

## **Response to TWC's Position Statement regarding the Shrewsbury & Newport Canals Project**

The Shrewsbury and Newport Canals are both listed in the Historic Environmental Records HER Number 03410 and 03412. A few of the bridges have been demolished but many still remain. Most of the locks have been retained, albeit some of them are now buried. As would be expected, there are a number of structures that have been listed, such as the bridges at Norbury, Sutton and Wappenshall and the locks at Hadley. There are also two Scheduled Ancient Monuments, one at Longdon, the other at Newport. Whilst over half of the canal has been filled in, this can have advantages in that any locks are generally still intact and once excavated can easily be restored.

### **Considering Telford & Wrekin Council's Evidence Document.**

It is not correct to say that the vast majority of the canal has been filled in, or that it is now mostly devoted to other uses. There are nearly 21km of canal in the Authority's area, of which over 8km are either still in water or are dry open channel. In total the canal is 40km long, of which only 16km has been filled in.

### **Planning Policies**

The NPPF advises that local planning authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.

In our opinion Policy EC12 and, in particular, paragraph 4.3.2.8, does not meet the requirements of para 114 of the NPPF.

Paragraph 126 of the NPPF advises that local authorities should consider the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable use. Given that the canal is considered to be a heritage asset, there does not appear to be any such provision in the Local Plan.

The Council have made reference to enabling development to help fund the restoration of the works to the Shrewsbury to Newport Canals. The work to restore the canals is currently being undertaken by the Shrewsbury and Newport Canals Trust, which is a charity. The Trust raises funds and applies for grants for our restoration plans from a variety of sources. It is accepted that funding the restoration from housing development is unlikely, but it is not clear why this should be a reason to exclude any provision in the Local Plan to protect the line of the canal from any future development. The Trust is trying to ensure that no development takes place that would prevent the restoration of the canal. How the restoration is funded is surely a different issue.

## **Constraints**

### **Site of Special Scientific Interest**

The 2.2 km of the Newport Canal that remains in water was designated a SSSI in 1986 when an unusual plant was discovered in the waters. Since that time there have been at least five further surveys carried out by English Nature (now Natural England) and on each occasion they were unable to find any signs of the original plant. The results of the latest survey, carried out in 2012, showed that the SSSI failed to meet the required aquatic plant diversity target, the water clarity target and the algae cover target. Nonetheless the status of this section of canal still remains a SSSI.

The Trust has had preliminary discussions with a representative from Natural England regarding restoring the SSSI for navigable use. There are several options available, most of which would allow enhancement of the waterway and improvement of the habitat, not just for plants, but also for other wildlife.

There have been other canal restoration projects in the UK where sections of canal have been designated as SSSIs, most notably the Montgomery canal where, with the agreement of Natural England, extensive work has taken place to construct side ponds as well as new habitats for Great Crested Newts.

The presence of a SSSI is not a constraint on the restoration of the canal.

### **Species Habitat**

It is standard practice to carry out an ecological survey before any planning application is submitted and before any work is undertaken. There are standard procedures that qualified ecologists would follow. If any protected species were found at the site where work is planned, appropriate measures would be taken that may involve obtaining a Licence from Natural England. This does not just include voles and great crested newts, but also bats and badgers. All this is normal practice when any development is undertaken and is no different for canal restoration work.

### **Urban constraints**

We are surprised by the statement "It is not clear how a new canal could be established through the centre of the market town of Newport". In 2009, as part of the Newport Town Regeneration Project, a team of T&WC planners and engineers prepared designs and drawings for the restoration of the canal through Newport. The project was funded by T&WC, but it did not proceed because of financial constraints.

The Council's own engineers have demonstrated that this is not a constraint.

## **Physical constraints**

A feasibility study that was carried out by the well-known and respected firm of Consulting Engineers, W S Atkins, identified all the physical constraints and offered solutions to each one.

The Trust is aware that part of the canal now functions as the Telford Northern Interceptor Channel and the Atkins report included options to deal with this. In a note prepared by Cllr Ashcroft (see attached) he identified a possible solution. The Atkins preferred solution was to restore the canal by excavating a new channel running parallel with the storm drain. This would then cause minimal disruption to the existing drain. The costs for this work were included in the overall scheme costs.

In the Atkins report it was made clear that the quantity of water needed to operate the canal was based on information provided by British Waterways (BW). The water losses from a canal are leakage, evaporation and from the operation of locks. The figures from BW were based on their experience in a worse case scenario. Many of the old canals that BW was responsible for were over 200 years old and had significant problems due to leakage. It was therefore not surprising to find that information provided by BW on the volumes of water required would be high.

