



TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2017 (AS AMENDED): REGULATION 15 SCOPING OPINION

APPLICATION REFERENCE: 24/01039/SCO

Name and address for correspondence:	Applicant name:
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Part 1 - Particulars of Application

Date of Application: 17 October 2024

Proposal:	Environmental impact assessment (EIA) scoping opinion for proposed Northern Gateway site (JPA 1.1)
Location:	Northern Gateway (JPA1.1), Land at Heywood/Pilsworth, bounded by M66, M62, Pilsworth Road & Queen Elizabeth II Way

Part 2 - Particulars of decision

The Rochdale Metropolitan Borough Council hereby give notice in pursuance of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) that the Council agrees the following topics will be scoped into the Environmental Statement:

- *Socio-Economics and Human Health (Chapter 6)*
- *Transport and Access (Chapter 7)*
- *Noise and Vibration (Chapter 8)*
- *Air Quality (Chapter 9)*
- *Biodiversity (Chapter 10)*
- *Hydrology, Flood Risk and Water Quality (Chapter 11)*
- *Ground Conditions and Contamination (Chapter 12)*
- *Agriculture and Soils (Chapter 13)*
- *Archaeology (Chapter 14)*
- *Built Heritage (Chapter 15)*
- *Landscape and Visual (Chapter 16)*
- *Climate Change (Chapter 17)*

The following topics were considered and it is agreed that there is no requirement for them to be scoped into the Environmental Statement:

- *Lighting*
- *Waste*
- *Minerals*
- *Major Accidents and/or Disasters*
- *Microclimate:*
 - *Daylight, Sunlight, Overshadowing*
 - *Glint and Glare*
 - *Wind*

Further information in relation to the scope of topics and the approach to EIA is provided in the attached scoping response.

Date Decision Issued 21st August 2025

Melanie Hale
Head of Planning Services



ROCHDALE
BOROUGH COUNCIL

ECONOMY & PLACE DIRECTORATE

PLANNING AND DEVELOPMENT

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Date: 21st August 2025

Emma Eldred
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Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017 (AS AMENDED)

Application No:	24/01039/SCO
Application Type:	Scoping Opinion
Proposal:	Environmental impact assessment (EIA) scoping opinion for proposed Northern Gateway site (JPA 1.1)
Location:	Northern Gateway (JPA1.1), Land at Heywood/Pilsworth, bounded by M66, M62, Pilsworth Road & Queen Elizabeth II Way

I am writing in response to your scoping report submitted for the above project. The Council's response is as follows.

Approach to EIA

Approach to scoping

At the time of the scoping report submission a significant amount of design and technical assessment work remained outstanding which will inform the potential significant environmental effects of the development. This is acknowledged in the submitted Scoping Report and the LPAs would agree with the need for an iterative approach to scoping as further technical and design information becomes available before or during the course of any future application. Such matters may also include the definition of the project for assessment, the identified mitigation measures, development principles and other matters where relevant.

Approach to Definition of Project and Mitigation

The Scoping report sets out an approach which defines any off-site improvements and mitigations in relation to highways as 'Secondary Mitigation'. It differentiates these from 'Primary Mitigation' which are modifications to the location or design of the Project for Assessment made during the pre-application phase that are an inherent part of the project.

The Council would use caution with the terminology employed here as 'Secondary' measures could be presented as being of lesser importance or less critical to delivery of the project for assessment. The Project as a whole reflects the PFE allocation, as recently supplemented by the Development Framework SPD, which require the comprehensive development of the wider site, with measures, which would be defined as Secondary Mitigation, inherent to the overall delivery. This reflects the PFE requirements which refers to various highways interventions under Appendix D as 'necessary'. This therefore limits the degree to which these mitigation measures as part of the Project for Assessment and their subsequent environmental effects can be presented separately from any Proposed Schemes for more limited geographical areas. Where such measures are identified as inherent and necessary to

a proposed scheme, the significant environmental effects must be considered.

Another element of offsite mitigation referred to in the Scoping Report is the Potential Off-site Ecological Mitigation Area (POSEMA). The council would again use caution with how the POSEMA is referred to in relation to the Project for Assessment as opposed to a proposed scheme as part of an application. Any application will need to demonstrate compliance with BNG and ecological policy requirements, including adherence to the hierarchy and prioritisation of onsite provision. These are matters to be determined as part of the planning application. The Scoping Report currently relates the POSEMA to the Project for Assessment, however this land may have no relation to areas outside of the NGDV's future application, whilst other off-site areas not identified in the report may form part of mitigation for other proposed schemes within the wider project for assessment.

Approach to Assessment of Alternatives

The approach to alternative sites and designs is agreed and accepted.

