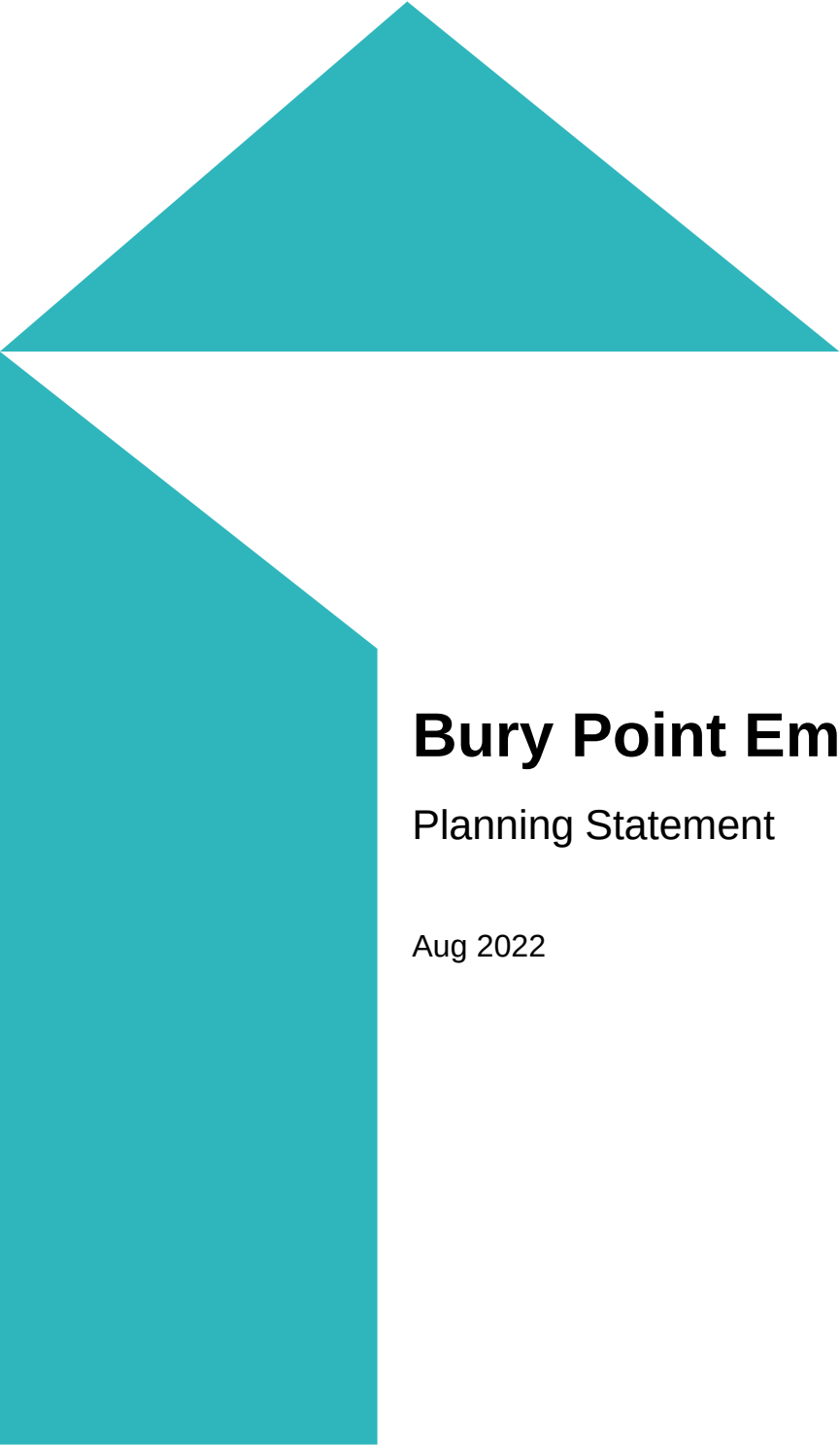


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# **Bury Point Embankment Tie In**

## **Planning Statement**

Aug 2022

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# **Bury Point Embankment Tie In**

## **Planning Statement**

Aug 2022

# Issue and Revision Record

| Revision | Date       | Originator | Checker | Approver    | Description                  |
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| P03      | 25/08/22   | J Starling | J Smith | J Starling  | Change to south access route |
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# 1 Introduction

## 1.1 Purpose of this Document

This Planning Statement (herein referred to as ‘this Statement’) has been prepared by BAM Nuttall Mott MacDonald Joint Venture (BMMJV) on behalf of the Environment Agency (EA), to support a planning application for the construction of an Earth Embankment at Bury Point which extends beyond the red line boundary of the previously consented scheme (Radcliffe and Redvales Phase 2 Major application, Bury Council Ref 65171). This will tie into the existing flood defence structure previously permitted in this location.

