

THREE SISTERS UNITED UTILITIES PLANNING APPLICATION

UPDATE ON PLANNING APPLICATION ISSUES

&

COMMENTS ON "THE OPTIONS REPORT"

The Options Report has been submitted by UU to demonstrate that the only reasonable and practical solution to our flooding issues is the construction of a storm tank at The Three Sisters. It seems that UU are trying to persuade the Council that the harm arising from their scheme at the Three Sisters is justified as in their view, it is the only solution.

The Council's planning policies say that The Three Sisters is protected in its own right and that it's a rare and valued natural resource in Salford. The policies also refer to the need to avoid or minimise unnecessary loss, damage or harm; and to balance the potential benefits of a proposal against any loss, damage or harm.

UU have to demonstrate – on the basis of evidence – the need for the proposal and the impact of the proposal; and in turn a judgement can be made whereby the decision-maker (the Planning & Regulatory Panel) has to balance the potential benefits against the potential impact.

It is our position that the evidence to justify the scheme is flawed and the loss of any of the Three Sisters is not necessary and can be avoided.

It is also our position that the potential benefit (i.e. it is the only solution for flood alleviation) does not clearly outweigh the harm arising – because the evidence is flawed, and also as a matter of principle it does not outweigh the harm – the Three Sisters should be protected in its own right.

The minor enhancements to the Three Sisters as compensation are not sufficient to overcome the harm.

The evidence is flawed –

for example in the UU's ecology report :-

- a one day sample of eDNA (environmental DNA) tests for Great Crested Newts was undertaken – this is contrary to national guidance where a series of tests are advised – the single test can only demonstrate that GCNs were not present at the ponds at that time.
- No bat survey has been undertaken.
- the scores on two of the three ponds are based on the consultant taking a view that they are likely to dry out. This would also affect the consultant's views on the likely presence of amphibians. Residents disagree that these ponds dry out annually, based on their regular observations.

for example in UU's Options Report (see more details later below and choose those you might agree with) – the key points are :-

- There is no explanation of the criteria used for the selection of either a solution or a site.
- Only a limited number of potential solutions and sites have been examined.
- There is no information or explanation about the definition of each of the criteria used in the assessment, the methodology applied, the assumptions used and indeed the source of asserted "facts". The commentary for each option does not provide an assessment or explanation against each of the categories.
- It demonstrates inconsistencies in the application of assessment criteria between examined options.
- It places little if no value on the Three Sisters as a Local Nature Reserve (LNR) and Site of Biological Importance (SBI)

- It demonstrates that there are other solutions and other sites – in this regard, the scheme is **not** the only solution – therefore any harm to the Three Sisters can be avoided as a matter of principle.

If you want to object in these terms, you should quote the Council's policies as below or simply quote them as a list.

◦ **Saved UDP Policy ST13 - Natural Environmental Assets** - *“Development that would result in an unacceptable impact on any of the city's natural environmental assets will not be permitted.”*
 Para “4.46 These assets are worthy of protection in their own right and it is important that they should not be unnecessarily lost or damaged as a result of development.”

◦ **Saved UDP Policy EN8 - Conservation Sites of Local Importance** – *“Development that would adversely affect the nature conservation value of a Site of Biological Importance, a Local Nature Reserve, or a priority habitat for Salford as identified in the Greater Manchester Biodiversity Action Plan, will only be permitted where:*

- a) the benefits of the development clearly outweigh the reduction in the nature conservation interest for which the site is protected or identified as a priority habitat;
- b) the detrimental impact on the nature conservation interest of the site has been minimised as far as is practicable; and
- c) appropriate mitigation is provided to ensure that the overall nature conservation interest of the area is not diminished

CONSULTATION

UU have only ever presented the Three Sisters scheme as a fait accompli – residents have not been consulted on other solutions or options, and if they had been consulted, it is likely that other solutions, perhaps those involving more highway closures and a longer construction period would have been readily accepted to avoid any harm to the Three Sisters site. If you feel strongly about this, then please raise it in your comments to the Council.

ARE YOU A FLOODING VICTIM? - If you are objecting, it is important that you mention you are a flooding victim in your comments!

THE OPTIONS REPORT

1. This is presented as some sort of “technical” report. This is commonly referred to as a RAG (red/amber/green) report. The report is summarised by an options grid with a rating for 8 categories marked as red, amber or green. There is no explanation of the criteria used for the selection of a solution or a site. There is no information or explanation about the definition of each of the criteria used in the assessment, the methodology applied, the assumptions used and indeed the source of asserted “facts”. The commentary for each option does not provide an assessment or explanation against each of the categories.
2. The Options Report is simply a selective commentary on alternative solutions and sites considered by UU, rather than an impartial and structured assessment.
3. There is no consistency between the same rating given to each option (e.g. environmental rating re option 1 & 3B). There is an imbalance between the weight highways & traffic is given for each option and the weight given to environment & ecology.
4. No option other than the Three Sisters was presented for consultation with residents, ward councillors, nor Salford City Council. The Options report takes no account of any potential sites suggested by residents. It is UU that have determined that the

Three Sisters is the only reasonable option, without disclosing their method, and without consulting the public.

