

Rochdale Metropolitan Borough Council
Development Control
Number One Riverside Smith Street
ROCHDALE
Lancashire
OL16 1XU

Our ref: SO/2025/124772/02-L01
Your ref: 25/00045/REM
Date: 23 April 2025

FAO; Nick Brookman

Dear Nick,

SUBMISSION OF RESERVED MATTERS (INCLUDING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR THE CONSTRUCTION OF A CLASS B8 (STORAGE OR DISTRIBUTION) DISTRIBUTION CENTRE WITH ANCILLARY OFFICE ACCOMMODATION, GATEHOUSE AND ACCESS ARRANGEMENTS, CAR PARKING, HGV BAYS, SPRINKLER TANKS AND PUMP HOUSE, LANDSCAPING, SPUR ROAD AND OTHER ASSOCIATED WORKS, PURSUANT TO 22/01569/OUT.

LAND ON PLOT 3 OF THE SOUTH HEYWOOD MASTERPLAN OFF PILSWORTH ROAD SOUTH HEYWOOD, ROCHDALE

Thank you for consulting the Environment Agency (EA) on the above reserved matters application pursuant to planning outline planning permission, 22/01569/OUT (all matters reserved except means of access), for Plot 3 of the South Heywood development site. Referral for this application was received by the EA on 14th April 2025.

EA Formal Review Context

As context to our planning position statement set out below and associated review commentary, noting the scope of 25/00045/REM (full development spatial extent and north/south Brightley Brook riparian corridors), we advise we have reviewed 25/00045/REM in cognisance to the written requirements of pre-commencement condition 24 (Detailed River Corridor Strategy) attached to 22/01569/OUT previously specified/required by the EA.

For ease of reference, we advise the requirements of condition 24 to broadly (non-verbatim) to be as follows:

- i. Full details of earthworks and any land remodeling/remedial work required.
- ii. Details of any watercourse diversion required and evidence of how riparian modification has been informed by sound geomorphological principles utilising more environmentally sympathetic bioengineering solutions as appropriate.
- iii. Pre and post riparian cross-sections focusing on new landforms, pinch points and retaining solutions.
- iv. Construction details of any new embankments, retaining structures and revetments.
- v. Details of intended riparian enhancements
- vi. Measure to be taken to improve/support the improvement of Brightley Brook watercourse quality.
- vii. Full details of any proposed soft landscaping including planting schedules
- viii. Invasive Non-Native Species (INNS) management programme

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Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
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ix. Brook/watercourse, biodiversity enhancement strategy

Further to the above, from wider project correspondence associated with the development/Plot 3, it is acknowledged by the EA that the applicant/developer does not wish to pursue the discharge of condition 24 as part of 25/00045/REM.

Whilst we/the EA do not seek to dispute the applicant decision aforementioned above, noting that any approval granted under 25/00045/REM will ultimately be material to any subsequently sought discharge of condition 24 (otherwise risking approved plans/drawings/reporting disparity), we consider it necessary to review submission made for 25/00045/REM in cognisance to the requirements of this condition.

Environment Agency Position - 25/00045/REM

As submitted, noting the significant nature conservation value of Brightley Brook, we are unable to recommend the grant of approval for 25/00045/REM for the following reasons:

1. Inadequate information/drawing/plans to comprehensively determine potential impacts of proposed/detailed development design respective to the need to protect, improve and enhance the riparian corridor(s) of Brightley Brook (north and south).
2. Insufficient evidence/justification as to how the proposed development will effectually mitigate for the built development intended and how this will be offset by enhancement within the riparian corridor(s) of Brightley Brook.
3. Insufficient justification as to current proposed riparian corridor interventions respective to requirements of condition 24 which includes the utilisation of more environmentally sympathetic bioengineering solutions within design where possible (i.e. hard-engineered riparian solutions being implemented where necessary only).
4. Inappropriate vegetation/planting (*Cotoneaster horizontalis*) currently proposed, respectively need to manage/remove invasive non-native species and ensure environmental betterment.

We consider our planning position outline above to be supported by paragraphs 187 and 193 of the National Planning Policy Framework (NPPF), which collectively recognises that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity; and if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, that planning permission should be refused.

Should you/the Local Planning Authority (LPA) be minded to approve the grant of planning permission for 25/00045/REM as submitted, contrary to our position statement above (holding objection), then we ask that we are notified and provided the opportunity to make additional representation prior to final planning determination.

Further to the above, please see overleaf a further explanation/listing of the reasoning for our current holding objection.

EA Flood Risk Commentary

As preamble to our objection commentary below, we advise that all parties our Flood Risk Team has reviewed the following reporting made by the applicant/developer respective to plans/drawings submitted for approval under 25/00045/REM:

- Hydraulic Modelling Technical Note – Brightley Brook Hydraulic Model Technical Note. Project: 70103659-WSP-FRM-ZZ-RP-CW-001. Prepared by WSP. Dated 21st March 2025.