The approach to Alternative Technologies should provide further consideration. The Scoping report states that in respect of construction; alternative technologies are largely dictated by 'build-ability' and cost exercises rather than environmental-focused considerations. For the purpose of EIA it is critical that the construction phase is first demonstrated as being acceptable, having regard to any residual environmental effects, before alternative technologies for delivery can be discounted.

During the course of determination of this scoping response, discussions have included a recognition that alternative technologies may also be an important consideration in assessing the potentially significant effects of certain environmental factors. Namely, the profile of potential environmental effects of very high energy/water usage operators such as data centres could vary significantly depending on cooling and energy production technologies employed by such facilities. Furthermore, given the advanced concepts for energy generation, micro-grids, district heating, etc. which may have relevance to the site, it is considered that alternative technologies in the construction and operation of the development could have significant impacts on the residual environmental effects.

Consultation bodies

Regulation 2(1) defines certain public bodies as 'consultation bodies' for the purpose of the regulations. These include:

- Natural England;
- Environment Agency; and
- Marine Management Organisation.

PPG also confirms that the term 'consultation bodies' can also include other bodies designated by statutory provision as having specific environmental responsibilities and which the relevant local planning authority or the Secretary of State considers are likely to have an interest in the application. In relation to this request the following consultation bodies have been approached by the council for their views.

Consultations

Internal

- Highways
- Public Rights of Way
- Environmental Protection
 - Air Quality
 - Land Contamination
 - Noise and Vibration
- Conservation
- Flood Risk and Drainage

External

- National Highways
- Transport for Greater Manchester

- Environment Agency
- United Utilities
- Mining Remediation Authority (Formerly Coal Authority)
- Greater Manchester Archaeological Advisory Service
- Greater Manchester Minerals and Waste Planning Unit
- HSE
- Cadent
- Greater Manchester Ecological Unit
- Natural England
- Historic England
- NHS Heywood and Middleton CCG
- Other GM Planning Authorities

5. Environmental topics which are Not Significant

Minerals and waste

The scoping report states that waste should be scoped out and considered through the preparation of a site waste management plan and a construction environmental management plan. The scoping report also states that minerals should be scoped out and considered through the mineral safeguarding assessment. The GM Minerals and Waste Planning Unit agree with the recommendations.

The Council is satisfied that the Minerals and Waste can reasonably be managed through the embedded mitigation and normal assessment at planning application stage. The council would however note that given the nature of the site which is to be developed over many years and aspires to facilitate new and innovative business uses over its lifetime, including advanced manufacturing, there may future potential for very plot/operator specific outputs with regards to waste. Whilst it is not something which could be reasonably predicted at this stage, and would have further control through separate legislation, there may be a need for further environmental information if such a case arises in future.

Major Accidents and/or Disasters

The council is satisfied with the consideration and justification given within the scoping report to exclude Major Accidents and/or Disasters from the ES. As with Waste, the council would again note that whilst reasonable assumptions have been made at this stage of assessment, future operator specific outputs may necessitate further environmental information at a later stage.

Microclimate

The council is satisfied that microclimate can be scoped out of the ES. The following observations are however made for consideration in the final ES.

Wind

The current height parameter is set at 50m, with an additional allowance for 15m increase in ground levels totalling 65m above existing ground levels. The scale and length of the buildings, in combination with this height, and their potential locations along other topographical features such as major road infrastructure, acoustic/landscaping bunds, has the potential to create valleys. These areas may be identified for use by pedestrians and could see potentially significant impacts from winds. It is noted that the height parameter allows for rooftop wind power generation and that the heights of the primary building structures themselves will likely be lower. Any future planning application would however need to provide further clarification on the building heights, including consideration of embedded mitigation through the layout of any future proposals which should minimise significant wind tunnel or valley effects and through use of features such as landscaping for wind breaks.

Urban Heat Island

Whilst not considered specifically under the microclimate heading of the scoping report, consideration should be shown within the Biodiversity and Climate Change sections of the report to understand implications of the proposals with regards to the impact of the buildings and built surfaces in creating urbanised heat in a presently undeveloped area.

Lighting

The scoping report highlights that impacts of lighting will be considered in relation to the Biodiversity and LVIA chapters, but proposes to scope out lighting as a topic on the basis of predicted effects in relation to construction and operation nuisance, on residential receptors and users of the public rights of way around the site. The baseline has identified that the site would be classified as Environmental Zone E2 – low district brightness and through the development of the site is predicted to increase to an E3 medium brightness district. The proposals will primarily deliver large scale commercial buildings, many of which will be potential 24-hour, high security operations, so the lighting demand is expected to be substantial. Whilst embedded mitigation will minimise impacts, the cumulative impact of the lighting across the site will create a notable change to the night time lighting conditions across a largely undeveloped area that currently provides relief from light pollution in the wider metropolitan context.

During the determination period for this scoping response, you have advised that through standard lighting design, the proposed scheme is unlikely to be a statutory nuisance on existing or future residents given need for compliance with British Standards and that Lighting being a ‘source of a particular impact’ requires the skills of the ecology and landscape specialists, which is why the assessment sits within those relevant chapters. The Scoping report submitted provide limited reference to lighting impacts to be addressed within these chapters. However, subject to sufficient detail and more explicit reference to potentially significant effects of lighting within the identified Biodiversity and LVIA chapters, this approach would be accepted.

6. Socio-economics and human health

It is agreed that the socio-economics and human health impacts should be scoped into EIA and there are no objections to the methodology proposed.

7. Transport and access

The comments from Transport for GM (TfGM) are attached to this response and highlight the recommended approach and the information that should be in the Transport Assessment.

National Highways comments

Scope of SRN assessment

Junction location 19 - M62 Junction 18 (Simister Island) should be included as a junction for assessment for JPA 1.1.

Junction location 19 - M62 Junction 18 (Simister Island) should be considered as a junction for assessment for JPA 1.2.

Assessment methodology of effects likely/significant

In table 7.2, the Northern Gateway SOD should be referenced in the pending/emerging section, especially as it is referred to in Extract 2.1 - Structure of information to inform the ES.

NGTM traffic model and derivation of traffic volumes for ES

Comments will be provided on the Transport Assessment Scoping Note Update (TASNU) and the TASNU Addendum separately as part of the Transport Assessment scoping process.

Driver delay

The approach outlined in paragraph 4.8 would not be standard for the Strategic Road Network (SRN) but could be useful to provide additional context for non-SRN junctions being considered in the EIA.

Limitations and assumptions

WSP (as appointed by National Highways) will continue to liaise with the transport consultants as the EIA and Transport Assessment are developed.

Overall, the approach set out in the EIA Scoping Note is consistent with the principles of IEMA guidance. A key point of note at this stage is the requirement of the DfT Circular 01/2022 regarding Environmental Assessment in that the impacts from any proposed works to the SRN (including measures to mitigate these impacts) is to be included in the EIA when considering development proposals.

In the case of the Northern Gateway, the final scale and form of the highway mitigation at the SRN is yet to be determined; however, it is recognised at this stage that it is likely to be significant and could potentially require an independent consenting regime via DCO.

The EIA for the Northern Gateway therefore needs to adequately address this point as construction of works of significant scale at the SRN could potentially give rise to greater environmental impact than the operational phase of the development itself.

Some information prepared as part of the PCF study are internal documents, but the National Highways Spatial Planning team will liaise to see what/if any information can be shared that could assist with the preparation of the EIA.

8. Noise and vibration

The impacts of noise and vibration have been considered within Chapter 8 of the scoping report. It concludes that operational vibration is unlikely to have a significant effect and has been scoped out. The scoping report concludes that the following would have a significant effect:

- Noise from construction works
- Vibration from construction works
- Construction traffic noise on the road network
- Noise from proposed commercial and industrial uses
- Noise from proposed energy infrastructure
- Noise from development generated road traffic and potential highway infrastructure
- Noise from existing and reasonably foreseeable future noise sources.

The Environmental Health Pollution Control section have confirmed that they have no objections to this approach and the methodology proposed in the scoping report.

9. Air quality

Air Quality was considered within Chapter 9 of the Scoping Report. The site is partially located within an Air Quality Management Area (AQMA), which has been declared due to exceedances of the annual mean Air Quality Objective (AQO) for nitrogen dioxide (NO₂). This encompasses the M62 to the south and the M66 to the west and are the principal sources of atmospheric emissions around the site.

The assessment identified that changes to concentrations of NO₂, PM₁₀ and PM_{2.5} as a result of emissions from development generated traffic would have a likely and significant effect to all spatial zones during construction and operation. Exposure to elevated NO₂, PM₁₀ and PM_{2.5} concentrations associated with vehicle exhaust emissions on the local road network would have a likely and significant effect during operations for the Pink (Bury only) and Purple (Rochdale only) Quarters. An Air Quality Constraints report has already been produced (August 2021) and we have provided comments on this and agreed with the recommendations for a Detailed Air Quality Assessment (DAQA) to include Construction Phase and Mitigation Measures Report to be submitted to support a planning application when it comes forward. Furthermore, it is likely that the following condition maybe recommended in addition:

AQ01 - ELECTRIC VEHICLE CHARGE POINTS

All residential:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

Residential more than 10 parking spaces:

- Cable routes to be provided for all parking spaces which do not have access to an electric vehicle charging point.

New buildings other than residential or mixed use and more than 10 spaces:

- A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) and at least one in every five remaining parking spaces must be provided with cable routes.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding

minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

The following effects were considered unlikely to be significant and maybe managed by mitigation where identified:

- Nuisance and disturbance as a result of dust from construction activities
- Nuisance and disturbance as a result of odour from the Pilsworth South Landfill Site

10. Biodiversity

Extensive consultation responses have been received from Natural England, Greater Manchester Ecology Unit (GMEU), Lancashire Wildlife Trust, and the Environment Agency with respect to the Biodiversity Chapter. These responses are provided in full alongside this letter.

Natural England have also highlighted the need to consider environmental impacts holistically across chapters in relation to consideration of Air Quality impacts on the Holcroft Moss SAC and the relationship between impacts of climate change and effects on biodiversity.

GMEU have identified potential concerns in relation to the extent or survey assessments, particularly in relation to certain groups of wildlife, including species associated with the pondscape and to a lesser extent, farmland priority species, which will utilise the whole site. In addition to consideration of Holcroft Moss SAC, GMEU also request that consideration is given to potential increase in traffic through the South Pennines SPA and SAC. GMEU request that more detailed survey information including an assessment against the GM SBI guidelines is provided for the pondscape across the site and for the Whittle Brook/Castle Brook valleys/corridors.

GMEU highlight that in regards to Great Crested Newts, whilst none of the ponds or pond clusters are designated as SBI's, this is due primarily to a lack of up to date information on the overall meta-population size, which may well exceed populations found in other ponds that have been designated as an SBI elsewhere in Bury and Rochdale and in Greater Manchester. Therefore, assessment to date has established the presence of GCN across the site, through eDNA surveys, but has not established the size of the population. They consider that regardless of the licensing approach and number of ponds retained, full GCN surveys will be required. With regards to farmland protected and priority species the ES should discuss how mitigation would be provided to prevent any significant harm to any species that are likely to become locally extinct as a result of the development. They identify a lack of up-to-date evidence as to the presence/absence of aquatic invertebrates and aquatic plants which should therefore be included in the Environment Assessment.

The Lancashire Wildlife Trust have identified that baseline data would be required for the proposed offsite ecological mitigation areas. They also identify the need to consider climate resilience with respect to the green and blue infrastructure on site. Advice has been provided on the survey types with a request for full UK Habs assessments in place of Phase-One Habitat surveys. With respect to trees LWT identify that note that tree quality surveys are undertaken to determine tree health and this is not an estimate of the ecological value of any particular tree. Trees identified in poor health are often found to be important for their biodiversity interest. LWT also highlight the impacts on farmlands/grasslands on species such as Lapwing and the need to ensure that ecological value is not only attributed to land based on botanical diversity.

Overall, the scoping in of Biodiversity within the ES is agreed however it is considered necessary to also scope in the impacts on aquatic invertebrates. Additionally, detailed advice is provided within the full responses on a number of factors with regards to the methodology and overall scope of assessment, through the ES and planning application. Additional advice is provided in respect of Biodiversity and water quality in the following section of this response.

11. Hydrology, flood risk and water quality

Within the site there are areas located within flood zone 2 and 3, which are sited along Hollins Brook, Whittle Brook and Brightley Brook. The site is located within a Water Framework Directive (WFD) surface body catchment - the Whittle Brook (Irwell) catchment, which has an ecological classification of moderate. The site is located within the Northern Manchester Carboniferous Aquifers WFD groundwater catchment, which has an overall classification of poor.

The decrease in water quality as a result of runoff during construction activities, the increase in flood risk

as a result of runoff during construction activities on site and increased water demand on water supply as a result of water use during construction activities have been considered as unlikely to be significant and would be scoped out.

The scoping report concludes that the following would have a significant effect:

- decrease in water quality as a result of runoff
- increase in surface water flood risk as a result of increased overland flows from changes to topography and increased areas of hardstanding
- increase in fluvial flood risk as a result of areas of hardstanding within the flood plain
- increase in flood risk due to potential filling of existing drainage channels
- flood risk as a result of flooding from off-site reservoirs
- flood risk as a result of flooding from failure of on-site reservoirs installed as part of drainage strategy
- increased demand on existing drainage networks and waste water treatment works
- increased demand on water resources and associated infrastructure
- decrease in groundwater as a result of infiltration of surface waters through SuDS
- changes to the groundwater hydrological regime as a result of changes to hardstanding areas.

Flood risk

The intention to undertake a Flood Risk Assessment (FRA) and associated flood modelling exercise to support the forthcoming ES is welcomed.

It is noted that the design event flood levels will be established from the flood modelling exercise intended to be undertaken to understand baseline flood risk and support the forthcoming planning application. It is recommended that a range of return periods are included and considered within the assessment of flood risk. The intention to steer development into lower areas of flood risk is noted and would advise, in addition to siting development in Flood Zone 1, ensuring built development is also located outside of the 1 in 100 year plus appropriate climate change extent.

The intention to incorporate flood alleviation measures to reduce flood risk associated with the Whittle Brook; Hollins Brook and Brightly Brook where appropriate is welcomed. As part of the forthcoming development, interventions which provide multi-functional benefits to manage flood risk from surface water runoff and watercourses where ecological enhancements could also be incorporated would be welcomed.

It is advised that the applicant seeks opportunities as part of the proposed development by, but not limited to, achieving better than greenfield run off rates for surface water discharges and / or implement natural flood management techniques prior to surface water discharging to watercourses. It is further advised for surface water drainage connections intended to be made to designated 'main rivers', the Environment Agency (EA) also have a preference for outfalls to be set back from the river bank. Such proposals would contribute to the development having a positive effect on the environment in this location.

It is noted that Section 4.18 states watercourses may need to be culverted to enable primary and secondary access routes. Please note, the EA is opposed to culverting of any watercourse as a result of the adverse; flood risk; ecological; geomorphological; human safety; and aesthetic impacts. It is strongly advised that alternative options to culverting are sought for access for either the purposes to facilitate construction and / or the final intended development proposals.

It is advised that technical reporting to support the forthcoming planning application should include details of schemes to:

- Dispose of foul and surface water
- Install oil and petrol separators
- Install trapped gullies
- Treat and remove suspended solids from surface water run-off during construction works

Design considerations for the above schemes should not only be isolated to dealing with the management of flood risk but also demonstrate how proposals contribute to enhancing the wider

environment, such as, considerations of Water Framework Directive (WFD) objectives and implementation of ecological enhancement where possible (as outlined below).

For further advice on planning considerations from a flood risk perspective, we would advise consulting the following:

- The 'Flood Risk and Coastal Change' pages of the Planning Practice Guidance:
<http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>.
- Guidance on the contents of a site-specific Flood Risk Assessment:
<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>.

Sustainable Drainage Systems

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches.

In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

United Utilities have provided a response to the scoping consultation, setting out key areas for consideration in the detailed design process and in the preparation of any planning application. These key areas are the delivery of sustainable foul and surface water drainage proposals; Asset protection for existing water and wastewater infrastructure which is located within or close to the proposed redline boundary; and Flood Risk and Water Efficiency in accordance PfE Policy JP-S4: Flood Risk and the Water Environment. A key principle of UU's response is to confirm that no surface water will discharge to the public sewer network, and that proposals must be supported by designs which cover discharge to more sustainable options.

As part of this UU have requested a co-ordinated and holistic approach to infrastructure delivery across the site, with the applicant asked to provide a site-wide strategy for foul and surface water. This is intended to ensure the most sustainable and cost-effective delivery of infrastructure. The Scoping Report has assumed that within the design of future proposals that surface water will be drained by sustainable methods and has included topics in relation to surface water flood risk, and impacts of increased demand on infrastructure. Therefore, the scope of the assessment is considered appropriate in terms of effects relating to drainage infrastructure and should take the UU response into consideration when preparing any future ES and planning application.

UU have also identified the need to demonstrate how any future development can demonstrate water efficiency and the need to embrace sustainable measures as part of any approach to carbon neutrality. The Scoping Report proposes to include the increased demand on water resources and associated infrastructure in the assessment. Further commentary is provided in relation to the climate change chapter.

Flood Risk Activity Permits

There are designated 'main rivers' within the Northern Gateway development boundary and, therefore, proposed activities on / near the watercourse may require an Environmental Permit granted by the EA. The Environmental Permitting (England and Wales) Regulations 2016 require a permit 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 river bank, culvert or flood defence structure (16 metres

if it's a tidal main river) and you don't already have planning permission

The granting of planning permission does not necessitate the grant of an environmental permit or vice versa. Therefore, it is advised consultation is sought with the EA at the earliest opportunity to determine any flood risk activity permitting requirements for the proposed development. For further guidance on this topic matter please also refer to: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Water Framework Directive and Biodiversity

It is noted that there are several watercourses located within the site red line boundary. Land alongside watercourses is particularly valuable for wildlife and, therefore, it is essential such areas are either protected or enhanced. The retention of a continuous unobstructed watercourse corridor is an essential requirement for the preservation of wildlife habitat, flood flow conveyance and future watercourse maintenance / improvements.

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD Regulations) and associated North West River Basin Management (RBMP) require that water bodies are protected from deterioration and pollution whilst advocating the restoration and enhancement of water bodies to promote recovery. New proposals should aim to contribute to the attainment of 'Good Ecological Status' for WFD waterbodies.

The intention to produce a WFD Assessment to not only determine potential impacts but to also explore potential enhancement opportunities for the waterbodies located within the development site boundary (paragraph 2.120) is welcomed.

The Whittle Brook (Irwell) (GB112069061250) waterbody within the development site has an ecological classification of 'moderate', including biological water quality, as a result of the previously intensive managed farmland within the assessment boundary. Therefore, there are potential opportunities which could be incorporated into the intended development proposals to improve water quality of the waterbodies within the site boundary through the adoption of good environmental practice.

It is noted that PfE policy under JPA 1.1 requires the proposed development to 'make provision of new, high quality, publicly accessible multi-functional green and blue infrastructure including the integration and enhancement of existing features such as Brightly Brook, Whittle Brook and Castle Brook.' Therefore, it is advocated that ecology and water quality as well as flood risk is actively considered within the scheme and seek to implement potential interventions (i.e. in-channel / riparian enhancements), where possible, which contribute to achieving the overarching objectives of the WFD.

The Flood Risk, Hydrology and Water Quality section should consider the hydromorphological baseline of watercourses within the study area. Hydromorphology is a supporting ecological element under the WFD and impacts to this element will require assessing as part of the proposed WFD Assessment. A site walkover survey undertaken by a suitably qualified geomorphologist is highly recommended.

Any physical works to the channel as a result of the forthcoming development may have an impact on the hydromorphology of watercourses as a receptor and will need to be assessed accordingly (i.e. alongside effects established under Table 11.1). Based on the identified need for multiple new crossings i.e. on the Whittle Brook and associated tributaries; multiple new site surface water drainage connections; and as yet to be determined riparian boundary treatment along the multiple waterbodies within this site, there is a potential risk of increases in flows and erosion to existing waterbodies, and possibility to create new hydrological and connectivity issues. An assessment of impact to this receptor should be informed by the baseline hydromorphology survey.

Under section 10.14 of the Biodiversity topic, it is recommended that invertebrates, particularly in regards to macro-invertebrate assemblage within the existing watercourses that flow through the site, be retained within the scope to determine the scheme's impacts during construction. This is based on the intended watercourse crossings for access; surface water connections; and yet to be determined riparian boundary strategy along the watercourses.

Biological monitoring of certain watercourses provides the vehicle to potentially identify interventions to improve the water quality status of the Whittle Brook WFD waterbody and ensure best environmental

practice is adopted across the development site and catchment area. Therefore, in addition to considerations under Table 10.2, watercourses need to be assessed for aquatic invertebrate assemblages as key ecological receptors linking with wider catchment waterbodies, including the river Roch / Irwell, with significant fisheries value that will potentially be susceptible to environmental impacts on development that occurs within the riparian corridor.

The intention to produce a Landscape and Biodiversity Strategy with key objectives to 'protect and enhance existing features' and ensure connectivity of existing blue and green assets (paragraph 4.64) is welcomed. It is recommended that as part of this strategy, proposals ensure existing hydrological connectivity is protected as part of scheme design and look to improve this where ecological / Biodiversity Net Gain (BNG) assessments identify impediments along key blue infrastructure assets within the scheme boundary. It is also recommended that this strategy looks to strengthen, enhance and expand identified important habitats (paragraph 10.8) and key ecological networks as outlined in the England Biodiversity Strategy.

12. Ground conditions and contamination

Ground Conditions and Contamination were considered within Chapter 12 of the Northern Gateway (JPA 1.1), Environmental Impact Assessment (EIA) Scoping Report, Turley, reference NORM3018, dated 17 October 2024. The application area covers land in both Bury Council and Rochdale Council, with much of the area comprising agricultural land. The scoping area has been divided into different coloured zones (referred to as Quarters) as shown on the Spatial Referencing Plan. A Contaminated Constraints Plan has been produced.

Environmental Health - Contaminated Land Section comments

At a meeting with the applicant's consultants, Tetra Tech we requested that all plans be produced showing the Council's boundaries for clarity and that a copy of the Geo-environmental and Geotechnical Desk Study dated April 2024, referred to in Chapter 12, also be submitted at the earliest opportunity.

The scoping assessment concluded that the potential risk of mining and ground collapse was an effect likely/significant during construction and operation within the Orange (partially within Bury), Yellow (Majority in Bury), Purple (Rochdale only) and Azure Quarters (Majority in Bury). This aspect will be carried forward to be considered within the Environmental Impact Assessment and Environmental Statement.