Previously, the EA, in partnership with Bury Council, have designed and implemented a scheme to improve flood protection along the River Irwell, Greater Manchester. The scheme is being delivered in phases, and the first phase was granted planning permission in March 2019 (Bury Council Reference: 63559). The Phase 1 works included a series of sheet piled walls and embankments, on the southern extent of Bury and the northern extent of Radcliffe, at Close Park and Dumers Lane.

The key elements of the Phase 2 works have been split into a number of separate planning applications, as follows:

- One full planning application for the proposed works at Warth Business Park (ref. 64788);
- One full planning application for the proposed works at Keswick Drive (ref. 64789);
- One full planning application for the proposed works at Lower Hinds York Street, Redvales Business Park and Bury Point (ref. 64790 and 65171);
- One full planning application for the proposed works at Bury Grammar School, southern and eastern boundary of the sports pitches (ref. 65745);
- One full planning application for the proposed works at Hardy’s Gate Bridge (ref. 65746);
- One full planning application for the proposed works in land to the north of York Street (ref. 66353);
- One full planning application for the proposed works at Bealeys Goit (ref. 66459); and
- One full planning application for the proposed works at Hutchinsons Goit (ref. 66697).

This planning statement provides background context of the proposed earth embankment, assesses the proposal against national and local planning policy and importantly provides information on the wider flood defence scheme.

## 1.2 Submission Documents

A number of technical reports and plans have been prepared to accompany this planning application. These comprise:

**Table 1.1: Submission Documents**

| Document           | Reference (where applicable)                   |
|--------------------|------------------------------------------------|
| Site Location Plan | ENV0000389C-BMM-DZ-4BP-DR-T-0806018<br>Rev P02 |

| Document                           | Reference (where applicable)                                                      |
|------------------------------------|-----------------------------------------------------------------------------------|
| General Layout Plan and Section    | ENV0000389C-BMM-DZ-4BP-DR-T-0213657<br>Rev P04                                    |
| Flood Risk Assessment              | ENV0000389C-BMM-DZ-4ZZ-RP-Z-0215016<br>Rev P04                                    |
| Phase 1 Habitat Survey and PEAR    | ENV0000389C-BMM-DZ-4ZZ-RP-EN-0301057<br>Rev P02                                   |
| Ecological Walkover Technical Note | ENV0000389C-MMD-DZ-00-TN-EN-0301083<br>Rev P01                                    |
| Non-Statutory Environmental Report | ENV0000389C-MMD-DZ-4ZZ-RP-EN-030406<br>Rev P02                                    |
| Phase 2 Badger Method Statement    | ED/100170-01 <b>CONFIDENTIAL. Document must not be available for public view.</b> |

### 1.3 The Application

The EA were established in 1996 to protect and improve the environment. Within England, their responsibilities include:

- regulating major industry and waste;
- treatment of contaminated land;
- water quality and resources;
- fisheries;
- inland river, estuary and harbour navigations; and
- conservation and ecology.

They are also responsible for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea, whilst their priorities include increasing the resilience of people, property and businesses to the risks of flooding.

### 1.4 Pre-application consultation

Consultation has been undertaken in line with the EA's Communications Plan (EA, 2019) which details communication and engagement aims and objectives in relation to the wider flood risk management scheme (FRMS), along with various channels of communication to be used.

An Action Plan has been developed as part of the above Communications Plan to log consultation events throughout the course of the FRMS development, identify the target audience and record the outcome of each activity.

Bury Council are a partner in the wider scheme and have therefore been involved throughout the development, attending monthly progress meetings ensuring that they were able to advise on any key issues raised during design development.

