

Transport and Works Act Order Unit
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Your Ref TWA/24/0199

Our Ref IPP-222

Friday 8th March 2024

Email only: transportinfrastructure@dft.gov.uk

Dear Sir/Madam

Transport and Works Act 1992 – Proposed Transport and Works Act Order for the TransPennine Route Upgrade – W2BC. EIA Screening Request

Waterway: Huddersfield Narrow Canal

Thank you for your consultation on the EIA Screening Request.

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 proposed works are to upgrade a section of railway between Stalybridge and Standedge Tunnel, the proposed works, construction route and construction compounds have the potential to impact on the waterway infrastructure which is owned and managed by the Canal & River Trust (the Trust). At this stage the Trust consider that based on the details and lack of clarity in terms of the works that are proposed as part of the scheme that we are unable to determine whether the project has the potential to have significant effects on the environment. Regardless of whether the works are considered to require an environmental impact assessment (EIA), the canal should be considered and assessed as a receptor within any relevant studies or report, especially in terms of the topics outlined below and the matters which we consider should be assessed.

General comments

Paragraph 4.2.5 sets out that although some works fall within permitted development rights and are therefore outside the EIA scope, where these works interact with the canal, towpath and associated structures the Trust's Third Party Code of Practice (CoP) would still apply.

Table 5.1 page 28 - MVL3/36 Ward Lane Overbridge – The road bridge is to be rebuilt. This is adjacent to Bridge 66, Ward Lane Bridge, which is owned by the Trust and listed and is therefore likely to be impacted by the works and construction traffic. We would want to comment further on this.

Table 5.1 page 28 – Diggle – Refers to a site compound and access within Trust land. Further details would be required on the use of our land here. We have shared access to the tunnels.

Table 5.1 page 28 - OLE portals – OS reference is incorrect, more details needed.

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

Table 5.1 page 29 - MVL3/39, Station Road Overbridge – the Diggle Feeder is culverted here and very close to the bridge. We would want to comment further on this. We would need to ensure that the feeder is not impacted in anyway.

Table 5.1 page 29 - MVL3/39a Canal Bridge Underbridge – It is not clear what this relates to, but it is adjacent to MVL3/39b below, possible part of the same overall arrangement.

Table 5.1 page 29 - MVL3/39b Underbridge – This relates to the Brunclough inlet to Standedge Tunnel as detailed above. It is a bridge carrying the railway over the feeder channel only, not over the canal. We would need to ensure that the feeder is not impacted in anyway. The proposal is also to replace the underbridge with a twin box culvert and the applicant is already aware that there is a feeder to the canal from this point and that flows need to be retained throughout the works. It will be critical that the Trust are engaged in the design of these works so that we can ensure minimal impact on the canal infrastructure and our users during the works and in the long term and especially in terms of water management.

Historic Environment

The canal network should be regarded as a non-designated heritage asset within any assessment. The Huddersfield Narrow Canal contains bridges, locks, tunnels and structures which are listed. An assessment will need to include these and their setting along the route in terms of heritage and archaeology and the proposed works on these heritage assets and their setting and how the proposals would impact on them in terms of physical and visual impacts on views, setting, significance and appearance. Any impacts would need to be mitigated accordingly to avoid harm to significance.

It appears the setting of the canal and listed locks would be visually affected by the addition of overhead line infrastructure, and particularly the gantries proposed for the listed viaduct (not ours) may be visually intrusive but will be subject to a listed building application. We would be concerned to minimise any further adverse visual impact on our structures and the canal corridor. Most of the principle structures are likely to be heritage assets whether designated or not.

Air quality

The assessment should consider the waterway and its users as sensitive receptors to construction dust in terms of emissions from construction traffic using waterways crossings. It may also be appropriate to consider the impact of air quality on the floating plantain that may be present within the section of canal designated as a SSSI.

Noise and Vibration

The canal corridor is generally a tranquil space and contributes to the health and wellbeing of the nearby residents and users (boaters, commuters, leisure and recreational users on the towpath). These spaces need to be protected from intrusive forms of development and any potential impacts such as noise should be kept to a minimum and mitigated accordingly. We would ask that the canal and its users are included as noise sensitive receptors in any assessment.

In terms of vibration the canal infrastructure and in particular the potential impact on canal cuttings, embankments and assets should be considered and assessed. The canal is over 200 years old and not built to modern engineering standards. The canal infrastructure would be susceptible to vibration from plant and machinery during the construction phase. Vibrations could undermine the stability of the canal infrastructure. Tree removal from canal cuttings and embankments and within 10m of the canal edge would need to be assessed in terms of tree roots aiding stability.

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

Ecology and Biodiversity

Where the route and works are within close proximity to the Huddersfield Narrow Canal, which is a designated SSSI on certain stretches, an assessment of potential impacts, during all stages of the work, will therefore be required. There needs to be consideration for its potential impact on aquatic floating plantain within the canal, which is particularly susceptible to shading. Consideration also needs to be given to bats that use the canal corridor and its structures for foraging, commuting and roosting. In terms of works to existing structures regard would need to be given to direct roost loss, roost disturbance and bat commuting routes. Canal corridors often form dark heavens for bats in urban areas where they can forage and roost without disturbance from light, which should be protected. Regard would need to be given to the impact of tree loss in terms of ecology and biodiversity.

