

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

**Our ref:** SO/2022/122125/01-L01  
**Your ref:** 67546  
**Date:** 06 July 2022

Dear Sir/Madam

**DISCHARGE OF CONDITION 12 OF APPLICATION SO/121597, VARIATION OF CONDITIONS 2 (APPROVED PLANS) AND 4 (MATERIALS) TO ALLOW CONSTRUCTION OF RETAINING WALL TO THE FRONTAGE OF PLOTS H1-H14 INCLUDING ASSOCIATED STEPS / RAILINGS TO COMPLY WITH CONDITION 16 RELATING TO SITE LEVELS; REDUCTION IN HEIGHT OF EAVES AND RIDGE OF PROPOSED DWELLINGS, ADDITION OF CANOPIES TO MAIN ENTRANCES; REMOVAL OF CONDITION 3 (AFFORDABLE HOUSING) WHICH WILL BE REPLACED BY A LEGAL AGREEMENT - LAND AT MORRIS STREET, RADCLIFFE**

Thank you for referring the above application to the Environment Agency regarding the discharge of condition 16 (site levels). We would wish to make the following comments.

### **Environment Agency position**

#### **Condition 16**

The floor levels shown on drawing no. ELL/21071/WH/L/140/A appear consistent with the minimum recommended in the approved FRA.

#### **Advice to applicant**

The applicant should be made aware of the need to apply for a flood risk activity permit in relation to construction works affecting the flood defences or within 8m of the landward toe of the defences. Our asset engineers have had to attend site in relation to construction activities on the flood embankment.

This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the landward toe of the flood defences to the River Irwell which, is designated a 'main river'. Some activities are

Environment Agency  
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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also now [excluded](#) or [exempt](#). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Please forward a copy of this letter to the applicant.

Yours faithfully

**Mrs. SYLVIA WHITTINGHAM**  
**Planning Advisor**

Direct dial 0203 0251059

Direct e-mail [sylvia.whittingham@environment-agency.gov.uk](mailto:sylvia.whittingham@environment-agency.gov.uk)