

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

Our ref: SO/2024/123853/01-L01
Your ref: 70284
Date: 14 February 2024

Dear Sir/Madam

APPLICATION FOR RESERVED MATTERS APPROVAL (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR THE ERECTION OF 400 DWELLINGS, RELOCATION OF CRICKET PITCH, INCLUDING A PAVILION, PRACTICE NETS AND SCOREBOX AND INCLUDING ALL DETAILS REQUIRED TO DISCHARGE THE FOLLOWING CONDITIONS FROM APPLICATION 67597; 9 (ACOUSTIC ATTENUATION); 11 (SURFACE WATER DRAINAGE PROPOSALS); 13 (WSI FOR ARCHAEOLOGY); 14 (BAT ROOST ASSESSMENT); 15 (BAT SURVEY FOR NEW CRICKET CLUB SITE); 16 (OTTER ASSESSMENT); 18 (BIRD SURVEY FOR NEW CRICKET CLUB SITE); 19 (RAMS FOR BADGER HABITAT); 20 (INVASIVE SPECIES REPORT); 21 (WATER FRAMEWORK DIRECTIVE ASSESSMENT); 22 (NO NEGATIVE IMPACTS ON RIVER IRWELL ECOLOGY); 23 (LANDSCAPE & HABITAT CREATION DETAILS); 24 (AFFORDABLE HOUSING SCHEME); 25 (RECREATION SCHEME); 27 (PHASING PLAN); 28 (INTERNAL ROAD PATTERN DETAILS); 29 (SCHEME OF LEVELS, DRAINAGE & MODELLING TO SUPPORT APPROVED FRA); 31 (FFL'S OF DWELLINGS); 32 (RIVER IRWELL BUFFER ZONE DETAILS); 37 (REPLACEMENT CRICKET CLUB FACILITIES); 39 (HIGHWAY DETAILS); 40 (SCOOT AT WATER STREET); 41 (PARKING STRATEGY); 44 (TRAVEL PLAN)

EAST LANCS PAPER MILL, CHURCH STREET EAST, RADCLIFFE, MANCHESTER, M26 9PG

Thank you for referring the above application for the discharge of conditions 20, 21, 22, 23, 29 and 32, to the Environment Agency. We Would wish to make the following comments.

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
Cont/d..

Environment Agency position

Geomorphology – (Condition 20, 21, 22 and Condition 32)

Condition 20

We do not recommend discharge of condition 20 (INNS management plan) based on current submitted management strategy (JK Solutions Ltd, 07/07/2022) does not provide a definitive treatment option(s) and plan showing what remediation option is to be adopted where and when, for the existing large East Lancs Paper Mill redevelopment site, and plan that is preferably coordinated with development phasing (Dwg No: PP-01 – Phasing Plan Rev A) and soft landscape reinstatement proposals indicated in landscape masterplan (M3477-SD-01-V08). This is particularly in reference to planned remodelling outlined in FRA (Tetra Tech, 24/11/2023) along River Irwell corridor, where extensive INNS population have been recorded.

Condition 21

We do not recommend discharge of condition 21 (WFD assessment) based on current assessment (Tetra Tech version P02, 23/11/2023) does not refer to most recent North West River Basin Management Plan Cycle 3 ([North West river basin district river basin management plan: updated 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118888/North-West-River-Basin-Management-Plan-Cycle-3-Updated-2022.pdf)) or seemingly assess revised reserved riparian matters proposals indicated along the River Irwell waterbody i.e., Terramesh Wall system (SK23-5777-F1-01) & Flex MSE wall system SK01/RS/02 and temporary works required to construct this new hard revetment solution compared to originally proposed 1:3 earthen embankment. Current reserved matters application also now indicates that original proposals to deculvert part of Crow Trees Farm Brook have been abandoned and is again not reflected in updated WFD assessment. It is pertinent to note that there is a Cycle 2 mitigation measure for these works and must not prevent its delivery, specifically *IRC2: Deculverting of Crow Tree Farm Brook (SD7908407299): Deculvert section of Crow Tree Farm Brook up to confluence with River Irwell. Potential for ~100m opening of channel. High ecological benefit. High cost. High complexity. Potential for opening from SD7907007344 to SD7910207257.*

The assessment should also understand the risks of existing INNS identified on site (JKSL, 7/7/2022) and what “reasonable measures” will be put in place to stop the plant/s from spreading off as part of planned riparian works or how measures will be adopted to prevent your site being infested from identified neighbouring sources.

The current WFD assessment does not breakdown the activities associated with the scheme that will be impacting each WFD receptor, making it difficult to assess the cumulative impacts of the works. In addition, the assessment seemingly misunderstands the objectives of the WFD i.e. for example when assessing compliance with RBMP objective to address physical modification this is about the potential ability to restore more natural geomorphological processes along existing heavily modified waterbodies, where feasible - rather than about providing stable riverbanks.

All scheme activities which modify the channel and tributaries and could impact on WFD ecological elements should be listed and considered separately within the assessment.

Biodiversity

Condition 22. (Potential ecological impacts on the ecological status/potential of the river Irwell waterbody).

Although, we generally welcome the proposals to create large new areas of semi-natural greenspace and expanded floodplain connectivity along River Irwell corridor as indicated in landscape masterplan (M3477-SD-01-V08) and FRA (Tetra Tech, 24/11/2023), the opening up of Hutchinson's Goit, and the adoption of above ground SUDs solutions in the form of retention ponds, re-use of existing retained reservoir and integrated rain gardens and bio-swales all have potential to protect water quality in river.