Regard would also need to be given to nesting birds and other protected species which may be present either on existing structures or within the construction compounds or where tree removal is required.

Landscape and Visual Impact (LVIA)

The cumulative impact of tree removal to facilitate the development would need to be assessed and protection works put in place. The canal corridor needs to be considered as a receptor within the LVIA. Appropriate viewpoints will need to be identified and agreed along the canal corridor.

The provision of overhead lines along the route as part of the electrification works and the potential visual impact from the canal corridor should be considered as part of the assessment. Information on catenary, other overhead interventions, other services, boundary treatments associated to the wider works will need to be considered and assessed. The canal is also used by anglers and the introduction of overhead electrical lines may interfere with the use and enjoyment of the canal in this regard and should be assessed and mitigated accordingly.

The proposed works could have a significant impact on the views, character, environment, scale and tranquillity that the users of the waterway currently enjoy. The scale, material, quality and character of the new infrastructure will have a crucial relationship with the existing canal. Each crossing and intervention along the canal should be subject to careful individual assessment and consideration to establish the suitability of the design response to the locale.

Water Quality and Flood Risk

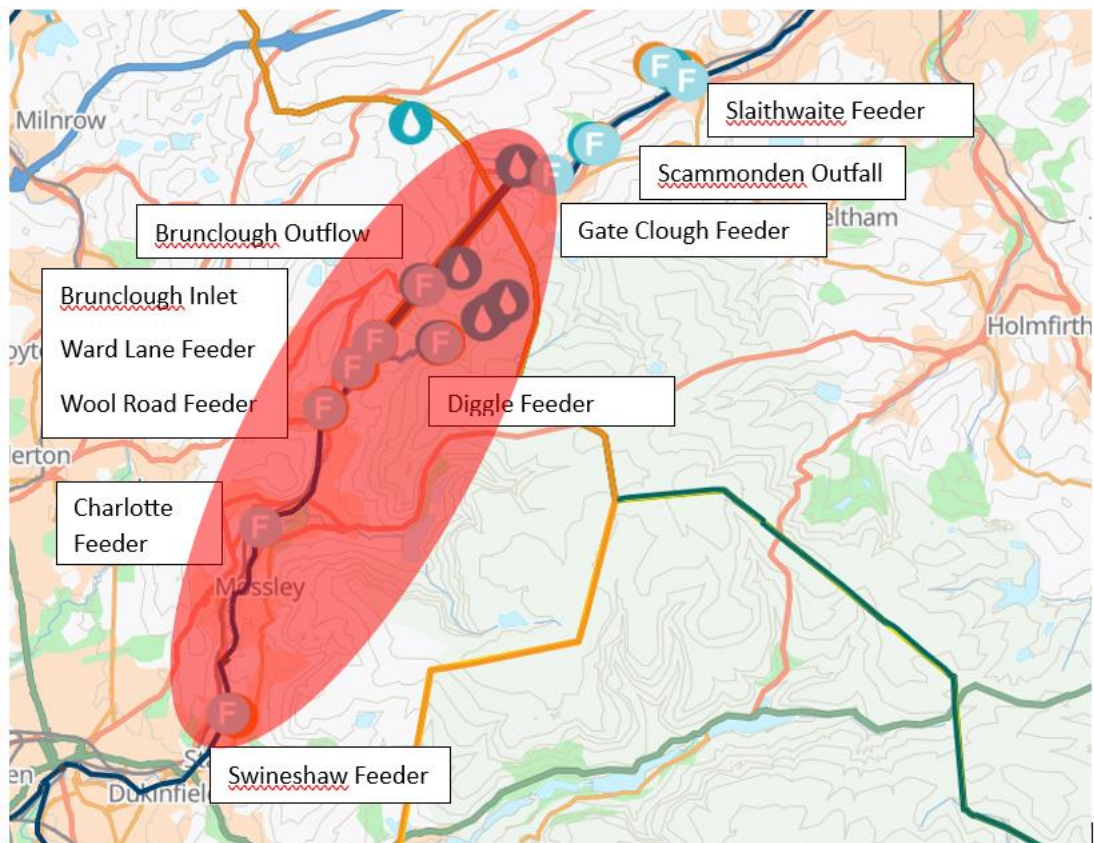
We manage and operate some critical waterway infrastructure within the corridor of works, this includes canal feeder channels. These are critical to enable us to manage our water resources and they are also important in terms of the operation of the canal and our ability to maintain and protect the local ecology. There are several feeders in the area, and various stream courses which also interact, but perhaps not obviously on the ground. We would therefore consider it essential that the applicant works with us from the start and base their plans on feeders / flows being maintained at all times. They also need to be aware of our water control assets, such as weirs and sluices, and that any outfall and channel must be kept clear as these can operate at any time.

