

Comments for Planning Application 126281/FO/2020

Application Summary

Application Number: 126281/FO/2020

Address: Dob Brook Close Manchester M40 1DB

Proposal: Erection of 8 no. x two storey dwellinghouses and erection of a three storey building to form 16no. apartments together with boundary treatments, landscaping and other associated works.

Case Officer: Eve Woolstencroft

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment:

Dear Ms Woolstencroft,

Proposal: Erection of 8 no. two storey dwellinghouses and erection of a three storey building to form 16no. apartments together with boundary treatments, landscaping and other associated works

Location: , Dob Brook Close, , Manchester

Waterway: Rochdale 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.

The main issues relevant to the Trust as statutory consultee on this application are:

1. Structural integrity and potential contamination of the waterway
2. Design and Layout
3. Ecological Assessment
4. Surface water and foul drainage
5. Fishing Rights

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:

The offside (non-towpath of the Rochdale Canal) passes to the south of the site. The canal is designated as a County Wildlife Site in this location. This application relates to a residential scheme directly adjacent to canal, for 8no. 2 storey houses to the rear of the site and 16no. apartments in a 3 storey block adjacent the canal.

Structural integrity and potential contamination of the waterway

The application site is directly adjacent to the canal, and construction work and development in close proximity to the canal has the potential to adversely affect the structural integrity of the canal. It is therefore essential that the structural integrity of the canal is not put at risk as part of any development proposal, including excavations for foundations, which could, in the worst case scenario, result in the failure of the canal.

Land stability and the consideration of the suitability of development with regard to ground conditions are material planning considerations as set out in paragraphs 170 (e) and (f) and 178 of the National Planning Policy Framework (NPPF) and that the responsibility for securing a safe development in terms of land stability rests with the developer (para 179). This is the subject of more detailed discussion in the National Planning Practice Guidance (PPG). We would ask the Council to satisfy itself that the structural integrity of the adjacent waterway is safeguarded. It is welcomed that the built footprint of the development is set back 5m from the canal edge, which will reduce the impact upon the waterway. As such the proposed development should not impact on the structural integrity of the canal. However, given the proximity of the proposed development to the canal, the risk of excavating next to the canal and the potential for seepage, it is critical that the works are carried out in accordance with the 'Trust's Code of Practice' for works affecting the Canal & River Trust, which has been acknowledged in the submitted Phase 2 survey. The applicant should contact the Trust's Infrastructure Services Team to discuss matters relating to the Code of Practice and to obtain any necessary consents. We ask that the informative at the end of this letter is appended to the decision notice to address this matter. It would be useful if written confirmation was provided of signing up to the Trust's Code of Practice within the details submitted for canal protection measures.

Due to the close proximity to the canal of the development and the works, and the possibility of existing drains to the canal, there is the potential that, during construction, accidental pollution from silty run-off/material/waste could enter the adjacent waterway. The submitted Phase 2 Geo-Environmental Investigation and Assessment prepared by WML Consulting recommends provisions should be put in place for appropriate management of surface water run-off, to ensure that no silt or sediment enters the canal during construction on the grounds of potential contaminants in the ground. It is therefore important that measures are put in place to contain potential run-off and spillage into the Rochdale Canal to safeguard the water quality from contamination.

If the Council are minded to approve the application, we would request that a CEMP condition is included in the decision notice to safeguard the waterway infrastructure throughout the construction process, which should include the following details:

- Details of canal protection measures, including protective fencing along the waterway during construction, and the steps to be taken to prevent the discharge of silt-laden run-off, materials, dust, or any accidental spillages into the waterway (Rochdale Canal).
- Details of storage of excavated material
- Details of existing drains being identified and protected.

The above measures should mitigate contaminated surface water run-off as well as dust/debris. With regard to storage of excavated material, temporary stockpiles on site must be situated away from the canal to prevent contaminated run-off water entering it. The amount of exposed ground and soil stockpiles should be minimised.

These details are required to be agreed prior to works commencing on site to ensure that appropriate measures can be put in place to safeguard the waterway infrastructure. The Trust would be happy to assist the Council with the discharging of this condition.

