

70284 – East Lancs Paper Mill & Tower Farm, Church Street East, Cross Lane, Cock Clod Street & Brook Street, Radcliffe

Thank you for consulting the GMEU.

Summary

Further information is recommended on bats,

Bats

Previous survey found high levels of bat activity associated with the mill ponds but no evidence of bats roosting on the site.

Condition 14 of the outline condition required updated bat assessments if the development was delayed beyond April 2019 of any buildings and trees still present on the site. This has mostly occurred, though some of the trees could not be accessed and a number of buildings that are not within the application site appear to have been included in the bat assessment, the only building within the site being the cricket club. The cricket club pavilion was assessed as moderate risk and two further surveys recommended. All trees that could be assessed were assessed as being negligible risk.

With regards the trees that were not assessed both blocks are primarily very young trees, with the block north of the cricket club, located within the footprint of what was a mill lodge in 2005 and only the trees around the edge will be old enough to have any potential. Similarly, the block to the east of the retained mill pond is largely very young and largely retained in the masterplan. I therefore recommend that:

Prior to determination further information is provided on the trees that were not assessed in light of my comments above. i.e. once you take into account that very few trees were present to the north and the majority of the trees east of the mill pond are retained no further survey may actually be required.

With regards the cricket pavilion whilst the wording of the condition have been met, the consultants have recommended to further surveys. *I recommend that these are provided prior to determination.*

With regards the other buildings assessed as requiring further survey, outside the red edge, *I recommend clarification is provided on why they were included in the survey.* (Buildings around Cock Clod St)

Condition 15 of the outline condition required bat activity surveys for the relocation site for the cricket club as part of reserved matters. I was unable to find this information, the activity surveys that have been provided relating to the housing development site.

I therefore recommend that prior to determination bat activity surveys are provided for the replacement cricket club facility site as defined in the informatives for the outline permission and that condition 15 should not be discharged.

Otter

Condition 16 of the outline permission required updated otter surveys. These have occurred and the information provided. The surveys have confirmed that otter are present in the River Irwell adjacent to the site but assessed the site as very unlikely to provide habitat for otter due to the difficulty of otter accessing the site, due to the height of the river channel wall. The main development is also set

well back from the river, with only landscaping and bank remediation near to the river. They are therefore satisfied that residual risk can be dealt with via reasonable avoidance measures and an updated survey immediately prior to any bankside works.

I am therefore satisfied that condition 16 of the outline permission can be discharged.

and

The recommendation and enhancement measures in section 6.0 of the Otter Survey report by Tetra Tech Ref: 784-B038963 should be conditioned.

Badgers

Condition 19 of the outline permission required updated information on badger. This has been provided with updated surveys demonstrating that no badger setts (active or inactive) are within the footprint of the developed or landscape proposal areas at present. Badger setts were recorded as present nearby, though the sett photographs in my mind are not conclusive evidence of badger, the holes appearing too small. Recommendations have also been made on how to avoid accidental harm including updated survey due to the ability of badgers to colonise new areas relatively rapidly. I am satisfied that these are adequate.

I am therefore satisfied that condition 19 of the outline permission can be discharged.

and

The recommendation and enhancement measures in section 5.0 of the Badger Reasonable Avoidance Method Statement report by Tetra Tech Ref: 784-B038963 should be conditioned.

Nesting Birds

Condition 17 of the outline permission deals with nesting birds. Discharge is not required at this stage. *No further information or measures are required.*

Breeding Birds

Condition 18 of the outline permission required breeding bird surveys of the area covered by the relocated cricket club facility. A review of the bird nesting potential of the site has been provided. I note that I accepted this approach if the reserved matters application was submitted prior to the next breeding birds season, but that bird surveys could still occur. The application has clearly slipped well beyond the 2023 breeding bird survey season therefore the acceptance of a review if the reserved application came through before the 2023 breeding bird survey is not particularly relevant. It should also be noted that condition 18 only requires a survey for the relocation site of the cricket pitch and that no bird survey has ever been carried out for this area i.e. a review would not be acceptable. The original bird survey also dates from 2017 and therefore no longer technically valid for the remainder of the site not covered by condition 18.

I therefore recommend that breeding bird surveys are provided for the cricket relocation site prior to determination.

Whilst bird survey data for the remainder of the site is no longer valid, further surveys are not required, the recommendations of section 6.2 of the Bird habitat assessment report should be conditioned.

Invasive Species (INNs)

Condition 20 of the outline permission requires an updated survey for invasive species if earthworks were delayed beyond 31st March 2019. Such survey has been carried out in 2021 by TEP and 2022 by Japanese knotweed solutions Ltd.

I am therefore satisfied that his part of condition 20 is discharged.