When restoring canals today we use canal liners that are virtually water tight. Any loss of water due to operating the locks can be eliminated by the use of a technique known as back pumping. Any water that flows downstream when the lock is operating will be pumped back upstream. The only loss that cannot be overcome is evaporation. The Trust has had discussions with the Environment Agency about the options available to overcome this problem and there are various solutions. Whilst ground water abstraction is a possible option, it is the least preferred. The canal does cross the line of a number of streams and rivers and pumping from these may be possible. As a last resort it might be possible to construct reservoirs so that rainfall in the winter months can be stored for use in the summer.

The Trust does not anticipate a problem with the initial filling of the canal. Restoration will be carried out in stages and as each stage is complete it can be filled from water in the streams and rivers in the winter months. The Trust has already had discussions and agreement with the EA about this.

## **Conclusions**

Our Trust is pleased that the Council acknowledges that reinstatement of canals could deliver additional visitors to the area and supports their reinstatement in principle. However, without a planning policy that ensures that no development takes place that could prevent the canal being restored, it is not clear how the Council believes it is supporting their reinstatement.

The Council have “stressed that there are many significant and potentially insurmountable barriers to the restoration of the Shrewsbury and Newport Canals”.

The feasibility Study that was undertaken by W S Atkins has addressed all the issues and has proposed solutions. The Atkins report makes it clear that restoration of the Shrewsbury and Newport Canals is feasible.

Our Trust is surprised by the Council's statement that "potentially the most significant restriction on re-opening the canal is the presence of the Newport Canal SSSI and the physical narrowness of the canal corridor through the town". In 2009 the Council's own engineers were involved in designing a scheme to restore the canal through Newport. This was part of the Newport Town Regeneration Project. Our Trust is aware that extensive consultations took place with all interested parties, soil surveys and topographic surveys were completed and design drawings prepared. The scheme was originally planned to be funded by the Council, but due to financial constraints the project did not go ahead.

The cost quoted for restoring the whole route comes from the Atkins report and is based on all of the work being carried out by contractors. The Trust accepts that the costs do not include inflation, land purchase and water supply. However, experience on other restoration projects has shown that the cost of acquiring land is fairly small in relation to the overall cost of the works. Also, wherever possible, the restoration work will be carried out using volunteer labour. This way the construction costs can be reduced by as much as two thirds.

The Trust does not understand what the council means by "project risk and optimum bias." In the Atkins report they have allowed for contingencies for design and construction to allow for any unforeseen issues. Our Trust believes the cost quoted by Atkins is reliable.

The Council's response has highlighted a number of issues that, in their opinion, could cause problems in restoring the canal. The Feasibility Study that was undertaken by W S Atkins considered all the potential problems highlighted by the council and concluded that they would not prevent the full restoration of the canal.

The Council have suggested that because the canal may not be fully restored within the current Local plan period there is no point in including any provision within the Local Plan to safeguard the canal. They suggest that Policy EC 12 provides sufficient protection to the route of the canal and that it does not preclude its restoration. We believe that this policy does not provide sufficient protection to the route of the canal. We would wish to see a policy that states that there is no development along the line of the canal that would impede its subsequent restoration.

Regarding the issue that the canal may not be fully restored within the plan period, the Trust has already carried out restoration work on the canal at Oulton, Forton, Moss Pool Bridge, Meretown Lock, Summerhouse Bridge and Sundorne. It is also about to start a £2.0m restoration project at Wappenshall. It is accepted that it is unlikely all the money to restore the whole canal would be raised within the plan

period, nonetheless significant progress towards restoration of parts of the canal most definitely will be. The lack of a planning policy that prevents development taking place that might prevent restoration of some sections of canal could result in significant problems to future plans.

The Council, in their response, have not addressed a separate issue that has been raised before and that regards their Duty to Cooperate.

The Trust believes that the Council does have a Duty to Cooperate with both Stafford Borough Council and Shropshire Council with regard to the restoration of the Shrewsbury and Newport Canals. The line of the canal crosses all three planning authority areas and both Stafford Borough and Shropshire Councils have policies in their adopted Local Plans that protect the line of the canal to ensure that it can be fully restored. If there are no similar provisions in the Telford and Wrekin Local Plan, then the two adjoining Planning Authorities would have unsustainable plans that would reduce the ability to deliver the full restoration of the canal. The Duty to Cooperate is set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act). The requirements of the Duty to Cooperate are set out in paras 178-181 of the NPPF.

### **Proposed Policy**

The Trust considers that the Local Plan should include a policy statement as follows:

The alignment of the Shrewsbury and Newport Canals as shown indicatively on the Policies Plan shall be safeguarded with a view to their long-term re-establishment as navigable waterways by:

1. Not permitting development likely to destroy the canal alignment or its associated structures or likely to make restoration more difficult and
2. Ensuring that when the canal is affected by development the alignment is protected or an alternative alignment provided.

Proposals will be permitted that re-design and develop the canals' recreational and conservational potential, in particular, the use of the old line of the canal for walking, cycling and interpretation.