

Northern Gateway (JPA1.1) – EIA Scoping Consultation Response DRAFT

21 January 2025

Introduction

Northern Gateway Development Vehicle LLP (NGDV) is the Applicant preparing an application for outline planning permission for parts of JPA 1.1 with all matters reserved. The application will be for a predominately commercial project, referred to as the 'Proposed Scheme'. The application will be submitted to Bury Council (BC) and Rochdale Borough Council (RBC) as the local planning authorities (LPAs).

The NGDV has instructed Turley to lead, manage and control the Environmental Impact Assessment (EIA) process for this project in line with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)¹ (the 'EIA Regulations'). To inform the EIA process, in accordance with Regulation 15 of the EIA Regulations, Turley submitted a request for Scoping Opinions from BC and RBC on the 17th October 2024.

Turley will prepare a response to the Scoping Opinions to close out any comments. However, In the absence of formal Scoping Opinions, the table below provides our response, based on the consultee comments we have received to date.

Summary of EIA Scoping Opinion Consultation and Responses

Consultee	Summary of comments	Response to comment
Bury Council (BC) Conservation Officer	Satisfied with scope, approach and methodology.	Assessment of built heritage to be undertaken in line with EIA Scoping Report and as discussed at meeting held with RMBC, BC and Historic England on the 06.08.24 and 14.11.24.

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Bury Council (BC) Environmental Protection (Contamination and Air Quality)	Contamination: Satisfied with scope of assessment for contamination with mitigation controlled through planning conditions. Air quality: request for: • Detailed air quality assessment; • Construction phase and mitigation measures report; • Requirement for electric vehicles; • Dust assessment from construction activities; and • Odour from Pilsworth South Landfill Site.	ES Chapter on Ground Conditions and Contamination and ES Vol 3: Environmental Management Plan (EMP), will detail requirement for mitigation measures to be implemented as planning conditions. Agreement to detailed air quality assessment as detailed within the EIA Scoping Report. Mitigation associated with dust during construction will be outlined within ES Vol 3: EMP. Odour has been scoped out of the assessment due to existing control measures at Pilsworth South and the distance from the landfill to JPA 1.1 (as detailed within the EIA Scoping Report). Requirement for electric vehicles will be outlined within the Transport Assessment.
Rochdale Borough Council (RBC) Conservation Officer	Overall satisfied with scope, approach and methodology. Concerns raised around loss of Birch Mill.	Assessment of built heritage to be undertaken in line with EIA Scoping Report and as discussed at meeting held with RMBC, BC and Historic England on the 06.08.24 and 14.11.24. Potential loss of Birch Mill is due to the associated infrastructure works on the M62. The impacts will be assessed within the ES. (Impacts will also be addressed through the pending DCO process for the M62 infrastructure works).

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Coal Authority	Require a Coal Mining Risk Assessment is prepared for the site and submitted with the outline application.	Meeting held with Coal Authority on the 19/07/24 and 03/10/24. CA advised that agreement to build over mineshafts in principal provided justification that this cannot be avoided is provided. A build over agreement strategy is being prepared by Turley and will be submitted with the Application.
Greater Manchester Archaeological Advisory Service	Overall agrees with the scope, approach, methodology, and conclusions set out in the EIA Scoping Report. Also anticipates that further intrusive archaeological investigation of JPA 1.1 will be required in advance of construction work for the Proposed Scheme which can be secured via a planning condition attached to planning consent.'	Scope, approach and methodology of the archaeological assessment will be undertaken as detailed within the EIA Scoping Report within Chapter 15 of the EA. Further intrusive investigations to be proposed as secondary mitigation within the ES, to be secured via a planning condition. This is as discussed and agreed with Iain Miller at GMAAS.
Historic England	Agreement with EIA Scoping Report.	Built heritage assessment to be undertaken in accordance with approach detailed in the EIA Scoping Report.
Natural England	Have provided their standard response on climate change and their annex (Annex A) on 'Natural England Advice on EIA Scoping'. In addition, there are some specific comments in relation to the consideration of air quality impacts on Holcroft Moss, within the Manchester Mosses Special Area of Conservation (SAC):	Climate change will be addressed within Chapter 18 of the ES. Traffic data has been modelled for the road network in the vicinity of Manchester Mosses SAC. The effects of traffic related air quality on the SAC will be undertaken and reported in ES Chapter 10: Air Quality and Chapter 11: Biodiversity.

