



Canal &
River Trust

21 June 2017

Mr John Diver
Camden Borough Council
2nd Floor
5 Pancras Square
C/o Town Hall
Judd Street
London
WC1H 9JE

Our Ref CRTR-PLAN-2017-22568
Your Ref 2017/1534/P

Dear Mr Diver,

Proposal: Excavation of a basement extension below the footprint of the dwelling (Use Class C3) including no.1 rear lightwell.

Location: 31, St Mark's Crescent, 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 main issues relevant to the Trust as statutory consultee on this application are:

- a) Impact on the structural integrity of the canal wall due to the proximity of the works to the canal.
- b) The potential for freight by water from the site.

On the basis of on the information available our advice is that suitably worded **conditions are necessary** to address these matters. Our advice and comments are detailed below:

Code of Practice for Works Affecting the Canal & River Trust

The Basement Impact Assessment includes Appendix F: Contact with Canal & River Trust. This is the Trust's generic advice for works near the canal, which points developers to the 'Code of Practice for Works affecting the Canal & River Trust'. No application in accordance

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with the Code of Practice has been received by the Trust from the applicants, and I have suggested an informative, below, regarding this.

Canal Wall

The site abuts the Regent's Canal and the offside (non-towpath side) canal wall. The wall is not owned or managed by the Canal & River Trust, but is the responsibility of the site owner to maintain.

The Basement Impact Assessment submitted with the application states that the Regent's Canal "...is anticipated to be lined sufficiently to form a barrier between the site and canal and therefore they will have no impact upon each other." Given that the offside wall affected is not owned or managed by the Trust, we cannot confirm this, and have requested a condition be attached to the decision, below, requiring a waterway wall (canal wall) survey and appropriate repairs, to ensure that there is no damage to the wall during construction, or loss of water from the canal into the proposed basement.

Freight by Water

London Plan Policy 7.26 B (d) requires development proposals "close to navigable waterways should maximise water transport for bulk materials, particularly during demolition and construction phases". The draft Camden Local Plan Policy T4 seeks to encourage the movement of materials by canal where possible. The spoil excavated from the proposed basement could be removed and transported to a waste facility by barge to avoid additional road traffic, and the site's location adjacent the offside (non-towpath side) would avoid disruption of towpath users. We would recommend a condition that the developer consider the feasibility of moving construction waste by canal. They are also advised to discuss this further with the Canal & River Trust to ensure that there is sufficient width for the necessary barge to moor, and no adverse impact on other canal users.

We also note that there are two partly sunken rowing boats in the canal adjacent to the property, which should be removed.

If the Council is minded to grant planning permission, it is requested that the following conditions and informatives be attached to the decision notice:

Conditions

Canal Wall

"Prior to the commencement of the development hereby permitted, a survey of the Regent's Canal wall, and full details of any proposed repairs to the canal wall that may be required, shall be submitted to and approved in writing by the Local Planning Authority. The canal wall repairs shall be carried out in accordance with the approved details. Reason: To ensure the

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proposed works do not have any adverse impact on the safety of waterway users and the integrity of the canal.”

Freight by Water

“Prior to the commencement of the development hereby permitted, a feasibility study to assess the potential for moving construction materials and waste from the site by waterborne freight on the Regent’s Canal shall be submitted to and approved in writing by the Local Planning Authority. The movement of materials by water shall be maximised where possible unless considered not feasible to do so. Reason: To maximise the movement of materials by water and reduce road transport, in accordance with the London Plan.”

Informatives

“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 any 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>).”

In addition, in order for the Canal & River Trust to monitor our role as a statutory consultee, please send me a copy of the decision notice.

Should you have any queries please feel free to contact me.

Yours sincerely,

Claire McLean MRTPI
Area Planner - London

Telephone: [REDACTED]

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