The map below identifies all of the feeders in the area of works. All of these feeds will need to be maintained throughout the project. In particular the works may potentially interrupt the feed from the Brunclough Feeder. It is important that any assessment recognises the requirement for overpumping of water to maintain the feed to the canal as the channel as it is understood that this will be redesigned to allow for the overhead electrical lines to be put in place. It is critical that a flow is maintained during construction and when operational. Details of changes to the flow etc will need to be detailed and assessed by the Trust's Hydrology Team. We will also need to enter into discussions regarding the sizing of the pumps and the timing of the pump requirements.

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

We would also need to be satisfied that the flow to the canal from the Diggle Feeder will remain unaffected, this is the same for the Scammonden Feeder at the eastern end of the tunnel. Neither are specifically mentioned but these are key feeders which need to be considered and assessed as part of the works.



Any impact on the canal from drainage and flood risk should also be included within the assessment and this could affect both water quality and quantity and have a wider impact on our network.

In respect to flood risk, the applicant should be made aware of various culverts under the canal, and that these must be kept clear of debris that could restrict or prevent operation. If the applicant were to adjust and alter the paths of any water course, even temporarily, it is critical that we must be made aware of this in advance. Any additional flows directed to an existing culvert could limit the functionality and capacity, and possibly lead to flooding issues.

The details of how any water is to be captured, treated and disposed of should be considered especially where crossings of the canal could allow for spillage or run-off directly into the canal. Similarly, regard would need to be given to run-off and surface water discharge from the construction compounds.

The Trust is not a land drainage authority and such discharges to our waterways are not granted as of right and where they are granted they will be subject to the completion of a formal agreement.

Geology, Soil and Land Contamination

Contamination and pollution would have a negative effect on the canal corridor. Any contaminated land assessment and especially any mitigation should consider the canal as a sensitive receptor and be considered in any conceptual model.

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

The report should also consider ground conditions in terms of the construction works in close proximity to the waterway infrastructure which could potentially adversely affect the structural integrity of the waterway. The canal is within a cutting and carried on an embankment along the route. It is therefore essential that structural integrity of the canal infrastructure is not put at risk as part of any development proposal, including excavations, earthmoving or vibrations from plant and machinery which could, in the worst case scenario, result in the failure of the canal, especially given that it is not built to modern engineering standards.

Works in the vicinity of the waterways, in terms of works to bridges over the canal, used as construction routes or use of land adjacent to the waterways for construction compounds should consider the waterway users as receptors, in particular boaters using the navigation or towpath users.

Traffic and Transport

The proposed works, in particular the construction routes would require the crossing of the canal. The potential impact on the bridges should be assessed as part of any assessment. We would wish to comment further in relation to this matter depending on the construction routes and the bridges that may be used and their associated weight limits.

Based on the route of the project it would appear that most road bridges are not owned by the Trust, with the exception of the following:

- Bridge 77, Clogger Knowle Bridge – this is Trust owned and listed and would be too small for construction traffic.
- Bridge 75, Mytholme – this is Trust owned and listed, located at Lock 23 and adjacent to Saddleworth Railway Viaduct. It is used by boaters using locks and it is no through route but may be required for access to base of viaduct. Further details would be required on its intended use.
- Bridge 73, Brown Hill Road Bridge – partly Trust owned and carries A6052, route likely to be needed for construction access
- Bridge 66, Ward Lane Bridge – is Trust owned and listed, close to west end of Standedge Tunnel. Further details would be required on its intended use.
- Bridge 59, Station Road Bridge – the ownership of this bridge is unclear, but it is listed. It is outside scope of works but gives access to eastern end of tunnel. Further details would be required on its intended use.
- Saddleworth Railway Viaduct, Uppermill - Access to the base of the viaduct is possible via Mow Halls Lane and Bridge 75, Mytholme but the bridge must be kept clear for boaters' use. It appears that the bridge has a loading capacity of 10 tonnes. The bridge is listed and must be protected during any construction works.

We will require full details of the proposed access routes and site compound locations for the scheme. Where these affect the bridges listed above and/or our assets generally, the CoP will apply.

Population and Human Health

The assessment should consider the canal users both in terms of navigation and towpath users and their enjoyment of the waterway which could be harmed by stoppages or towpath closures associated with the works.

The Trust as Landowner

The Trust owns the Huddersfield Narrow Canal and the towpath network and assets, as well as other parcels of land along the route which may be impacted by the works. Separate discussions would need to take place between the Trust and the applicant in terms of land interests and agreement sought in terms of access/entry to our land. We would seek to challenge any use of compulsory purchase powers and would instead seek to come to a voluntary agreement.

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

As set out above any works on or adjacent to our land would be required to be carried out in accordance with the Canal & River Trust Third Party Works Code of Practice.

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

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner & Special Projects

Tim.Bettany-Simmons@canalrivertrust.org.uk
07342 057926

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

Canal & River Trust Planning Team

Canal & River Trust, National Waterways Museum, Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW
T: 0151 355 5017 E: nationalwaterwaysmuseum@canalrivertrust.org.uk W: canalrivertrust.org.uk

Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire CH65 4FW