



**Canal &  
River Trust**

Making life better by water

planningandregenerationenquiries@birmingham.gov.uk

Your Ref    The Beeches, Booths and  
Barr (3Bs) Neighbourhood  
Plan 2020-2031  
Our Ref      CRTR-POL-2021-31623

Friday 12 February 2021

Dear Sir/Madam,

Statutory Consultation for the Beeches, Booths and Barr (3Bs) Neighbourhood Plan 2020 -2031

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 were previously consulted on the proposed designation of the Neighbourhood Plan Area in December 2016, where we informed the 3Bs Neighbourhood Forum that within the proposed designation area there is approximately 1.3 miles of the Tame Valley Canal, including a number of heritage assets such as the Grade II listed Perry Barr Locks.

We keenly observed that the development of a Neighbourhood Development Plan offers the opportunity to ensure that the canal is an integral part of the area's development and it is therefore important that any future policies for the area make full consideration of the canal and the benefits it offers. Following this consultation response, the Trust exchanged brief email correspondence with a member of the 3Bs Neighbourhood Forum in relation to Perry Park in 2017.

Unfortunately, the Trust were not formally consulted on the pre-submission consultation that was held from December 2019 until February 2020. As such, we have not had a suitable opportunity to comment on the policies contained within the Neighbourhood Plan, many of which may impact on the Trust's assets. We therefore the following comments to make:

### 3 Bs Neighbourhood Plan 2020 -2031

Having reviewed the submitted Neighbourhood Plan, the Trust welcome the vision of the document, especially the recognition of the central role of connectivity and wayfinding within the area. Indeed, improving connectivity and wayfinding within the Plan area is a significant objective of the Trust. The Trust have recently installed a new DDA compliant access onto Perry Park and the towpath from the public footpath on the western edge of Perry Park. Canal & River Trust

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This is an indication of the work we are doing in the area in order to promote sustainable travel opportunities for the local community.

The vision towards creating a 'Garden Suburb' is admirable, and there is an acknowledgement within the Plan that the canal network provides a range of benefits for residents within the Plan area, including its heritage; cultural and biodiversity benefits, as well as its role as an off-road sustainable travel route around the city which links in with the wider network of routes to other open/green spaces, public transport hubs, residential, employment, education and leisure facilities across the city.

In addition to this, we consider that waterways have a significant role to play in promoting health, wellbeing and social inclusion, particularly in tackling physical inactivity, obesity and in reducing stress. This is especially true for the many disadvantaged communities who have waterways on their doorstep. The benefit of having access to the waterways should be maximised and encouraged within the policies and supporting text of the Plan.

#### Policy NPP 1 Pre-Application Community Engagement

The Trust welcomes the inclusion of Policy NPP 1, which aims to stimulate community engagement on major developments within the Plan area at the pre-application stage. As acknowledged within the Plan, pre-application engagement is endorsed in the National Planning Policy Framework, and we advise that the Trust is happy to provide pre-application advice to applicants/developers in our role as a statutory consultee. Pre-application advice from the Trust can be pivotal in the early identification of constraints and opportunities at sites in close proximity to our network and/or our assets. As such, there is an opportunity to include recognition of this within the main body of the text in relation to canalside development.

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice>

#### Policy NPP 2 Sustainable Development

The Trust welcome the commitment to sustainable development that is demonstrable throughout the entire Plan. We particularly welcome the inclusion of Policy NPP 2 as a policy that stimulates development proposals to accommodate and encourage sustainable transport ahead of other modes of transport and promotes the connectivity opportunities offered by the canal network. The canal network plays a key role in supporting health and wellbeing of the communities that it passes through, providing a free at point of access resource.

We note, however a minor typographical error that should be corrected. Point E of Policy NPP 2 should read as "enhance connections between, and accessibility to, the parks and waterways for active forms of travel."

#### Policy NPP 3 Improving the Parks

Policy NPP 3 is positively written, particularly in relation to the canal network adjacent to Perry Park. We strongly support the intention for development proposals in Perry Park to improve biodiversity around the Valley Canal, which is designated as a County Wildlife Site.

Moreover, we support the intention that development proposals in Perry Park improve routes for cyclists and pedestrians around and through Perry Park from the A34 to the canal towpath. As noted previously, the Trust have provided a new DDA compliant access onto Perry Park and the towpath from the public footpath on the western edge of Perry Park, which is alluded to in the Plan without being specifically mentioned (page 24).