The following contaminated land aspects have been considered to have an unlikely or not significant effect:

- Potential Risk of Exposure to Contamination
- Potential Risks from the Release/Migration of Contamination to Controlled Waters
- Potential Risks from Ground, Landfill and Mine Gas to Human Health and the Built Environment
- Potential Risks from the Presence of Unstable and Compressible Ground (non-mining related) on Human Health and the Built Environment

Any risks identified from the above aspects are likely to be mitigated during construction by Remedial Actions that may have been identified following site investigation and risk assessment undertaken during subsequent planning applications for the development areas/schemes as they come forward.

The assessment is satisfactory and for any subsequent application that comes forward for development, it is likely that planning conditions will be recommended:

Environment Agency comments

Based on the information it has identified that the site may have a history of previous industrial land use which might have led to adversely elevated concentrations of land contamination which may pose a significant risk of significant harm to 'controlled water' receptors. It is recommended that developers should address the associated risks to controlled waters by:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM), when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health

- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

Further to the above, we have the following additional advisories with regards to the management of waste.

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Permitted Sites

We acknowledge a permitted site, namely 'Pilsworth South landfill', is in proximity to the project assessment boundary. We would advise consideration is given to the development layout / uses in the northern section of the development boundary to incorporate a sufficient buffer from the permitted site to occupants of the forthcoming development site.

13. Agriculture and soils

The impacts on agriculture and soils have been considered within Chapter 13 of the scoping report. It concludes that the disturbance/removal of peat is unlikely to have a significant effect and has been scoped out. The scoping report concludes that the following would have a significant effect:

- the loss of agricultural land
- the loss of or damage to soil resources
- the reduction in farmable area and business viability.

There are no objections to this approach and the methodology proposed in the scoping report.

14. Archaeology

The enquiry site is of considerable archaeological interest, as has been demonstrated by several investigations that have previously identified significant evidence for a deserted medieval settlement and associated iron-smelting activity. This was confirmed most recently via an extensive programme of archaeological evaluation trenching and test pitting that was undertaken to inform the Northern Gateway development proposals and uncovered rare physical evidence for tap slag from an iron furnace of probable medieval date, together with considerable quantities of other types of smelting slag and some evidence for ore roasting. An interesting assemblage of medieval and post-medieval pottery was also recovered from the excavated trenches and test pits. A report presenting the result from this evaluation was prepared by L-P Archaeology in December 2022.

Recommendations for further analytical work on the dataset are set out in the report, including radiocarbon dating of charcoal in some samples recovered from the fieldwork, although GM Archaeological Advisory Service (GMAAS) is unclear whether this recommended analytical work has been progressed. Securing an absolute date for the iron-working activity through scientific techniques such as radiocarbon dating will be crucial to informing a robust assessment of the site's archaeological significance.

The application is supported by a comprehensive Scoping Report prepared by Turley in October 2024, which includes a detailed section that considers archaeological matters associated with the proposed development. This summarises the baseline conditions, identifies areas of potential archaeological interest within the proposed development site and presents a broad strategy to offset the harm of development on the archaeological resource. The Scoping Report concludes that archaeology as an environmental topic should be 'scoped in' to the EIA process. The preparation of an archaeological desk-based assessment that will form an Appendix to the Environmental Statement is also committed to in the Scoping Report.

GMAAS concurs with the conclusion drawn by the Scoping Report and agrees that archaeology should be scoped in to the EIA process due to the likely significant effects of development on the archaeological resource. GMAAS is content that the scope, approach and methodology set out in the Scoping Report to assessing the archaeological resource is appropriate and proportionate to the preparation of an ES Chapter on archaeology.

Notwithstanding the conclusions drawn from the forthcoming ES Chapter, it may be anticipated that further intrusive archaeological investigation of the site will be required in advance of construction work for the proposed development, although this could be secured in due course via a condition attached to planning consent.

15. Built heritage

The application is supported by a comprehensive Scoping Report that considers all the above ground built heritage assets scoped into the report. There are no conservation areas within the Bury Council area of the project assessment area.

The report has assessed and summarised the heritage baseline which is agreed with. The Council also agrees with the scoping methodology and assessment criteria and the assets that have been included and that full heritage assessments of significance will be submitted as part of the Environment Statement.

The Council is satisfied that the scope, approach and methodology in including and assessing the above ground built heritage assets and is appropriate and proportionate with regard to the ES.

The Scoping Report considers effects which are considered likely and significant to cover:

- Impact on the significance (character and appearance) of Birch Conservation Area
- Impact on the significance (character and appearance) of Birch Conservation Area

- Impact on the significance (special architectural and historic interest) of designated heritage assets as a result of change within their setting
- Impact on the significance of non-designated heritage assets as a result of demolition
- Impact of the collective loss of historic farmsteads within the Site on the local heritage resource

The effects which the report considers are not likely to be significant are:

- Impact on the significance of designated heritage assets as a result of change within their setting
- Impact on the significance of non-designated heritage assets as a result of change within their setting

The designated and non-designated assets identified through the report and subsequently through continued dialogue with the council's conservation officer are considered comprehensive and reasonable for inclusion in the scope of the EIA.