The EA have also made regular contact with the local residents affected by the FRMS, ensuring that they were kept up to date with the design and finishes. Public engagement events were held in December 2018 and June 2019, providing an opportunity for the wider community to review the design of the proposed development, and provide feedback.

Currently, a developer has commenced work on the site to construct a significant number of new homes. The EA have worked closely with the developer to understand their requirements and to promote alignment and integration of the two schemes.

## 2 Proposed Development

### 2.1 Introduction to the Site

'Radcliffe and Redvales' is an area located on the outskirts of Greater Manchester, encompassing the southern extent of Bury and the western extent of Radcliffe. The proposal subject of this planning application is located at Bury Point as shown on the site location plan ENV0000389C-BMM-DZ-4BP-DR-T-0806018-S2-P01 Bury Point South Tie In - Planning App Boundary.

### 2.2 Planning History

Table 2.1 below provides a list of recent planning applications within or adjacent to the application site. A planning history search has been carried out for the application site and sites within a 50m buffer. Please note that Table 2.1 contains only the site history which is deemed to be of relevance to this application and it is based on information obtained on 28/04/2022.

**Table 2.1: Planning History**

| Application Reference | Submission Date | Application Address                                                                                                                                                                  | Description of Development                                                                                                                                                                                                                                      | Application Status                                 |
|-----------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 64790                 | Mon 14 Oct 2019 | Land to west of Metrolink line at Warth Road; Land to west of Bury Road; Land to east of Whitefield Road; Land to west of Hardy's Gate Bridge and Land to north of York Street, Bury | Proposal A - A series of sheet piled walls and concrete walls across 4 sites<br>Proposal B - Erection of an embankment and retaining wall at land to west of Metrolink line at Warth Road                                                                       | Split Decision – Resubmitted via Application 65171 |
| 65171                 | Wed 05 Feb 2020 | Land to west of Metrolink line at Warth Road; Land to west of Bury Road; Land to east of Whitefield Road; Land to west of Hardy's Gate Bridge and Land to north of York Street, Bury | Various flood defence proposals including sheet piled walls, concrete L-walls and earth embankments, finished in a manner consistent with the local aesthetic.                                                                                                  | Approved                                           |
| 66353                 | Wed 23 Dec 2020 | Land to the north of York Street, Radcliffe.                                                                                                                                         | Construction of a temporary (4yr) flood defence earth bund approximately 240m in length with a maximum height of 3.5m.                                                                                                                                          | Approved                                           |
| 66459                 | Fri 22 Jan 2021 | Land to west of Bury Point, Bury Road, Radcliffe, Manchester, M26 2WX                                                                                                                | Construction of an earth bund within existing channel, approximately 20m in length with a maximum height of 2.5m. Installation of a 600mm culvert to maintain water flow. 100mm headwalls at each side will be included to allow for galvanised steel handrail. | Approved                                           |

| Application Reference | Submission Date | Application Address                                           | Description of Development                                                                                                                                                                                                                                                                                                                                                                                                               | Application Status |
|-----------------------|-----------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 56744                 | Thu 19 Sep 2013 | Land at Bury Road/York Street, Radcliffe, Manchester, M26 2WH | Hybrid full planning application for the erection of 153 no. dwellings together with associated works including the laying out of public open space, and the undertaking of engineering operations to remediate the site, raise the levels, construct an emergency access and development platform for future commercial development; Outline planning application for erection of a Class B1/B2 & B8 development of 7435 m <sup>2</sup> | Approved           |

### 2.3 Background of the wider Flood Risk Management Scheme

This application forms part of the FRMS works which have been introduced previously in this document.

Despite a lack of recorded historical flooding in the area, on 26th December 2015 a major flood event occurred on the River Irwell, measured by nearby gauging stations as the highest on record. The resulting damage was extensive and impacted on over 700 residential properties, businesses and critical infrastructure including electricity substations and mains cables, causing a power outage to approximately 1500 properties and Bury's main wastewater treatment works (WwTW), which heavily polluted the flood water with sewage.

