

High Peak Borough Council
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

Your Ref HPK/2025/0123

Our Ref CRTR-PLAN-2025-44051

Friday 23 May 2025

Proposal: Redevelopment of site to create 4 new dwellings, provision of new garage for existing bungalow, relocation of highway access and realignment of internal access road, together with associated works

Location: Rookery Farm, Chapel Road, Whaley Bridge

Waterway: Coombs Feeder

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals and 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 application site lies immediately north-east of the Combs Feeder Channel, which provides a water supply from Combs Reservoir to the nearby Peak Forest Canal. The feeder channel runs alongside Chapel Road and is a man-made open channel where it adjoins the southern corner of the application site. The footbridge crossing the channel at this point is owned by the Canal & River Trust. The channel is then culverted from a point about 35m north-west of the footbridge. The application proposes the culverting of approximately 20m of the open channel to facilitate the new vehicular access to the site and also to discharge surface water from the development to the feeder channel.

The Trust does not own the feeder channel, but the position regarding ownership, rights and responsibilities related to its operation and maintenance is complex. We acknowledge that these matters are not likely to be material planning considerations, but the potential risk of flooding along the channel as a result of the works proposed do need to be fully considered as part of this application.

The Trust has reviewed the application but is **unable to make a substantive response** under the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) due to the **absence of the following information**:

The Drainage Strategy includes no assessment of how the proposed works to extend the existing culverted section of the feeder channel or the proposed surface water outfall from the development to the feeder channel are likely to affect the operation of the channel in transferring water from Combs Reservoir to the Peak Forest Canal. The Flood Risk section in the Drainage Strategy (Section 7) does not consider the potential effects of either culverting part of the open channel or constructing a new outfall to the feeder channel on its primary function of supplying water to the Peak Forest Canal.

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The Drainage Strategy indicates at 3.11- 3.14 that the nearest watercourse to the site is 'a small stream' that runs along the south-west site boundary adjacent to Chapel Road before entering a culvert beneath the existing parking area in the south-west of the site; it further states that this culvert crosses under Chapel Road to the west of the site and then enters a canal feeder channel located to the south of the road. This does not acknowledge that the 'small stream' and the culvert both form part of the canal feeder channel linking Combs Reservoir to the Peak Forest Canal in Whaley Bridge.

There are currently issues with open sections of the feeder channel overtopping and causing localised flooding downstream of the application site and we consider that the application needs to fully assess the implications of the proposed works and whether they risk exacerbating these issues further along the feeder channel. Calculations should be provided to demonstrate that the proposed surface water discharge into the feeder channel immediately upstream of this new culverted section will not surcharge the culvert capacity.

We also understand that the existing culvert and headwall were previously extended to accommodate changes in land use and that the newer section (constructed from plastic twin-wall pipe) appears to be of a smaller diameter than the original culvert. If the proposed culvert extension is also of a narrower diameter, this may create an increased risk of it surcharging in the future. We recommend that this is investigated to establish clearly the diameter and capacity of the culverted section of the feeder here and demonstrate that flow capacity can be maintained if the culvert is further extended. It is essential that culvert capacity in the proposed new section is designed to accommodate flow capacity of existing culverted section.

Without further information, we are unable to advise whether the proposal is likely to create an increased flood risk either downstream of the culvert through overtopping or through surcharging at the entrance to the proposed culvert extension. Any obstruction of flows along the channel creates a risk that water levels in the Peak Forest Canal may not be able to be maintained, potentially preventing navigation along the canal.

We will make a **substantive** response within 21 days from the date of receipt of this information.

Additional comments

Notwithstanding the above matters, we wish to raise the following matters, all of which we consider will need to be taken into account should planning permission be granted.

It is essential that development operations, whether to construct the adjacent houses, install the proposed surface water attenuation tank, construct the access roads or undertake the proposed culvert extension, ensure that the existing feeder channel (whether culverted or not) is adequately protected from damage and that there is no disruption of flows at any time, as this will restrict the water supply required to maintain water levels in the Peak Forest Canal. Any restriction of flows may also result in overtopping and/or flooding of land upstream of the application site.

We consider that any planning permission for the proposed development must be subject to a suitably worded planning condition requiring submission of a detailed construction method statement identifying and incorporating measures to minimise risks to the structural integrity of the feeder channel during and after construction and demonstrating that water flows along the channel can be maintained during construction operations. Similarly, a Construction Environmental Management Plan (CEMP) which explicitly identifies measures to minimise the risk of material, debris or contaminated or silty runoff entering the feeder channel during construction operations is also secured via a planning condition. We consider that this approach is supported by Policy EQ10 of the adopted High Peak Local Plan. We will be happy to provide a suggested wording for such conditions following receipt of the information requested above.

As the Drainage Strategy advises that the surface water drainage system is intended to accept run-off from driveways and the access road, there is a risk that contaminated runoff will enter the drainage system. As this is intended to outfall to the canal feeder channel, there is a risk that this could adversely affect water quality in the feeder channel and in the Peak Forest Canal unless the system incorporates appropriately designed and installed interceptors. We consider that submission of detailed arrangements for ensuring that the surface water drainage system does not risk adversely affecting water quality in the canal feeder channel should be secured via a planning condition. We consider that this approach is supported by Policy EQ10 of the adopted High Peak Local Plan.

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The long-term management and maintenance of the surface water drainage system for the development also needs to be secured as part of any planning permission. Poorly maintained SuDS elements can lead to uncontrolled discharges which risk creating flooding issues so it will be necessary to ensure that an appropriately detailed regime which clearly identifies management and maintenance responsibilities is put in place before the drainage system is brought into use. We consider that this approach is supported by Policy EQ11 of the adopted High Peak Local Plan. We suggest that this is likely to be a matter that can be secured via a suitably worded planning condition.

We also note that the Proposed Drainage Strategy Plan shows that the foul drainage system for the development is intended to connect to an existing sewer on the south-west side of Chapel Road. This will necessitate crossing the line of the canal feeder channel. It is essential that works to construct the foul connection are designed to ensure that the feeder channel is adequately protected from damage. We consider that this matter could be appropriately dealt with via a suitably worded planning condition requiring submission of a detailed construction method statement identifying and incorporating measures to minimise risks to the structural integrity of the feeder channel during and after construction of the foul connection. We consider that this approach is supported by Policy EQ10 of the adopted High Peak Local Plan.

Finally, as noted above, the position regarding ownership, rights and responsibilities related to its operation and maintenance is complex and as such we consider that it would be prudent for the Applicant and the Trust to engage further over all works that have the potential to affect the feeder channel. Further discussion and investigation is likely to be required to establish whether any consents may be required for works, where both current and future management and maintenance responsibilities lie and to ensure that the operation of the feeder channel is not interrupted. We recommend that the Applicant considers signing up to the Trust's Code of Practice for Works Affecting the Canal & River Trust to ensure that potential risks can be appropriately managed during construction operations. More information on the Code of Practice can be found on our website at <https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>.

We ask that we are consulted again on any further information as may be submitted by the Applicant.

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

Yours sincerely,

Area Planner

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

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