufficiently significantly that leases were terminated and new ones not entered into. Our concerns at para 6.1.2 remained at the close of the examination.

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The recent question directed at the sailing club appears to suggest that a way to alleviate these concerns has been proposed. However, we are concerned that the draft text to be inserted into the DCO does not take this far enough. Rather than simply asking for information to be provided and considered by the LPA in any future application, we would prefer to see the requirements prevent the LPA from allowing any scheme submitted that would have such negative effects. We also ask that as landowner (and acknowledging our status as a statutory undertaker for the purpose of protecting and promoting use and enjoyment of canals and waterways), consultation with us on any application including such details should be required. We further suggest that this requirement should relate to the planted bunding between these development phases and the reservoir, as well as the development phases themselves, as high vegetation could also have an effect on the wind patterns on the reservoir.

The Trust has no further comments to make on any of the other matters raised in the DfT letter of 24 January.

### **Late representation**

The Trust have considered the additional information provided by the applicant and have no comment to make.

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

Yours sincerely,

**Ailith Rutt MRTPI**  
Planning Manager

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