

Rochdale MBC
Number One Riverside
Smith Street
Rochdale
OL16 1XU

Your Ref 24/01007/FUL
Our Ref CRTR-PLAN-2025-44253
Thursday 19 June 2025

Dear Michael Atkinson-Smith,

Proposal: Additional/Amended Information: Erection of 158 affordable dwellings including 2no. three-storey apartment blocks, with associated access, car parking, private gardens, open space, play facilities, and landscaping, together with new pedestrian to Rochdale Canal towpath

Location: Land at Trub Farm, Manchester Road, Rochdale

Waterway: Rochdale Canal

Thank you for your consultation on the latest amended/additional information received in connection with the above site. We note previous amendments to the layout, the apartment block, landscaping and the inclusion of additional cross section information, to which we provided written comments on 28th May 2025 and emailed comments on 5th June 2025.

The latest information, to which this consultation response relates, takes into account further details, comprising of a revised Slope Stability Survey dated 5th June 2025 (ref : 17-524-L3-3) and a drawing showing details of the construction of a gabion retaining wall, required to support the canal above the site.

The provision of this information is designed to respond to comments raised by the Trust in relation to land stability matters. Having taken account of the latest details provided, the Trust believes that additional details concerning the final design of the works are required. However, based on the latest details provided, we do believe that this can be managed through the use of appropriately worded pre-commencement condition(s).

As a result, based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) we advise that suitably worded **condition(s) are necessary** to address this matter. Our advice and comments follow:

Land Stability

Our previous comments have highlighted that the proposed development would be sited upon land that steps down from the canal, supported via an embankment structure. Works in proximity to the toe of the embankment could result in destabilisation of the slope, and an increased risk of land instability which, in the worst-case scenario, could result in a canal breach into the site.

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Cross sections provided to support the application show that alterations to the embankment are proposed to the north of the site. Works comprise of excavation into the embankment slope and the use of retaining walls to support the amended cutting slope.

In line with the aims of paragraphs 187 (part e) and 196 (parts a and c) of the National Planning Policy Framework (NPPF), planning decisions should ensure that a site is suitable for its proposed use, taking account of ground conditions, any risks from land instability. This is further reinforced by the Planning Practice Guidance (PPG), which confirms the important role of the planning system in considering land stability by minimising the risk and effects of land stability on property, infrastructure and the public (Paragraph 001; reference ID: 45-001-20190722). Policy G9 from the adopted Rochdale Core Strategy also states that any risks from land instability should be identified and assessed prior to any development taking place, consistent with the approach from the NPPF.

Additional details are required to confirm that the works to install a retaining wall to the base of the embankment will be appropriately designed to ensure for long term stability of the slope.

The updated slope stability analysis includes a new section showing the retaining wall (section 2a in the stability assessment document). However, the lowest factor of safety slip circle presented is to the west of the gabion retaining wall. To ensure that groundwater profile used is the most onerous which could feasibly occur during the design life, we request that this should be located closer to the base of the gabion wall, with an appropriate assessment done on this.

The plans provided do not fully clarify the length of retaining wall proposed on site. As a result, we request that a further cross section showing the retaining wall should be provided to the south of the section provided, to show level of intervention proposed in this location.

To ensure that the gabion wall is appropriately designed, we request that calculations should be provided to demonstrate the long term stability of the structure, taking into account risks of overturning and sliding.

Details could be reserved via the use of an appropriately worded pre-commencement condition. Suggested wording is provided below:

"No earthworks on site shall be carried out unless full details of the construction of the retaining wall to the north east of the site, on the canal embankment, have first been provided to and approved in writing by the Local Planning Authority. Details shall include, but not limited to, the following:

- *A plan showing the full extent of the retaining wall*
- *A series of cross sections showing the relationship of the retaining wall to the canal embankment*
- *A slope stability analyses for the cross sections to demonstrate that the re-profiled slope alongside the retaining wall will be stable. This should include groundwater profiles located close to the base of the wall*
- *Calculations to demonstrate that the wall will be stable and resistant to overturning and sliding.*

Thereafter, the development shall be constructed in accordance with the approved details"

Other Comments Made by the Trust

The Trust provided a series of previous comments on the proposals. Our advice on each of these matters is provided below.

Visual Impact of the Parking Area to the North of the Site

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The Trust previously raised comments with respect to the impact of the development on the setting of Lock 52 and adjacent towpath bridge. We recommended that the layout of a parking area here should be amended to provide space for soft vegetation to help soften and reduce the prominence of the hardstanding areas required.

Previously received amended landscape plans show the formation of an area of soft landscaping between the parking area and the canal, which addresses this comment.

Amendments to the Apartment Elevations

The side elevation of the southern apartment block would be prominent when viewed from the canal. Side openings as shown in the amended details would help to improve its visual appearance and architectural interest when viewed from the canal.

