



**Canal &
River Trust**

Making life better by water

Oxford City Council
109
St Aldate's Chambers
Oxford
Oxfordshire
OX1 1DS

Your Ref 20/01276/FUL

Our Ref CRTR-PLAN-2020-30496

28 January 2021

Dear Ms Byrne

Proposal: Change of use of existing community centre, demolition of existing structures and garages, redevelopment to provide residential, community centre and boat yard uses, including associated works for the provision of new public realm, ramped access to the Church, a public bridge across the Oxford Canal and works to the Canal to include a new winding hole

Location: Land at Jericho Canal Side and Community Centre, 33A, Canal Street, Oxford

Waterway: Oxford 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.

Following our recent meeting with the applicant, Local Planning Authority and a representative from the Jericho Wharf Trust, we wish to provide an update on our previous letter, dated 15th September 2020, which requested further information.

This letter is not intended to be our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)). This will be provided once the applicant has decided whether or not to amend the submitted plans in response to our comments at our recent meeting and below. Our substantive response will address all matters relevant to the Trust as a statutory consultee. In this letter we wish to address issues where the Trust is affected as a landowner for part of the application site. This relates to the proposed development of the footbridge over the Oxford Canal and the creation of a new area of waterspace (to provide a winding hole and entrance to the boatyard) connected to the canal. As well as setting out the Trust's position as landowner, we have explained where we consider there to be a planning justification for our position, where relevant.

The Trust recognises the complexity of the various issues relating to this site and we remain committed to working with the applicant and council to try to agree an acceptable scheme to enable the development of the site.

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However, the Trust feel that the proposal as submitted would be detrimental to both navigational safety and the safety of towpath users, and as such we wish to inform the council and the applicant that the Trust would not be able to agree to the proposals as submitted. We are also minded to object to the proposal, which is not in accordance with Policy G1 of the Oxford Local Plan 2036, as a statutory consultee.

Previously, the Trust requested further information regarding some elements of the proposal, including the boathouse design and massing, the operation of the boatyard, visitor moorings and the proposed new bridge over the Oxford canal. Since our previous response, additional information was provided on 15th December in relation to the bridge and moorings. The Trust subsequently met with the applicant, Case Officer and representative from the Jericho Wharf Trust to discuss our concerns relating to the proposal and to advise on the outcome of consultations within the Trust. This letter provides a summary of the information provided at that meeting.

The proximity of the proposed winding hole/boatyard entrance and proposed footbridge

Previously the Trust advised that additional information was required to assess the impact of the bridge on navigational safety and impact on other users of the towpath. Details submitted on 15th December have confirmed to the Trust that the bridge not only has an adverse impact on navigational safety, due to the build out and its proximity to the winding hole and boatyard entrance, but that it will also be detrimental to the safety of users of the canal towpath who must either pass under or behind it.

The build out into the canal acts as an obstruction to boats attempting to wind and has an impact on visibility for boats moving along the canal but would be necessary to allow towpath users to pass beneath the bridge. However, even with the build out into the canal, the bridge does not allow adequate headroom for all users to safely pass below, nor is there sufficient space to pass behind without significant works to the Eastern bank of the Castle Mill Stream. The bridge does not comply with the Trust's own guidance in relation to bridge design nor does its location comply with guidance relating to new structures.

The supporting text to Policy G1 of the adopted Oxford Local Plan 2036 recognises the importance of the network of waterside paths for cycling, running and walking and requires that they are protected and enhanced. It has not been demonstrated that there is sufficient space on either side of the proposed bridge steps on the towpath side for towpath users to continue to comfortably and safely use this important recreation and sustainable travel route. The Trust will object to the planning application as submitted, on the basis that it does not comply with policy G1 and, in our role of landowner, we will not permit the bridge to be installed.