5. There are inconsistencies between the comparative assessment ratings of under certain criteria. For example – in terms of “highways & traffic”, option 1 (on line storage) is rated as red, while option 3C (Clarendon Gardens) is rated amber and yet more roads are affected. Another example is for “environment & ecology” - option 1 (on line storage) is rated red, and yet this is a highway solution – while the Three Sisters (option 3B) is rated amber, which is a Local Nature Reserve/SBI.
6. Many options are discounted for the asserted reasons of “hard ground”. Though only one bore hole was done for the Three Sisters option and none for the other options. What evidence is there that “hard ground” is an issue and at what depth? Residents are aware that UU appear to have constructed just one bore hole – and this is at the Three Sisters – this was done in July, before the second version of the report? UU do not define the nature of the hard ground. Residents are well aware from their own practical experience and local knowledge that the so called hard ground is sandstone which offers little resistance for construction and road works. (e.g. gas pipeline upgrades and UU's sewer/tank work under Quaker Bridge near Ellesmere Rd playing fields, where they managed to bring in construction vehicles and use the roadside for temporary purposes).
7. A number of options are disadvantaged in the report as a result of Tree Preservation Orders (TPOs) being in place, yet there is nothing on the numbers & nature of affected trees, nor are TPO matters compared consistently across all options/solutions. One can assume if the trees on the Three Sisters were under a TPO it might not have been chosen as the preferred option. A request to TPO the trees impacted by development on Three Sisters has been made – residents objecting to the scheme might want to write to the Council in support of the TPO request, and this request is a 'material planning consideration'.
8. Land take is used as a negative for some options (e.g. 3A-Ellesmere Road Playing Fields), though not counted as a negative for the Three Sisters option. For the other options it is not mentioned at all. Where would UU locate the crane and implementation site storage for these options and would this not be a solution applicable for the Three Sisters option? Indeed UU stated at a zoom meeting with a small number of residents on 12 August) they would look to site their temporary requirements (storage, office, parking etc) at another location, though no further update has been received to date from UU.
9. A number of options assert a permanent loss of playing pitches as a negative, but there is no evidence of consultation with Sport England or indeed that permanent loss is a consequence. Neither have UU proposed improvements to other facilities as compensation. UU have built such projects in the past on playing pitches with the approval of Sport England and returned the ground to better quality.
10. All alternative options to the Three Sisters are assessed negatively for requiring road closures. However, this factor is common to all options. What are the determining factors between the RAG rating here – is it the principle of a road closure, the length of it, how it might be managed, the impact of it or something else? How does this factor relate to the category of “time & disruption”? Time & disruption for who? - Can it be assumed that road closures are a negative factor? – all pipelines will involve some closures and can be managed in segments without unreasonable or undue disturbance. Many residents will tolerate road closures to avoid the harm to the Three Sisters, including objectors who are currently experiencing flooding.
11. The commentary to each option does not assess or refer to every category, i.e. it is selective. For some sites there is no reference at all to certain criteria i.e. no explanation is given for the RAG rating. Where it does refer to a category, it is inconsistently applied across all options.

12. For example, for “highways & traffic”, the only options not rated red are 3B-Three Sisters (rated green) and 3C-Clarendon Gardens (rated yellow). Yet it is impossible for the reader to understand why this is so. The only site rated red for 'land & planning' is Portland Road, there is no mention of why this is so in the commentary, and yet it is playing field land, just like Ellesmere Road Playing fields, and both sites have proximity to TPOs. Another example is the category of “environment & ecology” - only on-line storage (in the highway) is rated red, while the Three Sisters – the only SBI/LNR (and therefore the site with the highest biodiversity value) is rated amber. This makes no sense – unless UU's approach is to use the presence of a TPO as an over-riding factor.
13. All sites are rated on “costs” but no financial value seems to be put on a site of Biological Importance or a Local Nature Reserve in the assessment criteria. The most ecologically sound or 'greenest' solution is rarely the cheapest – being green often costs more than not being green. Are UU only committed to sustainability as they choose to define it?
14. UU have removed the requirement for a servicing lay-by from the Three Sisters proposal admitting the site can be serviced from the road. This has not been reflected in the options report. Other options could also be serviced from the road and this would impact the assessment of their suitability as the preferred solution.
15. UU have constantly referred to the Three Sisters as a “park” in the document and at the Zoom meeting with Councillors and residents - rather than a Local Nature Reserve and Site of Biological Importance. This reflects their ongoing lack of understanding of the importance and significance of the Three Sisters, and may explain why they misunderstand the site in terms of “land & planning” and “environment & ecology” factors.
16. *It follows that this report cannot be relied upon and cannot be regarded as clear reasonable technical evidence on which the application could be properly determined.*
17. *The options document does not clearly show that the Three Sisters option is the only option and thus contravenes Salford City's Councils own policies to protect a site of biological interest and green spaces e.g. policies R6, ST13, B42 & EN 8*