

Bury Planning Department

Reference: PA-0003095/02

Customer reference: 72993

03 June 2026

**\*\*\*FRA\*\*\*2no. bollards to bridleway; re-instate dry stone wall and new stone wall to same height; radius kerb edging; hedging to screen car park; re-tarmac part of road; new traffic mirror and limestone finish to bottom of bridleway**

**Halter Inn Works 11 Redisher Croft Ramsbottom Bury BL0 9SA**

Dear Jennie Townsend,

Thank you for contacting us.

This is our response to your consultation 72993. We have no objection in principle to the proposed development, but we would like to make the following comments.

### **Environment Agency position Biodiversity**

Regarding the dry-stone walling proposed as part of this development, this could have an unacceptable effect on the ecological value of the Holcombe Brook at this site and Broadhey Wood & Woodhey Local Wildlife Site located downstream.

Considering the above, the proposed development will only be acceptable if a planning condition requiring a construction management plan is included.

This approach is supported by paragraphs 187 and 193 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposed development because it cannot be guaranteed that the development will not result in significant harm to Holcombe Brook at this site and Broadhey Wood & Woodhey Local Wildlife Site located downstream.

The approach is also supported by Section 40 of the NERC Act 2006 as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

### **Condition**

No development shall take place until a construction management plan, including long-term design objectives and management responsibilities, has been submitted to, and approved in writing by, the LPA. The construction management plan shall be carried out as approved, and any subsequent variations shall be agreed in writing by the LPA.

The scheme shall include the following elements:

- details of treatment of site boundaries and/or buffers around water bodies
- details of how Ince Brook will be protected during and after development
- details of how Broadhey Wood and Woodhey Local Wildlife Site will be protected during and after development
- details of any pollution and silt prevention plans

### **Reason(s)**

To ensure the protection of wildlife and supporting habitat by reducing the risk of pollution during construction.

### **Informative**

The development suggests surface water will be discharged into Holcombe Brook. A Flood Risk Activity Permit under Environmental Permitting Regulations 2016 will be required. Please reconsult us with further in-depth details including:

- A robust reasoning and justification for the design and layout of the outfall, we would prefer to have the outfall setback from the bank where possible, with the length and height of the outfall headwall kept to minimum
- In-depth method statements outlining method of work for the construction of the outfall
- Timings of work
- Materials used to create the outfall
- The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse.
- The gradient of the outfall pipe through the headwall shall be less than 1:50 (fall in elevation: length).

We prefer structures to be set back from the channel that utilise SUDs features wherever practicable. The outfall pipe shall be aligned to an angle of between 30° and 60° to the direction of flow in the watercourse and be sited at a geomorphologically stable section of water course.

## **Environmental permit**

### **Flood risk**

#### **Advice to applicant**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](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](mailto: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

## **Contaminated Land**

### **Condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

### **Reason(s)**

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

If you have any questions regarding our response, please contact [spplanning.rfh@environment-agency.gov.uk](mailto:spplanning.rfh@environment-agency.gov.uk).

Yours sincerely,

**Sylvia Whittingham,**

**Sustainable Places Advisor**

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