In relation to the impact on navigation of the canal, the Trust's published guidance, which can be found [here](#) states that, when considering a new bridge, the site should be selected by considering the needs of the proposed scheme and those using the towpath as well as the effect of the bridge on the canal corridor. In this scenario where a new area of waterspace is being created that boaters will be entering and egressing, the Trust believes that it is appropriate to apply its guidance on new marinas entrances, which seeks to ensure that there is sufficient visibility for boaters using and passing these entrances. This suggests that the entrance should not be located within 40 m of another structure such as a bridge.

The combination of the proposed bridge and boatyard entrance/winding hole does not comply with the Trust's guidance. We, therefore, consider that the proposal is likely to result in an unacceptable increased risk of boating collisions, damage to property and accidents on the waterway. The proposal is not acceptable on this basis to the Trust as owner of the Oxford Canal. We suggest that the proposal would also be contrary to policy G1 of the Oxford Local Plan 2036, which states that planning permission would not be granted for development that would result in harm to the Green and Blue infrastructure network.

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In conjunction with the applicant and council we have considered many different bridge designs, as well as some submitted by others, since 2014. Despite this work, we have been unable to agree a suitable design for a bridge in this location which does not have safety implications for the users of the waterway and towpath, and this is in part due to the limited land available on the towpath side at this location.

The navigational safety impacts of the boatyard/winding hole

The drawing submitted on 15th December shows the position of the boatyard entrance, winding hole, bridge and existing moorings for visitors and for College Cruisers. These things in combination result in reduced visibility and a reduction in the space available for both passing boats and boats entering or leaving the boatyard or using the winding hole. This would be detrimental to navigational safety on this part of the Oxford canal.

The Trust is concerned with the interaction between the visitor moorings and passing and manoeuvring boats, particularly if the boatyard entrance is also used as a public winding hole. There may be issues relating to navigational safety, particularly if the visitor moorings on the towpath side remain.

This is made worse by the position of the proposed bridge and its necessary build out, as well as the boats moored adjacent to College Cruisers (which have an agreement with the Trust) and the proposed boatyard. Even if the bridge was removed from proposals, the issue would still need to be resolved to our satisfaction if the boatyard/winding hole is to be acceptable to us, as, in order for boaters to wind safely it is likely that 4-5 visitor moorings will need to be closed.

Following further research, the Trust has established that it is not possible to provide a suitable replacement location for the visitor moorings on the towpath side. In order to offset the loss of this important visitor facility the applicant has been asked to consider whether replacement moorings could be created on the offside, in front of the proposed new houses.

The costs associated with the provision of replacement moorings should be met by the applicant as mitigation for those lost as a result of the development. As the land is outside of the application site it is expected that this matter should be covered by a S106 planning obligation.

Moorings

The application does not adequately address concerns raised previously by the Trust regarding the delivery and operation of the boatyard, the winding hole and lack of associated moorings to serve the boatyard.

The Trust is concerned that without its own moorings, users of the boatyard will increase pressure on the limited supply of visitor moorings within the area.

In order to minimise the impact the boatyard would have on this section of canal, the applicant has been advised that, in its role of landowner, the Canal & River Trust will not allow the boatyard to connect to the canal unless a suitable arrangement is agreed for the provision of dedicated mooring spaces for the boatyard.

Next steps

It is suggested that a further meeting is held with all interested parties to seek solutions which will allow the Trust to remove its objection to some elements of the proposal. Please contact me to arrange a suitable time to discuss these matters further.

We request that any revised proposals are discussed with the Trust prior to formal submission to the local planning authority.

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The details for the winding hole/ boatyard entrance need to be agreed by the Trust and, as previously suggested, the applicant should enter into detailed design discussions through our Business Boating and Third Party works process.

You should also be aware that the Trust has repeatedly raised concerns about the proposed design and massing of the boathouse and its impact of the character and appearance on the Oxford Canal and Conservation Area. In our substantive response, we will set out our concerns with respect to Policy DH3 of the Oxford Local Plan 2036.

Kind regards

Jane Hennell MRTPI
Area Planner



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

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