It is observed within the Plan that the approach to the canal at this location from the adjacent residential area is unsigned and in need of improvement. We acknowledge that a lack of signage in relation to the canal networks is an issue that is prevalent throughout the Plan area, not just this instance, and we are keen to promote the installation of signage and wayfinding to the canal. As such, the Trust is happy to work with the Neighbourhood Forum

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regarding signage in the Plan area. It should be noted however, that the installation of any signage on the Trust's land would require the Trust's consent and be of an appropriate design.

#### Policy NPP 5 Improving Blue and Green Connections

In principle the Trust supports the aims of Policy N PP 5, particularly the intention to support development proposals that provide a high -quality network of routes that make active connections for walking and cycling between the parks and waterway. We welcome attempts to improve the attractiveness and safety of the canal corridor in order to increase its use and share its benefits with the wider community.

Part B of Policy NPP 5 supports development proposals that create or improve accesses to the canal as identified on Map 8 'Waterways' (page 38), namely the access points from Rowdale Road, Fairview Avenue and Walsall Road. The Neighbourhood Forum should be aware in the first instance that the creation or modification of any access point to the canal towpath requires the separate consent of the Trust.

The opportunity to improve access off the main A34 at Walsall Road Bridge onto the towpath is currently being explored, possibly forming part of a cycle route. Moreover, the Trust are keen to work with the Neighbourhood Forum to provide a formal access at Kingsdown Avenue, as well as exploring options for other potential accesses. We note that included within the Community Action (page 42) that the Forum will work with the police and other agencies to open up the canal at the location identified as 'potential' access on Map 8. The Trust should be specifically referenced at this point; we are happy to discuss the potential creation or modifications of access points with the Neighbourhood Forum.

Furthermore, point F of NPP 5 seeks to "regenerate Tower Hill Community Shopping Hub including improvements to the Freeth Bridge and seek a safe route to the canal where feasible". There are numerous references to the detrimental appearance of Freeth Bridge within the Plan (page 40), and the Community Action (page 42) promotes the Neighbourhood Forum working with Birmingham City Council to seek "design solutions to the railings and lack of of maintenance on Freeth Bridge.

Any works to the bridge would require the separate consent of the Trust given that it is our asset, and as such, the Trust should again be specifically mentioned at this point. The Trust would be happy to work with the Neighbourhood Forum should funding become available. Given the height of the bridge and its high usage as a busy connection route, bridge and pedestrian safety is the paramount concern regarding parapet fencing. The Trust would also be happy to work with the Neighbourhood Planning Group in order to secure improvements including signage and general environmental improvements.

Point 2 of Policy NPP 5 indicates that proposals that provide visibility to the canal through or over the bridge on Walsall Road will be supported. Indeed, one of the aims of the Plan is noted to be to create a policy framework that requires development to open up these waterways providing safer connections to the rest of the Plan area in accordance with the proposals in the Landscape Analysis" (page 12). Whilst the Trust fully supports the need for increased signage and wayfinding in relation to the canal network in the Plan area, in terms of opening up views towards the canal network, careful consideration needs to be taken in regard to the structural implications of removal of any vegetation adjacent to the canal (often tree roots provide support) , as well as the associated biodiversity losses as a result of removing vegetation and habitats .

The Tame Valley Canal either sits in a principal cutting or on a principal embankment throughout the Plan area this is alluded to in the Plan where the canal is described as "heavily canalised (page 85) The reduction of vegetation along the canal cutting /embankment could have detrimental impacts on the structural integrity of the cutting/embankment, which in a worst-case scenario, could result in their failure through removing support

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Careful consideration upon the waterways setting and biodiversity needs to be considered before promoting the removal of trees or established areas of vegetation flanking the canal corridor. The dense vegetation' may hinder views to the canal but is invaluable to the biodiversity of the and a key contributing factor in terms of the character of the canal corridor and its adjacent landscape being designated as County Wildlife Sites. That is not to say that the Trust does not understand the benefits associated with enabling more open views onto the water from neighbouring developments frontages, connections or amenity spaces, however, this must be carefully managed and be carried out in agreement with the Trust.

