



Tuesday 24 April 2018

Rebecca Drake
Kirklees Metropolitan Council
PO Box B93
Civic Centre 3
Off Market Street
Huddersfield
HD1 2JR

Our Ref CRTR-PLAN-2018-24675
Your Ref 2018/91004

Dear Ms Drake,

Proposal: Erection of detached dwelling with gym below forming annex accommodation associated with 14, Lodge Farm Close, Thornhill, Dewsbury, WF12 0DG

Location: 14, Lodge Farm Close, Dewsbury

Waterway: Calder & Hebble Navigation

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.

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

- a) Impact on the structural integrity of the canal due to the proximity of the building to the canal.
- b) Impact on the structural integrity of the canal due to the proximity of construction works to the canal.

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

The site is situated above the Calder & Hebble Navigation, upon an existing bank. As the proposed building is larger than the existing, it could require the use of new foundations and could result in additional loading onto the canal bank. Due to the location relative to the canal, development here needs to be carefully designed and managed so as to not increase the risk of land instability on site, which could otherwise result in land slips towards the canal.

Land stability and the consideration of the suitability of development with regards to ground conditions are material planning considerations as set out in paragraphs 120 – 121 of the

**Canal & River Trust Fradley Junction, Alrewas, Burton-Upon-Trent,
Staffordshire, DE13 7DN**

T 0303 040 4040 **E** planning@canalrivertrust.org.uk **W** www.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 First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB



National Planning Policy Framework (NPPF) and is the subject of more detailed discussion in the National Planning Practice Guidance (PPG).

It is therefore essential that structural integrity is not put at risk as part of any development proposal, including excavations for new foundations or vibrations from plant or machinery, or the loading from new foundations, which could adversely impact the structural stability of the canal bank.

We request that evidence should be submitted to demonstrate that the development will not result in adverse loading that could impact on the land stability of the bank onto which it will be placed. Such detail could be reserved using an **appropriately worded condition**, as suggested below:

Condition

Prior to the commencement of development, a comprehensive and detailed land stability assessment, to demonstrate that the development of the site will not result in land instability, shall be submitted to and approved by the Local Planning Authority. The assessment shall include details of the proposed foundations, excavation works on the canalside bank, and a report by an appropriately qualified person to demonstrate that the works will not result in adverse loading onto the canal, or result in slope instability on site. The development shall thereafter be built in accordance with the approved details.

Reason

In the interests of protecting land stability on site, in accordance with the aims of paragraph 120 of the National Planning Policy Framework. It is necessary to undertake these works before development commences as they are required to demonstrate that the development of the site will not result in land instability.

Construction works in proximity to the canal also have the potential to adversely affect structural integrity. It is therefore essential that the canal is not put at risk as part of the proposal, including the excavations for foundations, loading caused by plant or the stockpiling of materials and vibrations from plant or machinery. We therefore request that a detailed Construction and Environmental Management Plan (CEMP) should be provided prior to the commencement of development by means of a suitably worded condition. This should include details of the siting of plant and machinery on site, and the location and method of managing stockpiles on site.

In addition, full details should also be provided of measures to protect the canal corridor and its users from any risk of pollution or other harm from wind blow, seepage or slippage during construction work. A CEMP could be secured by means of condition as suggested below:

Condition

Prior to the commencement of development, a detailed Construction Methodology and Risk Assessment, including measures to protect the structural integrity of the canal corridor and prevent pollution of the canal or other harm to the waterway or its users during the construction of the proposed development,

**Canal & River Trust Fradley Junction, Alrewas, Burton-Upon-Trent,
Staffordshire, DE13 7DN**

T 0303 040 4040 E planning@canalrivertrust.org.uk W www.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 First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB



Canal &
River Trust

shall be submitted to and agreed in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason

In the interests of minimising the risk of land instability arising from any adverse impacts from construction works, in accordance with the aims of paragraph 120 of the National Planning Policy Framework, and to prevent any detriment to the canal and its users and to avoid damage to, or contamination of, the canal from window blow, seepage or spillage. It is necessary to undertake these works before development commences as they are necessary to protect the canal corridor during construction work.

Please note that the proposal would need to comply with the Trust's 'Code of Practice for works affecting the Canal & River Trust'. Should planning permission be granted, we request that the following informative is appended to the decision notice:

"The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the scheme would comply with the Trust's "Code of Practice for Works affecting the Canal & River Trust""

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.

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

Yours sincerely

Simon Tucker MSc MRTPI
Area Planner
Simon.Tucker@canalrivertrust.org.uk
07885 241223

**Canal & River Trust Fradley Junction, Alrewas, Burton-Upon-Trent,
Staffordshire, DE13 7DN**

T 0303 040 4040 **E** planning@canalrivertrust.org.uk **W** www.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 First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB