

Towpath collapse following LPA non-consultation

Checklist Topics: Structural

The canal here passes through an urban area on an embankment. The redevelopment of an old mill site was proposed to provide apartments. The proposal involved the demolition of the mill building, the exterior wall of which formed the retaining wall of the canal embankment.

On-site excavation works associated with the redevelopment caused the towpath to collapse and the canal had to be urgently drained to reduce the risk of a canal breach occurring. The Trust is a statutory consultee where an

LPA receives a planning application likely to affect specified rivers, canals, reservoirs, canal feeder channels, watercourses, let offs and culverts. Information about our consultation zones is provided to all LPAs affected by our assets, so they can add it to their constraints database.

This information is also available on our open data site. In this case the Trust were not consulted by the LPA and therefore did not have opportunity to request planning conditions to minimise the impact of the

development upon the stability of the canal embankment wall. The Trust only became aware that no consultation had occurred after the towpath had collapsed. This highlights how important the legislation requiring consultation with the Trust is for the safety of all.

LPAs have a responsibility to consult the Trust upon proposals adjacent to our waterways. Do you have a consultee checklist? Are you aware when and why you should consult the Trust? Link to consultation zones page.

As a developer are you aware of the risks and benefits associated with development adjacent to a waterway? Pre-application discussions with neighbouring land owners are beneficial for all.

Land stability is a material planning consideration as defined by paragraphs 170 & 178 of the NPPF and NPPG guidance on Land Stability.