**Photo 2.1: Flooding at Kendall Drive in December 2015**



This flood event was primarily caused by fluvial flooding from the River Irwell as a result of heavy rainfall caused by Storm Eva. However, surface water, artificial drainage systems and channel constraints form additional sources of flooding in the area. Properties were affected at Openshaw Fold Road, Radcliffe Road and Warth Road among others. The extents of this flood event are shown in Figure 2.2 below.

Despite this flood risk, there are no formal flood defences along the River Irwell around Radcliffe and Redvales. Impacts of any future flooding have the potential to be more significant due to several large residential and commercial developments which are planned within the Irwell floodplain.

**Figure 2.2: Extents of historic flood event**



The EA have investigated options to address this flood risk, with an optioneering study undertaken in April 2017. This assessment looked at a broad range of measures that could conceivably be used to help reduce flood risk, and included the following measures:

- Address the flood risk nearer to the 'Source';

- Modify the flood 'Pathway'; and
- Manage the flood risk at the 'Receptors'.

The options were then assessed against the overall objectives of the scheme. The assessment identified a short-list of options. Of these options, 'Option 5C' was selected as the preferred option as it was deemed best placed to meet the scheme objectives and deliver the required standard of protection (SoP), (which is protection against a 1-in-100-year flood event), when compared to the other short-listed options. Each of the scheme design components has been revised and developed further during the detailed design assessment.

In order to meet the scheme delivery programme, and ensure that the required funding could be secured for the proposed development, the wider scheme was split into the following two phases:

- Phase 1: Close Park and Dumers Lane (downstream elements); and
- Phase 2: York Street, Redvales Business Park, Bury Point, Keswick Drive, Warth Business Park and Lower Hinds (upstream elements).

Phase 1 gained planning approval in March 2019 (Bury Council planning reference: 63559) and construction is complete for those elements. Construction is almost complete for Phase 2 elements.

## 2.4 Proposed Development

The proposals comprise the construction of an earth embankment to connect an existing low flood defence wall to the north to high ground to the south. The structure will act to complete a flood defence structure to the private premises to the north.

The embankment will be approximately 60m in length with a maximum height of 2m. The embankment will be constructed of imported slightly cohesive granular material. It is proposed that the embankment is to be a permanent structure upon completion and will tie into an existing wall to the north and higher ground to the south.

Details of the proposed works can be found on the site layout drawing Ref ENV0000389C-BMM-DZ-4BP-DR-T-0213657-S2-P03 General Layout - Bury Point South Tie In.

## 3 Methodology

### 3.1 Construction Management

#### 3.1.1 Hours of Work

It is anticipated that the standard hours of work for all aspects of the scheme construction will be between 0800 – 1800, Monday to Friday and any work outside these hours will be subject to prior agreement with those affected. Night-time working along with any instances of large construction deliveries will be restricted to exceptional circumstances. Vehicle movements will be restricted to off-peak times (0900 – 1500). Whilst the frequency of vehicle movements will increase as a result of restricted times, this is considered to have less of an impact on both local residents and businesses than the alternatively longer operating times.

#### 3.1.2 Traffic Management

Primary access to the works area will be via private land to the south, utilising an existing access track off York Street currently being utilised for the development site as shown on the site location plan ENV0000389C-BMM-DZ-4BP-DR-T-0806018-S2-P02 (Bury Point South Tie In - Planning App Boundary). Restrictions will be in place to ensure traffic coordination with the site owners and prevent unauthorised access to the construction areas.

It is not envisaged that any long-term traffic management restrictions will be in place. Traffic management to and from the site will be arranged with the private owners accordingly.

The anticipated number of vehicle movements during construction of this component is unknown at present. Dust from site roads will be minimised by dampening down using water bowsters. Exhausts from plant and equipment will be controlled by plant maintenance and a selection of appropriate equipment.

The sensitivity of the environment for traffic and transport is minor, whilst no long-term closures are planned as part of the works, an increase in construction vehicles on the local road network is anticipated. In an area with existing high traffic flows and a number of small local roads, this may result in a minor adverse effect to local road users and the local road network.

#### 3.1.3 Welfare

Local welfare facilities will be provided within a small compound area within the site boundary for the duration of the works as necessary.

#### 3.1.4 Security

Security guards will be on duty out of working and construction hours during night-time and weekends. Additionally, where appropriate, temporary Heras fencing will be installed around working sites and entrance areas. Security cameras may be used along the length of the working area which will be tracked by an offsite monitoring station. Furthermore, emergency numbers will be posted to contact the posted security guard in the event of an emergency.

## 4 Policy Review

### 4.1 Introduction

This chapter provides a review of national and local planning policy and guidance relevant to the proposed development. This chapter also demonstrates how the proposed development is in accordance with the identified planning policies.

### 4.2 National Planning Policy

#### 4.2.1 National Planning Policy Framework (NPPF)

The revised NPPF (published in February 2019) sets out the Government's planning policies for England and details how these are expected to be applied. The NPPF is underpinned by a presumption in favour of sustainable development, which has three dimensions; economic, social and environmental:

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

The NPPF clarifies that for decision makers the presumption in favour of sustainable development means that where development proposals are in accordance with an up-to-date development plan, they should be approved without delay (paragraph 11c, NPPF). This is also stated in section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004, which places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise.

Where there are no relevant development plan policies, or where policies are out of date, the NPPF states that planning permission should be granted unless policies within the NPPF provide a clear reason for refusal, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the provisions of the NPPF. The most relevant sections of the NPPF in relation to the proposed development are set out below.

#### 4.2.2 Building a strong, competitive economy

The Government is committed to supporting economic growth, through the provision of planning policies and decisions which help create the conditions in which businesses can invest, expand and adapt.

The delivery of the wider flood defence scheme will help to reduce the risk of flooding to homes, businesses and critical infrastructure, providing the confidence for businesses to invest, expand and adapt.

#### **4.2.3 Making effective use of land**

The NPPF advises that planning policies and decisions should promote the effective use of land in meeting the needs for homes and others uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

By enabling the construction of flood defence structures in this area, the development will help the wider FRMS to provide flood protection against 1-in-100-year flood events for existing land uses, thereby ensuring safety from flood risk. In addition, the proposal may enable new sites to come forward that currently would not meet the sequential test for flood risk.

#### **4.2.4 Achieving well designed places**

The NPPF recognises the importance of creating high quality design, which is fundamental to what the planning and development process should achieve. It recognises good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, over the lifetime of the development.

The design of the scheme is set out in Section 2.5 of this Statement.

#### **4.2.5 Meeting the challenge of climate change, flooding and coastal change**

When determining planning applications, the NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere. A Flood Risk Assessment (FRA) has been produced and accompanies this planning application (Document Reference: ENV0000389C-BMM-DZ-4ZZ-RP-Z-0215016 Flood Risk Assessment). The findings of the FRA demonstrate that, once constructed, the wider FRMS will provide protection from fluvial flooding without increasing flood risk elsewhere. Furthermore, the FRA demonstrates that the site in question will be protected from flooding by the new FRMS infrastructure.

#### **4.2.6 Conserving and enhancing the natural environment**

Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Whilst there will be temporary adverse impacts during construction, these are temporary in nature and are considered to be acceptable. Once operational, the proposal will not increase the risk of pollution. It should also be noted that there are no sensitive uses proposed as part of the scheme.

### **4.3 Planning Practice Guidance**

Planning Practice Guidance have been produced on a range of topics and are used to supplement the NPPF, in guiding development to ensure proposals meet the principles of sustainable development. The guidance documents set out below are considered to be relevant to the proposed development.

#### 4.3.1 Before Submitting an Application

This guidance sets out process and expectations on pre-application discussions and demonstrates the benefits of consultation in terms of improving efficiency and effectiveness of the planning system, as well as improving the quality of planning applications and their likelihood of success.

As partners for the scheme, Bury Council have been involved throughout the design process of the wider scheme. The advice received during discussions helped identify the information required to accompany the various planning applications and confirm key issues to be addressed.

#### 4.3.2 Design

The NPPF recognises that good quality design is an integral part of sustainable development. Development should promote public spaces and routes that are attractive, accessible, safe, uncluttered and work effectively for all users. In addition, good design should consider:

- Local Character (including landscape setting);
- Safe, connected and efficient streets;
- A network of greenspaces (including parks) and public places;
- Crime prevention;
- Security measures;
- Access and inclusion;
- Efficient use of natural resources; and
- Cohesive and vibrant neighbourhoods.