However, the current demolition of existing river retaining wall and replacement with Terramesh Wall (SK23-5777-F1-01) or Flex MSE wall SK01/RS/02 and associated temporary works required to construct this new hard revetment solution along and part within the River Irwell waterbody and fishery, as well as create new surface water connection will potentially have some ecological and water quality issues that have not been fully addressed within current submissions to discharge condition 22. Therefore, we do not recommend discharge of condition 22.

Condition 23

The current landscape master plan (M3477-SD-01-V08) and associated submitted drawings SK23-5777-F1-01 - GABION TERRAMESH WALL PLAN, ELEVATION & SECTION, Dwg No: SK01/RS/01 – Site Elevation River Section, Dwg No: SK01/RS/02 – Site Elevation River Section A, does not provide a detailed landscaping schedule of new soft landscaping scheme within greenspace areas; preferably based largely on native species; including proposed new habitats (woodlands, wetlands and grasslands), retaining walls, and SUDs features. Therefore, we do not recommend discharge of condition 23 (Landscaping scheme).

Flood Risk

Condition 29

Regarding condition 29, we have reviewed the FRA (ref: 784-B038963/version 7) dated 24/11/2023. The discussion on the history of assessment of risk is noted and that the applicant has also used the Environment Agency's (EA) latest modelling from the Radcliffe and Redvales flood risk management scheme in addition to the earlier modelling undertaken in 2021. The proposals appear to follow the principles set out in the FRA that supported the outline planning permission with changes in ground levels to maintain flood plain volume.

Please can the following be clarified prior to the discharge of condition 29:

Referring to fig 5-3, the change in flood levels is noted especially the negligible changes upstream and downstream of the site. We also note the shading within the channel between the site and adjoining Pioneer Mill. This seems to suggest significant increases (>500mm) and reductions across the channel width not evident in the long section fig 5-4. Some explanation associated with these changes is requested. A table of flows and levels for the model nodes could help with this. We note the modelling report from June 2021 includes some discussion on levels based on earlier versions of the river model. An update to this commentary would be useful.

The June 2021 modelling includes 5%, 1% and 0.1% AEP event results. Have you repeated these with the latest modelling? Whilst the key event is the 1% AEP 35%CC as the “design flood” in the NPPF PPG, understanding any positive and negative changes in other events is advisable as undertaken before. The 1% and 0.1% AEP results will be essential for any future requests to change the flood zone outlines on the published flood map.

The applicant has also engaged in recent pre-application discussions on the flood risk with the EA. The applicant is aware of these comments and recommendations through the pre-app consultation with us. We will be pleased to comment further on receipt of additional information.

Condition 32 (River Irwell riparian buffer details).

The proposed bank modifications require further detail and justification for the measures proposed. Specifically, the gabion wall and maccaferri mattress solution and Flex MSE do not allow for natural processes to occur and provide little habitat benefit. The Agency recommend adopting a green-grey hierarchy, prioritizing measures which use natural materials and work natural processes (see HR Wallingford and RRC guidance below). Should hard bank protection be required, commensurate mitigation should be provided.

[Green approaches in river engineering.pdf \(hrwallingford.com\)
river advice, consultation, projects, the RRC - the River Restoration Centre](https://www.hrwallingford.com/river-advice-consultation-projects-the-rrc-the-river-restoration-centre)

Furthermore gabions have a poor longevity in Pennine rivers such as River Irwell and tend to have short life span when placed in such rivers. In addition, current proposals lack detail, for example there is no design detail for how the bank modification will transition from different grades, account for the proposed culvert headwall or tie into the natural bank (where it will be most susceptible to future erosion).

We also note as part of the reserved matters submission, limited cross-section details within and along the river Irwell corridor has been provided to clearly understand what scale of land remodelling works are sought along key ecological network and receptor. We would recommend that pre and post cross section detail be provided every 50m to clearly understand scale, levels of new and/or retained bank revetment details, details of new surface water connections, opportunities to enhance ecological network by removing redundant hard standing and tipped material, as well as bank reinstatement proposals including soft landscaping based on appropriate native species; where modified; along whole riparian corridor within ELPM development site.

Details should also demonstrate how the buffer zone will be protected during development construction and how managed and maintained over the long term.

The new pedestrian access seating area is located very close to bank edge and in a softer riparian revetment solution area, providing limited undisturbed ecological buffer and promoting pedestrian access in a less resilient area of restored corridor.

Therefore, based on the above we do not recommend discharge of condition 32.

Advice to the applicant

It is recommended all future drawings are legible (i.e., river section drawing which is pixelated, making inserted elevations illegible [SK01-SS-PL01 - Site Elevations Rev B-Layout1.psd \(bury.gov.uk\)](#) or locations of INNS within development footprint (JKSL, 07/07/2022).

The proposed development has the following Environmental Permitting Regulations Permitted sites in close proximity. These facilities should be noted as some permitted facilities have a potential to cause amenity issues or contribute to air emissions. They are:

Advice to the LPA

Site name	Permit number	Industry Sector	Postcode	Distance from proposed development	Direction from proposed development
Annotec Works	EPR/BN5386IN	Metals	M26 2RH	92 metres	NNW
Elton Hill Road	EPR/BX2914IK	Metals	M26 2ZT	494 metres	N
New Bridge Chemical Works	EPR/BM0044IW	Chemicals Manufacture	M26 2GL	906 metres	NE
Bryn Power	EPR/SP3302SL	Medium Combustion Plant	WN4 8BU	1.5 kilometres	SSE
Bury Wastewater Treatment Works	EPR/SP3631LL	Biowaste	BL9 9TF	1 kilometre	E

Please forward a copy of this letter to the applicant.

Yours faithfully

Mrs. SYLVIA WHITTINGHAM
Planning Advisor

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