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	- Places for Everyone Joint Development Plan (2022 to 2039) Policy JP-C8: Transport Requirements of New Development; and - Places for Everyone Joint Development Plan (2022 to 2039) Policy JPA1.1 Heywood/Pilsworth (Northern Gateway). - Surveys to establish the extent of peat within JPA 1.1.	The extent of peat and potential impacts of JPA 1.1 will be detailed within a Peat Briefing Note which will be submitted to NE prior to submission of the Application.
Environmental Agency	Flood Risk: - Recommend a range of return periods are included and advise siting development outside of the 1 in 100 year plus appropriate climate change extent. - Brooks should provide multi-functional to manage flood risk and provide ecological enhancements. - Advise surface water drainage connections intended to be made to designated 'main rivers', the EA also have a preference for outfalls to be set back from the river bank. - EA is opposed to culverting of any watercourse.	A Flood Risk Assessment will be submitted with the Application. The modelling methodology was issued to the EA on 01.08.24. The flood risk modelling is currently under review by the EA. Built development is located outside of the 1 in 1000 year plus climate change. The EIA Assessment Plan (ES Figure 4.1) shows the main river wetland corridors are to be retained within their existing water courses for multifunctional uses. A drainage strategy will be submitted with the Application. The strategy is primarily for surface water to drain into the Main Rivers within the Application Boundary. There will be multiple points of outfall due to the size of the project. There is no intention to culvert the Main Rivers in the interests of flood management and biodiversity. There may be some very minor localized culverting of retained tributaries but future designs will attempt to avoid this where feasible. Works required for primary and secondary

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		access routes will not be undertaken within the channel of the Brook itself.
	Water Framework Directive: - WFD to determine potential impacts and also explore enhancement opportunities. 'The Flood Risk, Hydrology and Water Quality section should consider the hydromorphological baseline of watercourses within the study area and their potential impacts. - Recommend surveys for invertebrates within existing watercourses to enable construction impacts to be determined associated with proposed access crossings. - Wider catchment waterbodies to be considered in relation to hydrological connectivity.	A WFD Screening assessment will be submitted with the Application. A draft report has been submitted to the EA for comment on 18.12.24. The approach has been to 'screen out' impacts where there is an evidence base or/and defer to the Reserved Matters Application (RMA) Stage on a Plot by Plot basis when further information is available. The ES and EMP will act as the mechanism to control this, where relevant. Previous desktop studies at the catchment level provide a suitable level of baseline for hydromorphological features and no further surveys or studies will inform the planning application. The WFD screening assessment is the only WFD document proposed in support of the application, and is reflective of the current status of the design at this outline stage. There is the potential to capture some of the improvements and enhancement opportunities as part of the Design Codes which support the application, albeit specific commitments will be subject to further analysis at the RMA stage.
	Biodiversity Net Gain:	Requirement for a River MoRPH assessment are required if there are impacts within 10m of the bank top. EIA