Excavation for Sewers shown on Site

The submitted details show that a 900mm wide foul sewer is to be installed at the toe of the embankment of between 4 and 6 m below current ground level. The excavations associated with installing this drainage (however temporary) will have the potential to undermine the embankment and pose a risk to the canal if not installed and supported properly. It is necessary for the applicant to demonstrate that the works to install this proposed drainage layout can be done safely and would not pose a risk to the stability of the embankment and the canal. This would require a detailed report to inform how this part of the development will be constructed, included details on how land will be shored to support the excavation as well as the embankment. **Details could be reserved through the use of appropriately worded condition(s).**

Measures to Protect the Culvert associated with the Old Arm of the Rochdale Canal

The proposed access road would extend over a canal culvert associated with the old arm of the Rochdale Canal. These works are situated within the Rochdale Canal SAC/SSSI and any damage to or obstruction of the culvert would adversely affect the water supply to the old canal arm which provides a reserve for the European protected species of floating water plantain *Luronium natans*.

It is essential that the potential risks of these works to the culvert and the designated site are fully assessed and mitigated as part of the application. **In order to inform the assessment, it will be necessary to provide full construction details and a construction method statement relating to the works over the culvert. Details could be reserved through the use of appropriately worded condition(s).** We note that this would mirror Condition 17 on the appeal decision relating to a previous scheme on this site (Ref. 11/D54610 which sought to address this matter)).

Impact on the Rochdale Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)

The Rochdale Canal is designated as both a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC) in this location. These designations are in recognition of the special aquatic plant populations within the canal. Of note is the presence of floating water-plantain (*Luronium natans*), which is also a European protected species.

We note the submission of a Habitats Regulation Screening and Assessment (document reference 81-734-R3), which seeks to assess impacts on the designated asset. It is important to ensure that this submission is sufficiently robust so as to ensure that harm to the biodiversity of the associated ecological designations does not occur in line with the aims of policy G7 from the adopted Core Strategy.

Having reviewed the document, we consider that amendments to the report and assessment are necessary to ensure that the impact on the SSSI and SSSI are fully categorized to ensure that risks are fully mitigated against.

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Taking account of expert advice as necessary, the Local Planning Authority may also wish to consider whether the proposed buffer of 5m of works to the SAC is sufficient to limit harm to this asset, or whether the buffer needs expanding.

Measures should be undertaken during construction to reduce the risk of contamination to the water environment of the canal and the associated SAC; which could occur through exposure to dust and/or unmanaged runoff from stockpiles or exposed soils. This could help address risks identified in section 5.1.2. of the submitted Habitats Regulations Report. **A Construction and Management Plan could be undertaken to identify any risks and appropriate mitigation.** Due to the risk to the SAC habitat, the CEMP would need to address mitigation/management measures for dust/air quality measures, INNS control, water quality and pollution prevention, including measures to limit risks from contaminated/silty surface water run off during the works.

The provision of a CEMP could be reserved through the use of appropriately worded planning condition(s).

The Preliminary Ecological Appraisal identifies Himalayan balsam on the site. To avoid harm to neighbouring habitats, this should be controlled to limit its potential spread. Details to manage this species could be included as part of a CEMP. **Should herbicides be proposed, then this should be considered in the Habitats Regulations Assessment and CEMP to prevent impacts to the canal.**

Biodiversity Net Gain

The submitted Biodiversity Net Gain matrix details indicate a loss in units on site from the development. The matrix does seem to indicate a need to provide new watercourse units to meet the requirements of the Environment Act.

Due to the designation of the canal as an SAC, it is recommended that the watercourse unit enhancement should be provided on site where possible, so as to ensure that the development does not degrade the biodiversity value of the watercourse.

Impact on Other Heritage Assets

The access road would cross the position of the original swing bridge over the former route of the canal. It is possible that the abutments of the bridge survive below the site. In accordance with the aims of paragraph 211 from the National Planning Policy Framework, developers should record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact. **The Local Planning Authority may wish to consider if a watching brief during excavation works here is required to help record the asset below the ground, especially if the works would result in its destruction.**

Landowner Comments

Access via Trub Farm Access Bridge (Bridge 65A)

The primary access to the site would be via Trub Farm Access Bridge. The existing bridge is owned and managed by the Trust, and was built to provide access to Trub Farm.

In our capacity as landowner, we wish to remind the applicant that appropriate legal rights would need to be sought for the use of the bridge prior to its eventual use as the access to the housing development. Contact should be made with the Trust's Estates section to ensure that any necessary legal rights are agreed, as this could be essential for the feasibility of the development. **Contact details for our Estates section are provided at the bottom of this letter.**

We understand from details provided by the applicant that there is an option for the bridge deck and road to be adopted by Rochdale Council. This would likely be an appropriate arrangement. However, we understand that

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this would leave the main bridge structure potentially under the ownership of the Trust. In our capacity as landowner, an agreement for future maintenance responsibilities for the structure would likely be required to accommodate the additional usage brought by the development. Adoption of the bridge by the Local Authority or the payment of a commuted sum to the Trust could be potential options. **We advise that further discussion is made with the Trust's Estates section to ascertain an appropriate approach.**

Code of Practice for Third Party Works

Due to the proximity of building works to the canal, development works may also need to comply with the Trust's "Code of Practice for Works affecting the Canal & River Trust".

The applicant and/or developer advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 or at Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents under the Code are obtained prior to the commencement of any works on site.

Estates Consent for Works

Estates consent would likely be required for the use of, and any alterations to, Trub Farm Access Bridge (Bridge 65A). Consent and an agreement would also be required for any pedestrian connections to the Trust's land.

For further advice and guidance, we request that the applicant should contact the Trust's Estates section via switchboard at 0303 040 4040.

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

Yours sincerely,

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Area Planner

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

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