The proposals comprise the construction of an earth embankment to connect an existing low flood defence wall to the north to high ground to the south. The structure will act to complete a flood defence structure to the private premises to the north.

The embankment will be approximately 60m in length with a maximum height of 2m. The embankment will be constructed of imported slightly cohesive granular material. It is proposed that the embankment is to be a permanent structure upon completion.

#### 4.3.3 Flood Risk and Coastal Change

Local planning authorities and developers should seek opportunities to reduce the overall level of flood risk through measures such as safeguarding land for flood risk management and seek opportunities to reduce the causes and impacts of flooding.

Once constructed, the wider FRMS will provide protection to 873 properties and businesses from fluvial flooding from the River Irwell during a 1-in-100-year flood event. The additional length of embankment proposed in this application will complete a set of defences by extending an existing wall to high ground to provide a standard of flood protection (lower level, not 1-in-100yr) to a private industrial site to the north of the proposal.

A Flood Risk Assessment (Document Reference: ENV0000389C-BMM-DZ-4ZZ-RP-Z-0215016 Flood Risk Assessment) accompanies this application.

#### 4.4 Local Planning Policy

Local planning policies relevant to the proposed development are set out in several policy documents. These include:

- Bury Unitary Development Plan;
- The emerging Bury Local Plan; and
- The Greater Manchester Places for Everyone joint development plan

In addition to the above plans, there are also a number of Supplementary Planning Documents (SPDs) which provide additional guidance on the implementation of particular planning policies.

The relevant local plan policies, draft policies and supporting planning guidance relevant to this planning application are outlined in Table 4.1 below. An assessment of the proposals against the local plan is also provided within Table 4.1.

#### 4.5 Bury Council Unitary Development Plan

The current Bury Local Plan is the Bury Unitary Development Plan (UDP) which was adopted on 29th August 1997 and sets out the Council's current policies and proposals for development and land use.

The Council is working to replace the adopted UDP, however until the emerging Local Plan is adopted, the majority of the policies within the UDP have been saved under the provisions of the planning and Compensation Act 2004. Since the adoption of the Bury UDP, the NPPF has been published (2012, updated in 2018 and subsequently in 2019). The NPPF states that policies within existing plans are material consideration in determining planning applications and that due weight should be given to relevant policies according to their degree of consistency with the NPPF.

Bury Council undertook an assessment in March 2013, to determine consistency between the policies in the UDP and those set out in the 2012 NPPF, to form the basis of determining the weight that should be apportioned to UDP policies.

Overall, UDP policies were considered to be consistent with the provisions of the NPPF, although there were some exceptions to this. The findings of the assessment are reflected in the assessment of local policies in Table 4.1 below.

#### 4.6 Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD) provide additional information on how the Council will implement various saved policies in the UDP.

SPG was prepared under the previous development plan system. However, since the introduction of the Planning and Compulsory Purchase Act 2004, advice produced since then is referred to as Supplementary Planning Documents (SPD). Those considered to be of relevance include:

- SPG 2 – Wildlife links and corridors; and
- SPD 16 – Design and layout of new development

##### 4.6.1 The Emerging Bury Local Plan

Bury Council is preparing a new Local Plan, covering the period up to 2037, which will eventually update and replace current UDP policies.

- In March 2017, Bury Council commenced early engagement with key stakeholders and local communities in advance on a consultation on the Key Issues and Policy Framework Report, which took place in August 2017, alongside a 'Call for Sites' for landowners, developers and others with a land interest to put forward site to be considered for development or protection. This phase of the process ended early October 2017. From October 2018 until November 2018, the Council sought views on the Local Plan's Policy Directions report and supporting evidence. Following this, consultation on the first draft local plan was expected to commence in Autumn 2019, subject to the progress of the Greater Manchester Places for Everyone joint development plan. It is suggested in the Local Development Scheme (published in February 2022) that consultation is now set to take place in Autumn 2022. The plan is still in its early stages and therefore carries little weight in the determination of planning applications. It is yet to be adopted. Adoption is anticipated in mid-2024.

#### 4.7 Places for Everyone Joint Development Plan

Nine councils in Greater Manchester have now submitted the Places for Everyone plan to the Secretary of State for Levelling Up, Housing and Communities. The plan has been submitted together with all the supporting documents, background evidence, and representations received during the final stage of public consultation, which took place from 9 August to 3 October 2021. Independent Inspectors have now been appointed to undertake an independent examination into the plan.