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	A Riverine Metric Assessment is conducted as part of BNG assessment.	Assessment plans show a buffer of ~50m. This is possibly with the exception of river crossings. However, there is insufficient information on design and location and it is considered that a conditioning assessment would be disproportionate for an outline application.
	Ground Conditions and Contamination: Ground contamination present may cause harm to controlled waters.	Ground contamination will be established through a Phase 1 Desk Study which will be submitted with the Outline Application. Site Investigations will be undertaken and an appropriate remediation strategy developed, to be controlled through planning conditions. As detailed in Chapter 12 of the EIA Scoping Report, measures to prevent the release of any contamination to controlled waters during construction activities will be controlled through the implementation of a CEMP and in line with CIRIA C532: Control of Water Pollution from Construction Sites - Guidance for Consultants and Contractors (2001) and may be informed by a Piling Risk Assessment if significant contamination is encountered. These tertiary mitigation measures will be considered an integral part of the construction of the Project for Assessment and considered as part of the EMP (ES Vol 3: EMP).
	Advisories have been provided in relation to the management of waste (on-site and waste to be taken off-site).	Waste will be controlled through a Site Waste Management Plan.

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	Consideration should be 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.	A landscape buffer is provided along the northern boundary of the Project for Assessment to provide a standoff to Pilsworth South (as shown on Figure 4.1).
Greater Manchester Environment Unit	Queries the approach to high level baseline in the wider Project for Assessment.	Where detailed surveys have not been possible due to access restrictions a worst case has been assumed whereby unless there is clear evidence which would suggest a given species/habitat is not present within the inaccessible land, presence will be assumed and mitigation proposed on a precautionary basis. This approach to the baseline surveys has been discussed with GMEU in meetings held with Derek Richardson on 19.03.24 and 16.10.24. The approach was confirmed and outlined in emails (19.03.24, 13.06.24 and 18.07.24) to which no response has been received.
	Hollins Vale and Pilsworth Fisheries are hydrologically linked and require further assessment.	Hollins Vale and Pilsworth Fisheries will be included as receptors within ES Chapter 12: Hydrology, Flood Risk and Water Quality.
	Request for further assessment of pondscape.	The loss of ponds across the Assessment Boundary will be assessed within Chapter 11: Biodiversity.
	Assessment of physical modifications to Whittle Brook.	The potential for physico-chemical changes to Whittle Brook has been considered in the WFD Screening Assessment and will be assessed within Chapter 12: Hydrology, Flood Risk and Water Quality of the ES.

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	Requests assessment of Whitte Brook/Castle Brook against SBI guidelines.	As stated above requirement for a River MoRPH assessment are required if there are impacts within 10m of the bank top. EIA Assessment plans show a buffer of ~50m. This is possibly with the exception of river crossings. However, there is insufficient information on design and location and it is considered that a conditioning assessment would be disproportionate for an outline application.
	Requests detailed surveys of GCN to determine population size.	The main aim of population assessments for GCN is to inform avoidance, mitigation, compensation and enhancement requirements for GCN at sites where there are confirmed GCN ponds. District Level Licencing now covers mitigation and compensation. Avoidance measures can be secured through a CEMP and enhancement requirements can be incorporated into detailed scheme design (i.e. creation of amphibian and GCN specific ponds, not SuDS; and suitable terrestrial habitat).
	Requests watercourses scoped in in relation to naturalness, flow rates, chemical water quality, biological water quality, sediment load and riparian habitats.	Effects on watercourses are considered within the WFD and ES; this is with the exception of biological water quality which has been scoped out.
	Peat – request to include within ES.	The extent of peat within JPA 1.1 will be detailed within a Peat Briefing Note which will be provided as an Appendix to the ES. The briefing note confirms that the limited presence of peat within the Northern JPA 1.1 allocation will not provide a constraint in terms of geo-technical design and is

