

Bury Metropolitan Borough Council
Development Management, 3 Knowsley
Place
Duke Street
Bury
Lancashire
BL9 0EJ

Your Ref 70195
Our Ref CRTR-PLAN-2023-40178
Tuesday 14 November 2023

Dear Helen Leach,

Proposal: Erection of an extension to contain classrooms, multi- purpose hall and support areas; Landscaping works to include dedicated play areas, railings and external pagoda and additional car parking on the existing school site

Location: Millwood Primary Special School, School Street, Radcliffe

Waterway: Manchester Bolton Bury 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:

- a. Structural integrity of the canal infrastructure
- b. Contamination and canal protection
- c. Surface water drainage
- d. Lighting

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:

Structural integrity of the canal infrastructure

The towpath side of the Manchester, Bolton Bury canal is sited to the west of the proposed classroom block. The canal is recorded as being within a cutting at this location and as such is lower than the application site. There are mature trees along the top (crest) of the cutting. Bridge 17A, School Street Footbridge is also sited next to the site, although the bridge is not owned by the Trust.

Based on the proposed site plan the classroom block would be constructed next to the canal/cutting. This would be a single storey structure as shown in the elevations, but it would be quite large. Unfortunately, the section drawings do not include the canal corridor; however the street scene does show the building relative to the

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canal. Based on the submitted details the building would be offset from the canal infrastructure by over 10m. Coupled with this we note that the arboricultural impact assessment and separate tree protection plan show that the trees along the canal cutting will all be retained and protected by heras fencing to prevent works within the root protection area of the trees. This fencing would also prevent any plant or machinery tracking too close to the canal cutting and would also prevent any loading from materials or equipment. Subject to this temporary heras fencing being installed and the built form/works being carried out as shown within the plans, then the development should not adversely impact the structural integrity of the canal infrastructure.

The plans do indicate that a 'new screen fence' would be installed along the top of the cutting and within the root protection area of the retained trees. Presumably this fence would be installed using hand dug post holes and subject to that being the case we would not be concerned in terms of plant and machinery loading the top of the cutting. We note that the requirement for the fence is based on the crime report, which seems to suggest a solid fence is required. As this fence would be at the top of the cutting, the view of this will be filtered by existing vegetation along the canal cutting and would not have significant visual impact on the amenity of canal corridor users.

Contamination and canal protection

The canal has been considered as a receptor within the geo-environmental investigation which found limited risk to the canal. The report records some contamination on the site and therefore some minimal remediation will be required. As the canal is lower than the site it will be important that the waterway is protected. It is suggested that any redundant drains and outfalls to the canal which may exist within this area are plugged and grouted to prevent runoff to the canal during the demolition/construction phase. The waterway would also need to be protected from runoff and other waste both from any storage compounds and during construction. It is important that any excavated material stored in temporary stockpiles on site is situated away from the canal to prevent contaminated water run-off and the amount of exposed ground and stockpiles minimised. The potential for contamination of the waterway in terms of dust, solid materials and surface runoff during the construction phase would need to be addressed as part of the Construction Environment Management Plan (CEMP) for the site. If the Council is minded to approve the application we would ask that the **CEMP condition** includes the following criteria:

- A plan showing the areas of storage of plant, fuel/chemicals and materials used in constructing the development;
- Include the steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the waterway;
- details of the environmental pollution incident emergency response;
- details of the location of temporary stockpiles and the covering of these;
- details of wheel washing facilities and containment measures;
- include measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the canal.
- details specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the waterway infrastructure during site clearance/construction

The Trust would be happy to assist the Council with the discharging of this condition.

Surface water drainage

In terms of surface water, the drainage plan shows that surface water would be attenuated on site and discharged to the main sewer. As such all drainage will be directed away from the canal cutting and as such that would be satisfactory to the Trust.

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We do note that the drainage report discounts the canal for surface water drainage as it is 'disused, not maintained and that it would not be allowed by the MBB canal society'. We would highlight that the canal here is indeed owned and managed (and maintained) by the Canal & River Trust. In principle, we do allow surface water to be discharged to our network, subject to our separate consent, however due to the cutting and topography a connection from this site to the canal would not be feasible.

Lighting

The ecology report makes reference to ensuring that there is no light spill to the canal from the development. At this stage no details have been submitted in relation to external lighting. It would be important that all external lighting avoid lights spill to the canal cutting/corridor and we would ask that if the Council are minded to approve the application that a **condition** for external lighting is secured and that this should ensure all lighting is angled to avoid light spill to the canal corridor.

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,

Tim Bettany-Simmons MRTPI
Area Planner

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

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