We therefore suggest that Policy NPP 5 is amended to read as:

"Proposals that provide visibility to the canal through or over the bridge on Walsall Road are supported subject to the proposals not having an adverse impact on the structural integrity of the canal infrastructure and the biodiversity and amenity values of the canal corridor."

Finally, we note that on page 85 it is remarked that views toward the canal are obscured due to the canal being enclosed by lock gates. Given that lock gates are fundamental to the operation of a canal for boaters and are therefore intrinsic with the canal network, we assume that this is a typographical error and that it is meant to be read as a 'locked gates'. We ask that this be reviewed and corrected/clarified.

#### Policy NPP 6 Reducing the Risk of Flooding

As the Tame Valley Canal sits in a principal cutting along a significant stretch of canal included within the Plan area, the Trust has concerns that Policy NPP 6 may lead to an increase in SuDS drainage systems (notably soakaways) in close proximity to the canal cutting. The drainage methods for proposed developments can have significant impacts on the structural integrity of waterways; for example, the operation of soakaways located close to cutting slopes can detrimentally affect the stability of these structures, which at worst, could lead to the failure of the canal cutting. It is paramount that surface water is discharged appropriately from sites in close proximity to the canal in order to protect the integrity and stability of the canal cutting/embankment slope.

We therefore recommend that the following paragraph is included with the AECOM SuDS Guidance Report, which applicants/developers must take consideration of in accordance with Policy NPP 6:

Where a proposed development is adjacent to the Tame Valley canal, then the location of any soakaway or SuDS system should be at least 10 metres away from the top of the canal cutting. This is required in order to protect the structural integrity of the canal infrastructure.

Furthermore, it should be known that the Trust is not adverse to surface water draining to the Tame Valley Canal, though this will be decided on a case by case basis, and any applicant/developer would need to enter into a commercial agreement with the Trust. Should an applicant/developer express interest in discharging surface water to the waterway, then we recommend that they are informed that they need to contact Philippa Walker from the Canal & River Trust Utilities team ([JoannaBryan@canalrivertrustorguk](mailto:JoannaBryan@canalrivertrustorguk)) to discuss the matter further.

#### Policy NPP 7 Improving Biodiversity

The Trust welcomes the inclusion of a policy that promotes the need for developments to achieve biodiversity net gain.

#### Policy NPP 12 Protecting and Enhancing Heritage Assets

Though the Trust supports the inclusion of Policy NPP 12, it should be noted that Map 14 is inaccurate as Locks 1 and 2 should be marked as statutorily listed. Moreover, paragraph 162 implies that all locks and bridges within the Plan area are listed, which is incorrect (Perry Barr footbridge is listed, as well as Perry Barr Locks 1 and 2).

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Moreover, with the theme of community and stakeholder consultation prevalent throughout the Plan, we would welcome the encouragement of consultation with the Trust for proposals which may have an impact on the character of the canal corridor and on designated/ non-designated waterway heritage assets. Installation and alteration of access points, installation of signage and vegetation works can all have a negative impact if not handled sensitively. Where sites sit within the Trust's notified area the Trust welcomes pre-application engagement with applicants/developers.

#### Community Actions

We note that the Community Action on page 42 indicates that the Forum will work with "the police and other agencies to address the fly tipping and maintenance issues on Regina Drive and other sites to be identified due course by the Forum. This action is supported by the Trust, and we are aware of the issue of fly tipping within the Plan area, notably at Regina Drive, Canalside Close (including Friar Park), as well as Kingsdown Avenue and Dyas Avenue. Fly-tipping is not only highly detrimental to the aesthetic, amenity and biodiversity values of the canal, but also poses a significant issue regarding the structural integrity of the canal infrastructure.

It is posed within the Plan the idea of the Neighbourhood Forum adopting a stretch of canal. This is something that the Trust would welcome, and we are keen to work with local organisations and agencies to create opportunities for community adoptions. As such, we recommend the Forum contact Gavin Passmore, the Trust's Community Engagement Manager ([Gavin.Passmore@canalrivertrustorguk](mailto:Gavin.Passmore@canalrivertrustorguk)) for more information.

#### Future Engagement

The Trust hopes that the above advice is helpful and want to reiterate our willingness to engage with the 3Bs Neighbourhood Forum in order to achieve the apparent shared aims.

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

Yours sincerely,

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