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		unlikely to be significant in terms of loss of a soil resource or carbon store, hydrological regime or increase the potential for archaeological remains to be present which are over and above that within the rest of the Site. No peatland specific habitats have been identified on the Site. Potential effects of loss of peat are not considered significant and therefore will not be assessed further in the ES.
	Cumulative effects assessment should include the proposals south of Simister and between the Hillock Estate and M66. It should also take in to account the proposed improvements to the M60/M66/M62 junction and other PfE allocations.	As detailed within Chapter 18 of the EIA Scoping Report, in line with the EIA Regulations, the cumulative projects search is focused on projects and therefore is not inclusive of sites allocated within local plans, core strategy documents or supplementary planning documents. This approach has been adopted due to it being unlikely that there will be sufficient information to inform a robust in-combination assessment. An application is currently under examination for the Simister Island works and will therefore be included in the cumulative assessment of the ES (Chapter 19). The exception to the inclusion of assessment of allocated sites is JPA 1.2, which has the potential to be under determination at the same time as JPA1.1 and is being progressed by the NGDV. JPA 1.2 will therefore also be included in the cumulative assessment, reported in Chapter 19 of the ES.
Lancashire Wildlife Trust	Biodiversity	Baseline assessments of the POSEMA will be undertaken once the BNG assessment has identified the requirement

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	Baseline assessments should be undertaken for POSEMA if used for BNG.	for the off-site ecological mitigation. The BNG strategy will detail the number of units required and describe the broad habitat types required to achieve net gain, which is considered appropriate for an outline application. The specific location for BNG requirements will be detailed at the RMA stage.
	Agreement with approach to assess worst case in areas not subject to detailed surveys but requests species of principle importance also assessed as worst case in areas not subject to detailed surveys. Cumulative impacts of development on S41 species needs to be addressed.	Where detailed surveys have not been possible due to access restrictions, a worst case has been assumed whereby unless there is clear evidence which would suggest a given species/habitat is not present within the inaccessible land, presence will be assumed and mitigation proposed on a precautionary basis.
	Recommends wetland corridors following retained water courses.	A wetland habitat corridor / landscape buffer is provided along Whittle Brook and Castle Brook (as shown on Figure 4.1). There will be no development within the wetland habitat corridor, with exception of bridge crossings.
	Agricultural fields cannot be described as of negligible importance until surveys for breeding birds undertaken.	The phase one habitat survey (which will form an appendix to Chapter 11: Biodiversity of the ES) confirmed that the agricultural fields comprised of species-poor agricultural grassland, which is considered to be of negligible importance. Breeding bird surveys have been undertaken within all accessible areas. The survey results and assessment of potential impacts on breeding birds will be

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	Agriculture: Peat to be discussed with NE.	detailed within ES Chapter 11: Biodiversity (and supporting appendices). As discussed above, the extent of peat within JPA 1.1 will be detailed within a Peat Briefing Note which will be provided as an Appendix to the ES. The briefing note confirms that the limited presence of peat within the Northern JPA 1.1 allocation will not provide a constraint in terms of geo-technical design and is unlikely to be significant in terms of loss of a soil resource or carbon store, hydrological regime or increase the potential for archaeological remains to be present which are over and above that within the rest of the Site. No peatland specific habitats have been identified on the Site. Potential effects of loss of peat are not considered significant and therefore will not be assessed further in the ES.
HSE	No comments.	
Trafford Council	'Trafford Council planning department have no comments to make on the above.'	-
Stockport Council	'I can confirm that this Authority has no comment to make on the proposals'	-
GM Minerals and Waste	Agree to approach set out in the EIA Scoping Report.	Site Waste Management Plan and Minerals Safeguarding Assessment to be submitted with the Application.