Once adopted, will set out a strategic planning framework for Greater Manchester, including identifying the amount of new employment floorspace and housing that is required and the

As the framework is some way off being adopted, it has not been considered as part of the assessment of the proposed scheme.

**Table 4.1: Bury Council Unitary Development Plan Assessment**

| Policy Number                        | Policy Summary                                                                                                                                                                                                                                                                                                                                                                                                                                               | Assessment of Policy                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EN5 – Flood Protection and Defence   | The Council will seek to control development in a manner consistent with flood protection and the maintenance of flood defence systems.                                                                                                                                                                                                                                                                                                                      | The principle of the proposed scheme is to provide flood protection to a number of homes and businesses from a 1-in-100-year flood event.                                                                                                                                                                                                                         |
| H5 – Housing Improvement             | The Council will continue to support the improvement of the housing stock and its environment.                                                                                                                                                                                                                                                                                                                                                               | The proposed development is part of a wider scheme that will help to reduce flood risk in the area by protecting 873 properties from up to 1-in-100-year flood events.                                                                                                                                                                                            |
| EN6/4 – Wildlife Links and Corridors | The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate. | The design of the wider FRMS, of which this application forms a part, includes the planting of a number of trees to strengthen the wildlife corridor. Across the scheme, where a tree is to be removed the aspiration is to replant at a minimum 1:1 ratio, however noting this is significantly restricted by space available within the footprint of the works. |
| OL5/2 - Development in River Valleys | Within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections.                                                                                                                                                          | All components of the wider FRMS can be considered crucial to maintaining employment and residential land from an economic perspective by protecting them from 1-in-100-year flood events. Furthermore, the proposed works will not affect the openness of the valley and the work is considered necessary to enable the wider FRMS works to be effective.        |
| EN1/1 – Visual Amenity               | Development will not be permitted where proposals would have a detrimental effect on: <ul style="list-style-type: none"> <li>the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.</li> </ul>                                                                                                                                                                | The proposed embankment is not within green belt land or a special landscape area, but nevertheless will be designed and finished in a manner which will have little visual impact to the surrounding area,                                                                                                                                                       |

## 5 Key Considerations

### 5.1 Principle of Development

The proposed works are considered necessary to enable the construction of the wider FRMS at this site and will tie into previously consented flood protection measures. The policy assessment above highlights that the proposed works will not have a detrimental effect on the River Valley character, wildlife corridors or visual amenity. In addition, the proposed earth embankment will be located wholly on an existing development site. All vegetation has been cleared by a developer as part of the previous application.

### 5.2 Access

Primary access to the works area will be via private land to the south, utilising an existing access track off York Street currently being utilised for the development site as shown on the site location plan ENV0000389C-BMM-DZ-4BP-DR-T-0806018-S2-P02 (Bury Point South Tie In - Planning App Boundary). Restrictions will be in place to ensure traffic coordination with the site owners and prevent unauthorised access to the construction areas.

It is not envisaged that any long-term traffic management restrictions will be in place. Traffic management to and from the site will be arranged with the private owners accordingly.

The anticipated number of vehicle movements during construction of this component will not significantly increase from that reported in the previous phase 2 main works application (Bury Council Ref 65171). Dust from site roads will be minimised by dampening down using water bowsters. Exhausts from plant and equipment will be controlled by plant maintenance and a selection of appropriate equipment.

The sensitivity of the environment for traffic and transport is minor, whilst no long-term closures are planned as part of the works, an increase in construction vehicles on the local road network is anticipated. In an area with existing high traffic flows and a number of small local roads, this may result in a minor adverse effect to local road users and the local road network.

### 5.3 The Environment

#### 5.3.1 Ecology

A Phase 1 Habitat Survey and associated Preliminary Ecological Appraisal Report (PEAR) was produced in July 2020 (see ENV0000389C-BMM-DZ-4ZZ-RP-EN-0301057) to conclude that due to the works associated with application No. 65847 having already begun there was limited potential for protected and notable species to be present on site. Following consultation with Greater Manchester Ecology Unit (GMEU) it was confirmed that the site has limited potential to support notable and protected species including Great Crested Newts (GCN). As the PEAR was undertaken in 2020, a further walkover was conducted on 22nd April 2022 to provide an update on the ecological baseline and any changes since the 2020 PEAR (see ENV0000389C-BMM-DZ-4BP-TN-EN-0301083).