The contents of this technical note and determination reached with the flood modelling exercise that the proposed development does not increase flood risk downstream of the proposed development/South Heywood site are acknowledged and accepted by the EA's Flood Risk Team.

It is further noted to the attention of all parties that the flood model exercise which has been completed for the proposed development / Plot 3 is respective to the current development plans/drawings submitted/sought for approval under 25/00045/REM. To this end, noting the current ecological conversation and enhancement concerns of the EA's Fisheries Biodiversity and Geomorphology (FBG) Team (further discussed/outlined in letter sections below), we advise that if notable material changes to the riparian design are made to address these ecological conservation/enhancement concerns (i.e. changing of bank levels adjacent to watercourse / in-channel features), it may prove necessary to update/revisit the flood modelling exercise to ensure current conclusions (proposed development does not exacerbate/increase flood risk elsewhere) remain applicable for the proposed development.

EA Objection – Further Commentary

Inadequate evidence has been provided to demonstrate how the impacts of proposed built development will comprehensively mitigated/compensated for and ensure the riparian scheme will ultimately achieve full adherence to requirements of condition 24 attached to outline planning permission 22/01569/OUT. Our concerns from review of the current contents of 25/00045/REM are as follows:

- A. It is identified creation of the new spur road servicing Plot 3 will encroach upon and require infilling activity within the existing southern watercourse's valley corridor. Noting drawing DRD-D-0101/P04 and section drawing 0117-DAC-SE-006/P01, currently insufficient details are provided of what environmentally sympathetic solutions will be implemented along this reach of watercourse to offset this element of built development impact.
- B. Current watercourse cross-sections 0117-DAC-SE-006/P01 and associated landscape drawing 117-DAC-PL-002/P1 & 003/P1 do not show how current spur road design will alter riparian corridor profile/landform. In association we note the existing artificially embanked right-hand bank (refer to sections J-J1 & H-H1) of southern Brightley Brook channel could be enhanced with better floodplain connectivity, in consequence, better achieving the desired wet grassland and marginal habitats shown within wider development landscape plans.
- C. The proposed southern surface water outfall currently relies on using orthodox outfall design (DR-D-0509/P01) up to the bank top of watercourse. A more environmentally sympathetic setback outfall design with stilling basin, could potentially be achieved along this reach of watercourse. We advise the outfall design should be altered or justification provided as to why the current proposed outfall design is necessary.
- D. *Cotoneaster horizontalis* is identified as non-native invasive species under Schedule 9 of the UK Wildlife & Countryside Act, we advise it should be removed from current

proposed planting schedule. Further, any shrub species that readily suckers or is pioneer wetland species i.e., *Prunus spinosa*, should not be located near any proposed new wet grassland or marginal planting areas along either waterbodies, as they will readily invade/over-colonise such areas. Opportunities to retain or translocate existing protected species i.e., bluebell (*Hycinthoides non-scripta*) along southern watercourse corridor should also be integrated as part of new planting scheme.

- E. For northern watercourse diversion, noting the requirements of condition 24 the channel should preferably be based on design using more environmentally sympathetic bio-engineering solutions, which minimises the use of hard revetment solutions to those areas deemed necessary. To this end, the currently proposed extensive use of rock armor along the riverbank (refer to northern outfall drawing DR-D-0105/P01) should be further justified respective to watercourse characteristics and ecological/habitat enhancement policy.
- F. The typical details of the new northern channel DR-D-0105/P01 should be further clarified i.e. the design of pre-planted coir roll and rock roll arrangement, the intended location of these, how they will be secured to new channel margins and what native marginal plant mix is to used within the coir rolls.

Overcoming our objection

To overcome our objection, the applicant/developer should submit additional/revised details addressing the EA points/concerns (A-F) raised above with an associated narrative as to how it is considered that the reserved matters design proposed will ultimately support/enable the subsequent required discharge of condition 24 attached to 22/01569/OUT.

If it is considered that further alterations to the current proposed riparian design are not possible/appropriate (noting, as per condition 24, the need to use environmentally sympathetic bio-engineering solutions where possible and improve/enhance the Brightley Brook corridor) justification of the reasoning for this should be provided.

Note to Applicant / Agent – EA Preliminary Planning Advice Service Agreement

In association with the EA's holding objection commentary above, for expediency, we welcome the opportunity to undertake further preliminary engagement on the riparian design of Plot 3 with development project team via our established preliminary planning agreement (ref: ENV6007339R) for the Northern Gateway coordinated by our area's Green Growth Team i.e. further collective discussion on the objection points raised above.

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Please forward a copy of this letter to the applicant/agent. Should you have any more immediate queries or questions regarding the contents of this letter, then please do not hesitate to get in contact with us.

Yours sincerely,

Mr Andy Davies

Project Manager, EA GMMC Green Growth Team

Direct email: Andy.Davies1@environment-agency.gov.uk

