

Bury Metropolitan Borough Council
Town Hall
Knowsley Street
Bury
Lancashire
BL9 0SW

Our ref: SO/2023/123620/01-L01
Your ref: 69266
Date: 27 October 2023

Dear Sir/Madam

CONVERSION OF EXISTING 1 NO. DWELLING INTO 4 NO. SEPARATE DWELLINGS WOOD MILL, WOOD ROAD LANE, SUMMERSEAT, BURY, BL9 5QA

Thank you for referring the above application to the Environment Agency, which we received on the 11 October 2023. We have no objection in principle to the proposed development, but we would wish to make the following comments.

Environment Agency position

The following condition should be included on the decision notice implemented for the less vulnerable use basement units, based on recommendations in the flood risk assessment (FRA):

Flood Risk

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref [insert date/reference number/compiler details]) and the following mitigation measures it details:

- The existing door on the eastern façade should be permanently closed
- All electrical sockets and switches within the basement areas should be positioned at a minimum of 900mm above ground floor level and electrical supply feeds to come down from ceiling level
- All external ground floor doors and windows should be reinforced and adequately sealed to the surrounding masonry
- Areas below 99.50mAOD should conform to the following recommendation from the FRA; all exposed basement walls should be suitably tanked to prevent water ingress through the walls

Advice to LPA/applicant

Flood resistance and resilience -

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings> CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- on the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Biodiversity

The National Planning Policy Framework (NPPF) recognises that the planning system should conserve and enhance the environment by minimising impacts on, and providing net gains for, biodiversity and geomorphology. If significant harm resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, planning permission should be refused.

We recommend that applicants ensure that opportunities to enhance fisheries, biodiversity and geomorphology are identified and incorporated in and around proposed developments. You should have regard to the latest planning practice guidance on how biodiversity net gain can be achieved as part of the proposed development. Please see: [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/natural-environment)

We encourage river restoration and working with natural river processes to ensure sustainable development. Not only would this contribute to biodiversity net gain, but the provision of wider ecological benefits to the aquatic environment would also help deliver Water Framework Directive (WFD) improvements.

Contaminated Land

This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters.

However, we note that the application is accompanied by a report prepared under the National Quality Mark Scheme for Land Contamination Management (NQMS). The NQMS is a system designed by the industry-led Land Forum to ensure that land contamination management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information.

Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

- The work has been planned, undertaken and written up by competent people who have relevant experience and/or qualifications in their respective disciplines
- The underlying data has been collected in line with established good practice procedures and its collection has been subject to control via established quality management systems
- The data has been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies
- The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations
- Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations

We therefore assume that the local planning authority has the necessary information to allow decisions to be taken without the need for additional site-specific advice from us. We recommend that you take account of the conclusions and recommendations within the NQMS report.

If you need further support understanding the report, please seek advice from your Environmental Health/Environmental Protection Department who will be able to advise on the generic aspects of land contamination management.

Where planning controls are considered necessary, we recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by paragraph 174 of the National Planning Policy Framework.

We also recommend that you consider the merits of advising the developer to continue to handle any further land contamination management work that may be required under the NQMS.

Please send me a copy of the decision notice and forward a copy of this letter to the applicant.

Yours faithfully

Mrs SYLVIA WHITTINGHAM
Planning Advisor

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