



**Canal &  
River Trust**

Making life better by water

Camden Borough Council  
Regeneration and Planning Development  
Management  
London Borough of Camden  
London  
WC1H 9JE

Your Ref 2018/6105/P

Our Ref CRTR-PLAN-2019-26434

4 February 2019

Dear Mr Benbarek

**Proposal: Excavation of basement with front and rear light wells and alterations to existing rear conservatory to dwelling house.**

**Location: 1 St. Mark's Crescent, Camden, London**

**Waterway: Regent's Canal**

Thank you for your consultation.

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 main issues relevant to the Trust as statutory consultee on this application are:

- a) The protection of the structural stability of the Regent's Canal.
- b) The impact on the water quality of the Regent's Canal.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded **conditions are necessary** to address these matters. Our advice and comments follow:

#### Structural Stability of the 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 canal's retaining walls could permit some hydraulic continuity with the local groundwater regime'. Given that the offside wall affected is not owned or managed by the Trust, we cannot advise on the extent to which it is watertight. We request that if planning permission is granted, a condition be attached to the decision requiring a waterway wall (canal wall) survey and appropriate repairs before and after construction works, to ensure that there is no damage to the wall during construction, or

#### **Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN  
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loss of water from the canal into the proposed basement. We consider this condition to be justified in order to ensure that the development meets the requirements of policy A5 of the Camden Local Plan.

#### Impact on the water quality of the Regent's Canal

We note that the Tree Protection Plan in the application documents suggests that a 'hazardous materials area' will be sited adjacent to the canal as part of the development works. We request further details of what hazardous materials the applicant intends to store here. We also suggest that the applicant should be required to provide details of the measures that will be taken to ensure materials stored on the barge in the canal do not spill in to the canal during transfer operations, windy weather etc, and of the bunding for the storage of any liquid materials that might otherwise pose a risk to the canal if spilled. We suggest that these matters can be dealt with by way of a suitably worded pre-commencement condition to ensure that the development meets the requirements of policy CC3 of the Camden Local Plan.

#### The Canal & River Trust as landowner

The applicant is advised to consider the terms of our [Code of Practice for Works affecting the Canal & River Trust](#) and liaise with Mansoor Omar ([Mansoor.Omar@canalrivertrust.org.uk](mailto:Mansoor.Omar@canalrivertrust.org.uk)) to ensure that the necessary consents are obtained.

We note that the applicant proposes to moor a barge at the end of the site in order to store materials. Such a proposal will need the permission of the Canal & River Trust, as landowner. The applicant should discuss the matter further with Paul May at the Trust ([Paul.May2@canalrivertrust.org.uk](mailto:Paul.May2@canalrivertrust.org.uk)). The Trust will need to consider any constraints at this location once an application is submitted to us with details of the proposed mooring. In the absence of this, we have not considered the impacts of this mooring in responding to this planning application.

Should planning permission be granted we request that the following conditions and informatives are appended 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.*

*Post completion of works but prior to first occupation of the development hereby permitted, a follow up survey of the Regent's Canal wall shall be submitted, 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 proposed works do not have any adverse impact on the safety of waterway users and the integrity of the canal. A pre-commencement condition is required as the demolition and construction phases have the potential to adversely impact on the canal wall.*

##### Construction Environmental Management Plan

*"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. The Construction Environmental Management Plan shall include details of:*

- a) The locations where construction and demolition materials will be stored*
- b) Measures to prevent contaminated surface water entering the Regent's Canal*
- c) Measures to control dust and debris from demolition and construction operations."*

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*Reason: To ensure construction works do not have any adverse impact on the environment of the Regent's Canal and its users. This condition seeks to prevent harm to the canal during the demolition and construction phases and is therefore required prior to commencement"*

It is our understanding that the developer will need to agree to the imposition of any pre-commencement conditions in advance. Should the developer not be willing to do so, we would be grateful if the Council could notify us of this as we will need to consider whether the only course of action available to us is to object to the development on these grounds until the information and guarantees requested above are provided.

### **Informatives**

*The applicant/developer is advised to review the Canal & River Trust's "Code of Practice for Works affecting the Canal & River Trust and contact the Trust's Works Engineer ([steven.ellis@canalrivertrust.org.uk](mailto:steven.ellis@canalrivertrust.org.uk)) in order to ensure that any necessary consents are obtained and that the works are compliant.*

*(<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-propertyandour-code-of-practice>)".*

*The applicant is advised that the proposed mooring will require the consent of the Canal & River Trust and that they should contact Paul May ([Paul.May2@canalrivertrust.org.uk](mailto:Paul.May2@canalrivertrust.org.uk)) regarding the necessary permission.*

For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

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

Yours sincerely,

**Steve Craddock MRTPI**  
Planning Manager South & South Wales

[Steve.Craddock@canalrivertrust.org.uk](mailto:Steve.Craddock@canalrivertrust.org.uk)  
07768 560282

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

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