



Canal &
River Trust

11 January 2017

Mr. Arne Switherbank
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Our Ref
Your Ref

CRTR-PLAN-2016-21467
SMD/2016/0763

Dear Mr. Swithenbank,

Proposal: Single storey extension.

Location: Boathouse Cottage, Reacliffe Road, Rudyard

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:

Boathouse cottage is located immediately next to Rudyard Reservoir, which is owned by the Trust and provides a water supply for the nearby Caldon Canal. We consider that the proposed extension is appropriate in terms of its character, scale and overall appearance and as such should not adversely affect the conservation area. We note that the extension is to be constructed using external facing materials which match the existing building, and consider that this is also appropriate.

Construction operations for the extension will necessitate working immediately adjacent to the reservoir edge, and is likely to involve excavations for foundations or piling operations and operation of plant and machinery in close proximity to the reservoir. It is important that such operations take full account of the presence of the reservoir and ensure that the risk of damage to it or the creation of land instability as a result of construction operations is avoided.

Canal & River Trust Peel's Wharf Lichfield Street Fazeley Tamworth B78 3QZ

T 0303 040 4040 **E** planning@canalrivertrust.org.uk 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

Land stability is a material planning consideration and is referred to in paragraphs 120- 121 of the NPPF as well as being the subject of more detailed discussion in the NPPG (see <http://planningguidance.planningportal.gov.uk/blog/guidance/land-stability/land-stability-guidance/>). We consider that this advice and guidance is clear in identifying that the planning system has a role to play in minimising the risk and effects of land stability on property, infrastructure and the public. In particular, we refer to paragraph 006 of the section on Land Stability in the NPPG which states that “developers should ensure that any necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development of the site”.

We therefore ask that the detailed design and means of construction of the foundations for the proposed extension are secured via a planning condition in order to ensure that the proposed arrangements adequately minimise the risk of creating land instability which could adversely affect the adjacent reservoir.

Condition

No development shall take place until a Method Statement detailing the means of construction of the extension hereby permitted, including the design and means of constructing the foundations of the extension and any other proposed earthmoving and excavation works required in connection with its construction, has first been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall identify whether any stand-off distances for operation of construction plant and machinery need to be established to protect the adjacent Rudyard Reservoir. The development shall thereafter only be carried out in accordance with the agreed Method Statement.

Reason

In the interests of minimising the risk of creating land instability arising from any adverse impacts from foundation construction, earthmoving, excavations or other construction operations which would adversely affect the structural integrity of the adjacent Rudyard Reservoir, in accordance with the advice and guidance on land stability contained in paragraphs 120-121 of the National Planning Policy Framework and in the National Planning Practice Guidance. It is necessary to agree the Method Statement before development commences as it is required to ensure that all development and construction operations take full account of these matters from the outset.

We would further recommend that the applicant contact the Canal & River Trust to discuss their proposals, and to establish whether our consent will be required for any of the works. Access to our property including any oversailing of the reservoir during or after construction will require our prior consent.

We also note that the proposed extension includes a balcony area which extends towards the reservoir. It is not clear whether this structure will oversail the reservoir itself to any degree, but if it does, it will require our consent. The reservoir is leased to the Rudyard Lake Trust, and the Applicant should contact them in the first instance at info@rudyardlake.com or on 01260 273252.

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 to ensure that any necessary consents as may be required for construction operations affecting the adjacent Rudyard Reservoir can be obtained and that all works conform to the Trust's current Code of Practice for Works Affecting the Canal & River Trust. Please contact Darren Spann, Works Engineer, on 07403 499265 for further advice.

Canal & River Trust Peel's Wharf Lichfield Street Fazeley Tamworth B78 3QZ

T 0303 040 4040 E planning@canalrivertrust.org.uk 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

The applicant/developer is further advised to contact the Rudyard Lake Trust at info@rudyardlake.com or on 01260 273252 to discuss the proposed balcony extension; should any part of the balcony oversail the reservoir, this will require their agreement as leaseholder of the reservoir in addition to the Canal & River Trust's consent as owner.

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

Ian Dickinson MRTPI
Area Planner (East and West Midlands)
Email: ian.dickinson@canalrivertrust.org.uk
Tel: 01636 675790

Canal & River Trust Peel's Wharf Lichfield Street Fazeley Tamworth B78 3QZ
T 0303 040 4040 **E** planning@canalrivertrust.org.uk 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