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		Construction mitigation will be provided within ES Vol 3: EMS to be secured through a planning condition and delivered through implementation of the CEMP.
United Utilities	Foul and surface water drainage: We would strongly recommend that an updated, detailed site-wide foul and surface water drainage strategy is prepared to inform any future outline or full planning application at this site. The minimum expectation is that no surface water will discharge to the public sewer. A Co-ordinated and holistic approach to infrastructure delivery across the site is required in accordance with Policy JP-D1. Asset protection: Require clarification of the exact position of UU assets prior to the submission of any formal planning application. It is important to note that we will not permit development over or near our assets. Wastewater Adoption – Including SuDS: The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Water Efficiency: Policy JP-S4 states that ‘residential development should meet the mandatory water efficiency standard of 125 litres / person/ day as set out in Building Regulations. District local plans may and should consider setting a tighter water efficiency standard of 110	A Flood Risk Assessment and Drainage Strategy will be submitted with the Application. Surface water will primarily drain into the Main Rivers. The drainage strategy has been discussed and agreed with UU (meeting 08/05/24 and 13/09/24). The Flood Risk Assessment details UU sewer records within Appendix B of the report. Agreement with UU for two points of connection for foul water to the existing public sewers via pumping mains in Hareshill Road and he west into the 1350mm diameter sewer in Pilsworth Way. Offsite works will be required by UU via a sewer requisition under a Section 98 agreement to deliver the connecting rising mains to Hareshill Road and Bury WWTW. Homes will be designed to achieve a water consumption rate of 105l/p/d, exceeding the Building Regulations higher water efficiency rate. It should be noted that the

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	litres/person/day where there is a clear local need with reference to national guidance on housing optional technical standards’.	Application will not include for residential use and is applicable only to the wider Project for Assessment.
National Highways	National Highways have commissioned WSP to review the Transport Chapter of the Scoping Report. There is overall agreement with the approach set out in the EIA Scoping Report. Comments on the ‘Approach’ set out in the EIA Scoping Report, noting that they have no commitment to deliver M66 Junction 3 or the M62 remodelling works. Have noted that the effects set out in Table 7.1 (Effects Likely / Significant) are considered appropriate. In relation to the NGTM Traffic Model & Derivation Of Traffic Volumes, comments will be provided <i>‘on the Transport Assessment Scoping Note Update (TASNU) and the TASNU Addendum separately as part of the Transport Assessment scoping process’</i>. No additional comments on the overview of methodology. With respect to methodology for driver delay.’	Tetra Tech are preparing a response. Additional information will be provided where possible; but revisions to the inputs into the traffic model will not be undertaken as their requests for amendments to model inputs have not been received within the required timescales. There is a requirement for the EIA to consider the infrastructure required to deliver the project. Whilst we acknowledge that the highways infrastructure solutions may evolve with time, for the purposes of the ES, the worst case assessment has been informed by the best information available at the time of writing.
Transport for Greater Manchester (Tfgm)	Comments in relation to the background with specific reference to Policy JP-D1: Infrastructure Implementation. Also references the information to be included within the Transport Assessment, additional mitigation beyond that defined in the PfE JPA1.1; Site accessibility by sustainable modes; mitigation measures to accommodate traffic	Tetra Tech are preparing a response. Additional information will be provided where possible; but revisions to the inputs into the traffic model will not be undertaken as their requests for amendments to model

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	generation and increased pedestrian and cyclist movements; the Framework Travel Plan; and other related changes including changes planned for bus infrastructure. Site specific comments: • A trip generation and <i>distribution note should be produced before the submission of a full planning application and TA.</i> • The PfE model should not be used and traffic counts collected. • The M66 Junction 3 improvement (page 91 of the EIA) should be provided and it should be demonstrated that it will help to increase the capacity at the junction. • TfGM require sight of all arms of the junctions and not just those with degrees of saturation above 90 per cent. • Any junctions which are predicted to have an increase of over 30 vehicles per/hour should be assessed • Traffic modelling should use signal timing information provided by TfGM UTC unit. • Following the analysis of the impact of the development traffic, then suitable mitigation should be identified. • Suitable and substantive sustainable measures should be provided – these should provide real and attractive alternatives to use of the private vehicle trips.	inputs have not been received within the required timescales.

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	• A review of public transport is required to identify provision. Any improvements for bus provision should be made clear (see 7.20). • The improvements for walking and cycling should be made clear and any future plans for improvements to cycling infrastructure. Linkages to railway stations and Metrolink should be included for walking and cycling trips. • Phasing of the build-out should be made clear – working outwards from the best access for non-car based trips.	

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