Design and Layout

It is welcomed that the layout of the development has been amended to achieve a more positive relationship with the canal. Although the rear elevations of the properties would face the canal, an open boundary would be provided in an attempt to provide an active frontage towards the canal. This results in the canal being an asset to the residential scheme. With regard to the boundary definition, the proposal now addresses the canal with open views achieved through appropriate boundary treatments, and we would request that the proposed boundary treatment is conditioned and retained along the canal boundary.

Ecological matters

The Arboricultural Implications assessment and method statement indicate that a tree (T7), in the south west corner of the site adjacent to the canal is to be retained. We would ask for the LPA to satisfy itself that this tree within the site will be safeguarded during the process and tree protection measures will be submitted and approved via condition. The removal of trees in proximity to the canal should be carried out in accordance with the Trust's Code of Practice, with particular

reference to the group of trees in G3. Tree roots can extend into the canal and need to be carefully dealt with as they can affect structural integrity. Trees in proximity to the canal need to be carefully removed and root balls appropriately treated.

The site is designated as a County Wildlife Site in this location. The habitat quality on the canal is vital in an urban environment like this and as such all efforts should be made to protect and enhance biodiversity. The submitted Ecological assessment identifies 'the site is located in an ecologically valuable strategic location along the Rochdale Canal corridor and provides habitat located within the otherwise heavily built-up surroundings of inner-city Manchester. The study site potentially represents a valuable green habitat fragment and could provide a 'stepping-stone' for plant life and wildlife moving through the city along the Canal.'

In line with the submitted Ecological Report, it is requested that ecological enhancements outlined in its recommendations (bat and bird boxes that face onto the canal) are included within the development, which we would request is secured via condition. We would ask the Council to satisfy itself that there would be no increased light spill to the canal corridor, in line with recommendations in the submitted Ecological Assessment, which states that lighting proposals should ensure that bat box locations and the canal itself are not illuminated in the evening. The Ecological assessment has referred to protected aquatic and submerged plant communities, including floating water-plantain. It is acknowledged that the section of the canal designated a SSSI and SAC is located approximately 750m to the east of the site, however we would request that the Council gives due regard to the SSSI/SAC and the presence of floating water plantain during the decision making process.

The findings of the Japanese Knotweed survey are acknowledged and the remedial action outlined in the submitted Japanese Knotweed Management Plan is considered appropriate and we request that the remedial action is secured via an appropriate condition.

Surface water drainage

Section 11 of the submitted application form sets out that surface water drainage from the development would be disposed of to a soakaway and a main sewer. Section 13 indicates that foul sewage would be disposed of to an existing mains sewer.

It has been advised by the Utilities team that due to the water level in that specific area, it would be unlikely the Trust could accept surface water into the canal at this time. The submitted Phase 2 assessment shows that the ground is unsuitable for a soakaway due to lack of infiltration capability, therefore the proposed drainage strategy showing connections to UU sewer is welcomed.

If the LPA is minded to grant planning permission, we suggest that the following condition is required to secure details of the foul and surface water discharge of the site.

No development shall take place until a scheme for the provision and implementation of separate foul sewage and surface water drainage systems to serve the development has first been submitted to and approved in writing by the LPA.

The development shall thereafter only be carried out in strict accordance with the approved scheme.

Reason: To ensure that foul and surface water from the site is disposed of in a safe and appropriate manner which minimises the risk of flooding to adjoining land and the canal and to comply with advice and guidance contained in the NPPF 2019.

These details are required prior to development commencing on site to ensure appropriate arrangements are made for the disposal of foul and surface water.

Fishing Rights

The Trust own the fishing rights on the Rochdale Canal, as such permitted angling may take place from the towpath on the south side of the canal in this location. The applicant is advised that fishing in the canal is permissible only with a permit.

Informatives

Should planning permission be granted we request that the following informatives are appended to the decision notice:

(1) "The applicant/developer is advised to contact The Third Party Works Team on 01782 779909 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice.

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

Yours sincerely,

Rebecca Wyllie BSOCSC MA

Area Planner

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