Condition 20 also requires a method statement for the control of Japanese knotweed, Himalayan balsam and giant hogweed. This information is not required until prior to commencement but a method statement has been provided as part of reserved matters. This involves mechanical excavation of INNs within the development footprint and herbicide spraying of areas outside the development footprint. I have no issues with this approach.

I therefore have no objection to the prior to commencement part of condition 20 being discharged.

River Irwell - Water Framework Directive

Condition 21 of the outline permission required a water framework directive assessment of the development with regards its impact on the River Irwell as part of reserved matters. A WFD assessment has been provided. This indicates that post-development the ecological potential of the river will be enhanced due primarily to the existing vertical wall of the River channel adjacent to the site being replaced with a battered retaining feature i.e. increasing the channel capacity and providing improved connectivity between the river and the land above the river channel. There will also be enhancement in the form of a new channel from the mill lodge to the river. The main risk of negative effects is during construction on the main site and construction of the new river channel retaining feature and the outfall from the mill lodge, both of which could result in the release of sediment into the river both clean and polluted. I agree however that this can be managed through appropriate construction and environmental management measures. *I am therefore satisfied that the first part of the condition has been met i.e. a satisfactory WFD assessment provided.*

I was not however able to locate detailed appropriate mitigation measures to protect the river during construction as required by the second part of the condition, just general recommendation in section 6.1.1 of the WFD assessment. I would expect information on such features as location of physical fencing, silt fencing, netting, bunds in the river during any work s to the riverbank, information on whether machinery would work within the river, closure of potential existing surface water drainage pathways etc. *I therefore recommend that prior to determination a detailed construction and environmental management plan with regards to protection of the River Irwell, Crow Lumb Brook culvert and Bealeys/Hutchinson Goit is provided.*

River Irwell – Surface and Foul Drainage

Condition 22 of the outline permission requires evidence that any proposed surface of foul water drainage will not negatively impact on the ecological potential of the River Irwell. This information is not required at reserved matters, but additional detail has been provided. This indicates that foul drainage will be to the existing combined sewer system. Assuming UUL are happy with this i.e. there is sufficient capacity, I would therefore have no objection to this part of the condition being discharged.

With regards surface water drainage, a number of outfalls into the River Irwell and Hutchinsons Goit are proposed some via SUDs ponds and others via the existing Mill pond. I am not qualified to determine whether the capacity of the various interceptor systems are adequate and also note that the plans are still indicative with some assumption noted i.e. further investigation required regarding existing on-site culverts and drains.

Therefore, whilst I have no reason to doubt that the proposals are adequate:

- I am not qualified to comment;
- note that they are currently still not finalised and;
- that they do not require discharge at this point.

Any recommendations of representatives of the Council's internal drainage team and/or the Environment Agency would however supersede my comments.

Contributing to and Enhancing the Natural Environment

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Condition 23 of the outline permission requires a landscape scheme prior to commencement, condition 32 requires a scheme for a high-quality riparian scheme also prior to commencement and condition 33. I note however that the applicant is seeking to discharge these conditions. Condition 27 is also relevant as it requires a provision of a phasing plan as part of reserved matters.

A landscape masterplan has been provided. This includes the broad elements of what condition 23 requires, but no details in terms:

- of planting schedules;
- which areas are specifically habitat mitigation for foraging bats;
- whilst noting the planting will benefit birds no nest box strategy to cover the period when trees will be maturing or with regards sand martins and;
- a lack of detail on the measures for the goit and River Irwell.

I therefore do not recommend discharge of condition 23 other than to accept the broad landscape layout within the masterplan. As this information is not however required at this time no further information need be supplied unless the developer is minded to.

Similarly, there is inadequate detail with regards condition 32. All I was able to find were some cross sections, with no detail of how they will be finished or planted (or whether there will be provision for species such as sand martin, kingfisher or otter.

I therefore do not recommend discharge of condition 32. Again, as this information is not required at this time no further information need be supplied unless the developer is minded to.

Finally, with regards the phasing plan, I note the riverside public open space/biodiversity enhancement area is not specifically phased other than to note it would be ongoing throughout the housing and cricket club development phases. This is not in my opinion satisfactory, as it does not tie in with condition 23, which requires landscaping attached to each phase to be completed within 12 months of first building occupation. In addition, if the riverside park is not linked to any phase, it is difficult for the Council to enforce completion until all built phases are complete. I would therefore recommend that either the Riverside Park is regarded as phase preferably at the same time as the cricket club and not phase 5, or that the Riverside Park is divided in to two phases one tied to the phase 3 housing and one to the Cricket Club. *I therefore do not recommend discharge of condition 27 until more clarity is provided on the delivery of Riverside Park.*

Ecologist

GM Ecology Unit