RBC's conservation officer has provided additional commentary on the impacts of the project for assessment and the areas which require further consideration with respect of consideration of alternative designs and mitigation measures. The primary areas identified as needing further consideration are the impacts of the potential highways infrastructure works on Birch Conservation Area and its setting. It is noted that the impact on the significance of designated heritage assets as a result of change within their setting is currently proposed to be scoped out of the assessment. As further detailed assessment is undertaken on these impacts and possible mitigations, this matter should be monitored further to consider whether there are potentially significant environmental effects which may require inclusion in the EIA.

Overall the scope of EIA assessment with regards to Built Heritage is agreed subject to ongoing monitoring through the design and assessment stage as to whether any environmentally significant effects may arise in relation to those not currently included for assessment. Comments from Historic England and the LPAs' conservation officers have been provided and should inform the preparation of any ES and documentation accompanying any planning application.

16. Landscape and visual

The impacts on the landscape and associated visual impact have been considered within Chapter 17 of the scoping report. The scoping report identifies the Zone of Theoretical Visibility (ZTV) and the viewpoints for inclusion to aid the assessment of effects within a Landscape Visual Impact Assessment (LVIA).

It concludes that the change to the character and amenity of views beyond the Zone of Theoretical Visibility (ZTV) and 2km is unlikely to have a significant effect and has been scoped out. The scoping report concludes that the following would have a significant effect:

- changes to landscape character
- changes to the character and amenity of views

There are no objections to this approach and the methodology proposed in the scoping report. As set out earlier in this response and further to discussions held during determination of this response, the impact of lighting and light pollution on the landscape and nightscape should be addressed clearly in this chapter.

17. Climate change

The impacts of the proposed development upon climate change have been considered within Chapter 18 of the scoping report. It concludes that the following are unlikely to have a significant effect and have been scoped out:

- the increasing summer mean and daily maximum temperatures and influence on human health during construction
- the changing temperatures/rainfall patterns and changes to air quality during construction and water supply, flood risk and during construction and operation
- changes to future climate including temperature and rainfall and risk to building infrastructure and future occupants during operation
- the changes to future climate and resilience of site habitats and species during operation

- higher average summer temperatures and risk of building overheating during operation.

The scoping report concludes that greenhouse gas emissions would have a significant effect.

The council consider that the following effects should be scoped into the assessment.

Changing temperatures/rainfall patterns and changes to water supply during operation

The ES Scoping report confirms within Chapter 11 Hydrology, flood risk and water quality that 'Increased demand on water resources and associated infrastructure' is an effect which is considered likely and significant. Given the Met Office's climate projections UKCP18 referred to in Table 17.4 and the relevant risks identified from the UK Climate Change Risk Assessment (UKCCRA) guidance, it is considered reasonable to scope in the effects of climate change as it relates to water supply and the resultant impacts. This is considered particularly relevant given the potential for high water-usage businesses which could potentially be included in the development. During the determination period you have advised of consideration of embedded mitigation through the design of future operations in relation to cooling and water usage, for example through lower water-consumption cooling methods for potential data centre uses. Such measures could significantly change the profile of potentially significant environmental effects and consideration should be included within the ES on the impacts resulting from such alternative technologies.

Changes to future climate and resilience of site habitats and species during operation

The proposal will result in a largely undeveloped area seeing major new building and infrastructure which, by its presence and through its operation, will likely lead to urban and industrial heating and impacts on ecological and hydrological features onsite. Chapter 10 Biodiversity proposes to scope in 'Overall loss of habitat and degradation of retained habitat' and 'Risk of killing/injury/ loss of habitat and disturbance to populations of wildlife'. Natural England have highlighted the need for the Climate Change chapter to be closely tied with the assessment of Biodiversity effects. It is considered that increased urban and industrial heat output alongside impacts on the ecological and hydrological features onsite may contribute cumulatively to these environmental effects and should be discussed within the ES.

18. Approach to the assessment of cumulative effects

In addition to the sites identified within the Scoping Report the below cumulative projects should also be considered with regards to their in-combination effects.

- 22/01410/FUL - Department Of Work And Pensions Dcs Distribution Centre, Manchester Road, Heywood, OL10 2PZ
- 24/00805/OUT - Plot H4, Heywood Distribution Park, Pilsworth Rd, Heywood
- 24/00329/SCO - Land North And East Of Stakehill Industrial Estate, Middleton

Conclusion

In conclusion the Council agrees that the proposed development is EIA development and that the above topics should be scoped in to the Environmental Statement required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Yours faithfully
Melanie Hale
Head of Planning Services