As a result of the 2022 survey, a single infrequently used outlier has been identified within 10 - 15m of the proposed embankment alignment. As such the works are able to proceed legally and a report has been produced (Phase 2 Badger Method Statement - ED/100170-01) to inform and agree a working method which assures all parties of works proceeding without the requirement for a license to be granted under application under the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and

Species Regulations 2010 (as amended). Given that the works are small scale and short in duration with no loss or damage to sub-optimal habitat, it was concluded that, provided the works proceeded under a precautionary method of working with risk avoidance measures in place, then the works were unlikely to affect individual badger or impact the conservation status of this species even if present in the habitats to be damaged and/or destroyed.

All other species of interest are not anticipated to be affected by the works due to the defence being set back from the River, along with no further need to remove vegetation or trees as this has already been undertaken under application No. 65847.

The Radcliffe and Redvales FRMS Non-Statutory Environmental Report (ER) (see ENV0000389C-MMD-DZ-4ZZ-RP-EN-030406) provides a summary of the environmental baseline associated with Phase 2 of the FRMS. As this area of land was not considered at the time of writing it is not explicitly mentioned. However, a number of the reports on which the Non-Statutory ER summarises do cover the land associated with the proposed scheme and confirm that no further assessments are deemed to be necessary in relation to cultural heritage or the Water Framework Directive.

An Arboricultural assessment has already been undertaken by Pin Property Consulting Ltd and any associated tree removal already undertaken. The proposed scheme does not require any further tree removal.

### 5.3.2 Water Framework Directive

Construction will incorporate best practice measures to mitigate any risk to surface water pollution and potential pollution of watercourses. Construction will incorporate appropriate health and safety protocols, including weather and flood forecast monitoring. The works will be undertaken in accordance with construction best practice and are not anticipated to pose a risk to WFD compliance or anticipated to result in any adverse impacts to WFD waterbodies and will not result in any substantial permanent hydromorphology change to the River Irwell.

### 5.3.3 Landscape

Temporary visual effects are anticipated during construction due to construction vehicles/plant, site compound and the removal of any existing trees and vegetation. As the existing site is currently an active construction site, the proposed works are in keeping with the current land use and are not anticipated to result in a significant change in landscape and visual amenity. There are no Tree Preservation Orders (TPOs) within the study area.

On completion, the proposed development is not anticipated to result in an adverse impact to visual amenity. The embankment will be seeded with a meadow mixture for wetlands (EM8) on completion.

### 5.3.4 Arboriculture

It is not envisaged that any trees will be removed during the instalment of the earth embankment. A developer on the site has previously removed any vegetation or trees. Across the wider Radcliffe and Redvales FRMS, a significant number of trees have been planted to replace those lost to successfully install the flood defences.

### 5.3.5 EIA

An EIA Screening Report was submitted in 2018 which concluded no likely significant effects will arise as a result of the works and the Scheme is not EIA development. A screening opinion

was then received by Bury Council in November 2018 to confirm the Scheme was not EIA development, it is understood this opinion still stands in respect of the current proposal.

## 6 Conclusion

This planning application forms part of the wider Radcliffe and Redvales Flood Risk Management Scheme. The proposed works seek to construct an earth embankment which has been designed to tie into a previously approved wall to improve the performance of the flood defences in this area. Planning permission is being sought for this embankment as it falls outside the original planning application boundary for the scheme.

Whilst there will be temporary adverse impacts during the construction phase, these can be monitored and reduced where possible by best practice and mitigation measures.

It is considered that, once complete, the proposal will not have any adverse impacts on the local community or environment but will seek to reduce flood risk to business premises in the immediate area.

An assessment of the scheme against national and local planning policy documents and guidance has been included in this Statement, which concludes that the proposal is in accordance with the relevant policies. It is therefore considered that the scheme is compliant with all planning policy and should therefore be considered as an appropriate development.

