

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

Our ref: SO/2023/122980/01-L02
Your ref: 69388
Date: 03 May 2023

Dear Sir/Madam

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**DEMOLITION OF 13-21 BLACKBURN STREET AND TSB BANK PLUS
ERECTION OF NEW THREE-STOREY CIVIC HUB BUILDING, AND NEW LINK
BLOCK BETWEEN RADCLIFFE, MARKET AND MARKET CHAMBERS
BUILDINGS, PLUS REFURBISHMENT OF MARKET CHAMBERS AND MARKET
HALL BASEMENT 21 BLACKBURN STREET, BURY, RADCLIFFE, M26 1NN**

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

Environment Agency position

Flood Risk

We note that the Radcliffe market and market chambers building proposals include a balcony/viewing terrace over the river at ground floor level. It is not clear how this will be supported e.g. cantilever, props etc. Therefore, full details of this will be required for a flood risk activity permit and it should not be assumed that such a permit would be a formality.

Advice to LPA/applicant

The FRA submitted does not appear to make any reference to potential fluvial risks to the basement levels of the Radcliffe market and market chambers building. The groundwater section 5.4 refers to "*it is envisaged that any existing or proposed basements should have suitable forms of waterproofing*". Risks in relation to fluvial flood levels should be clarified at detailed design stage and mitigation measures incorporated to ensure users of the basement levels are safe.

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 bank of the River Irwell which, is designated a 'main river'. Some activities are 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>.

Biodiversity

Unfortunately, currently, we are unable to provide site-specific advice regarding fisheries, biodiversity, and geomorphology.

Advice to the applicant

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, 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/guidance/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.

The Environmental Permitting (England and Wales) Regulations 2016 require a Flood Risk Activity Permit (FRAP) 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
- in a floodplain more than 8 metres from the riverbank, culvert, or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

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

Please forward a copy of this letter to the applicant.

Yours faithfully

Mrs. SYLVIA WHITTINGHAM
Planning Advisor

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