



Canal &  
River Trust

22 November 2016

Arne Swithenbank  
Staffordshire Moorlands District Council  
Moorlands House  
Stockwell Street  
Leek  
Staffordshire  
ST13 6HQ

**Our Ref** CRTR-PLAN-2016-21091  
**Your Ref** SMD/2016/0578

Dear Mr. Swithenbank,

**Proposal:** Proposed alterations and addition of covered seating area to existing ground floor Cafe (A3); together with the provision of a floating pontoon seating area in adjacent canal basin with connecting walkway. Conversion and change-of-use of first floor to self-catering holiday accommodation (C1).

**Location:** Froghall Wharf, Foxt Road, Froghall

**Waterway:** Caldon Canal

Thank you for your consultation.

The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”. We are a statutory consultee in the development management process.

The Trust has reviewed the application. This is our substantive response under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

On the basis of on the information available our advice is that suitably worded **conditions are necessary** to address the following matters. Our advice and comments are detailed below:

For clarity we would advise that Froghall Wharf Warehouse is owned by the Canal & River Trust and the applicant has discussed the proposed development with us in our capacity as landowner.

The Trust has no objections to the proposed alterations to Froghall Wharf Warehouse and the change of use of the first floor, however we did have some concerns regarding the level of detail provided in relation to the proposed floating pontoon, and how far it was indicated to extend into the navigation. Following discussions direct with the applicant, we note that amended plans have now been submitted to you in relation to the proposed floating pontoon, and that this pontoon is now indicated to extend no more than 2.08m out into the navigation (as opposed to 3.0m as previously

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indicated). We have been provided with copies of Drawings AL10 Rev G, AL11 Rev G, AL14 Rev H, AL15 Rev F and AL16 Rev E, and our response is based on these plans.

The installation of a pontoon will require the Trust's formal consent as landowner and Navigation Authority and this will require submission of full details of the design (including all fittings), materials, exact dimensions, means of fixing the pontoon and method of installation for us to assess. We would advise that in any event we would not wish to see any proposal for a pontoon which extended more than 2.08m into the navigation. This dimension equates to the standard width of vessels using the navigation. As noted above, the application drawings have now been amended to reflect this requirement.

We recognise that the detailed design and appearance of the pontoon needs to be considered in terms of the potential it has to affect the character, appearance and setting of the listed Froghall Wharf Warehouse and the character and appearance of this part of the Caldon Canal conservation area, in addition to satisfying our own requirements in our capacity as landowner and Navigation Authority.

In order to enable the applicant to prepare detailed proposals for the pontoon and to consult with both the Trust and the Local Planning Authority, we consider that it would be reasonable and appropriate to require the detailed design and installation of the pontoon to be secured via a planning condition, and that installation of the pontoon is conditional on satisfactory discharge of this condition. We would reiterate that the Trust's consent will, in any event, still be required as a separate matter.

#### Condition

The floating pontoon shown on the amended application drawings AL10 Rev G, AL11 Rev G, AL14 Rev H, AL15 Rev F and AL16 Rev E shall not be installed until full details of the design (including all fittings), materials, exact dimensions, means of fixing the pontoon and method of installation have first been submitted to and agreed in writing by the Local Planning Authority. The pontoon shall thereafter only be installed as approved and thereafter so retained.

#### Reason

In order to ensure that the pontoon as installed either preserves or enhances the character, appearance and setting of the listed Froghall Wharf Warehouse and the character and appearance of the Caldon Canal conservation area in accordance with Policy DC2 of the adopted Staffordshire Moorlands Core Strategy and the advice and guidance contained in the National Planning Policy Framework.

As installation of the pontoon will also require the Trust's consent in our capacity as landowner and Navigation Authority, we would ask that we are consulted on any proposals for the discharge of such a condition in order to ensure that they are also acceptable to us.

Should planning permission be granted we request that the following informative is appended to the decision notice:

*The Applicant is advised that installation of the proposed floating pontoon will require the formal consent of the Canal & River Trust. Please contact the Trust's Business Boating Team to discuss our requirements (please ask for Tammy Plant on 07766 512962 in the first instance).*

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

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If you have any queries please contact me, my details are below.

Yours sincerely

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