

Date: 12 May 2025
Our ref: 510936
Your ref: 25/00381/OUT



Ryan Killeen
Rochdale Borough Council

BY EMAIL ONLY

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Dear Ryan Killeen

Planning consultation: Outline planning application (with all matters reserved except the means access) for the development of up to 314 residential dwellings (Use Class C3) and employment uses (Use Class B2/B8 including ancillary office space (Use Class E)) comprising up to 13,047sqm Gross External Area together with associated parking, highway infrastructure, works to public rights of way, areas of public open space, landscaping, drainage, ecological enhancements and other works ancillary thereto

Location: Land North and East of Stakehill Industrial Estate, Middleton

Thank you for your consultation on the above dated and received by Natural England on 24 April 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on:

- Rochdale Canal Special Area of Conservation (SAC)
- Rochdale Canal Site of Special Scientific Interest (SSSI)
- Manchester Mosses SAC
- Holcroft Moss SSSI

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

- Amendment to the Habitats Regulations Assessment (HRA) is required in light of the People over Wind ruling. This must now progress to Appropriate Assessment and include assessment of water & air quality impacts.

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained

Amendment to Habitats Regulations Assessment

We have previously provided comments on this planning application on 11 October 2023 (our reference 451236) and a subsequent Habitats Regulations Assessment (HRA) has been provided. We note that the amended HRA has not been produced by your authority, but by the applicant through Rachel Hacking Ecology (dated March 2025). As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England note that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects (LSE). Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts. Tables 2 and 3 are more suited to the Appropriate Assessment stage due to the avoidance and mitigation measures proposed.

On the basis of information provided, Natural England's advice is that this proposed development may contain (or require) measures intended to avoid or reduce the likely harmful effects on a European sites which cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site and requires an Appropriate Assessment (following the *People Over Wind* ruling by the Court of Justice of the European Union).

For this reason, we advise that based on the information supplied that the application may have LSE on the designated sites. These measures therefore need to be formally checked and confirmed by your Authority, as the competent authority, via an Appropriate Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). These measures, and any additional measures that can avoid or reduce any likely harmful effects, can be considered as part of the Appropriate Assessment, to determine whether a plan or project will have an adverse effect on the integrity of the European site.

Natural England advise that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of the *People Over Wind* ruling. In accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Natural England must be consulted on any Appropriate Assessment your Authority may decide to make.

In addition, further information is required to support the conclusions of the HRA. We outline the areas which would benefit from further assessment below:

Shading Impacts

Natural England advise the effects from shading are unlikely to cause LSE due to distance and intervening existing developments. This should be recorded within the HRA to ensure a robust assessment has been undertaken.

Water Quality Impacts

Surface water discharges can contain elevated levels of sediment, nutrients and toxic substances such as hydrocarbons and pesticides. Surface water can enter designated sites from point sources such as outflows within the designated site or a connecting tributary or ditch or by non-point sources such as run-off from increased impermeable surfaces which can be exacerbated in times of flood or wet weather. A decline in water quality can cause the loss of qualifying species and habitats.

When assessing any development, consideration must be made to potential hydrological impacts from ground and surface water pathways. Should your assessment be unable to rule out the LSE arising from the proposal, more detailed assessment is required within the Appropriate Assessment.

This should consider qualifying features, Conservation Objectives, mitigation and/or alternate design.

Table 2 identifies water related construction and operational impacts which may harm the integrity of Rochdale Canal SAC. However, we advise more information is required within the HRA to ensure it is robust and accurate. Natural England recommend sub-sections on both operational foul and surface water impacts. Understanding some elements of the avoidance and mitigation measures are embedded into design, it would be beneficial to state how they also align with impact reduction at the designated site.

The HRA should draw on findings from the Sustainable Drainage Statement and other accompanying planning material. Noting foul water will enter the mains system, this should be recorded as a no LSE as there is no hydrological connection to the designated site. Should surface water enter the main drainage system, this should also be recorded alongside a no LSE conclusion.

However, should water enter the designated site either directly or indirectly through sustainable urban drainage techniques this should be assessed for LSE. Where sustainable urban drainage techniques are required, the HRA must refer to their design, management and utilise suitable evidence to inform the confidence of any proposed mitigation measure. This may include evidence led reports, reviews and best practice measures such as CIRIA guidance in view of the Conservation Objectives.

You may also wish to consider whether the use of further mitigation is required for surface water impacts. Example mitigation may include semi natural habitats such as natural wetlands as they can offer a strong outcome for nutrients when designed and sited appropriately or the use of a treatment train which provides additional treatment prior to a discharge. This can include: a hydrocarbon interceptor, attenuation area and constructed wetland.

In terms of construction related impacts, Natural England generally support the provision of a Construction Environment Management Plan (CEMP). However, we would expect specific details of the handling and storage of hazardous substances and soil & measures to address surface water run-off to be detailed within the HRA. Therefore, we would expect more detail to be contained within the Appropriate Assessment to ensure mitigation measures proposed can suitably address the impacts and ensure a robust assessment.

Air Quality Impacts

Emissions from road traffic are primarily nitrogen oxides (NO_x), as a by-product of combustion in the engine, and ammonia. Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads. Table 2 identifies NO_x as having the potential to enter Rochdale SAC. It is not sufficient to refer to distance alone to rule out LSE. Air quality impacts should be informed by [NEA001 guidance](#) and specific environmental benchmarks in view of the Conservation Objectives. Air Pollution Information System ([APIS](#)) provides information on specific Critical Level/ Critical Load to each qualifying feature and can be used to inform their sensitivity¹.

The HRA will be required to refer to the Transport Assessment to ensure that the integrity of Manchester Mosses SAC (specifically Holcroft Moss SSSI) is not adversely affected by changes in air quality as a result of in-combination effects with plans and projects. This in accordance within Places for Everyone ([PfE](#)) Policy JP-C8: Transport Requirements of New Development. Natural England welcomes further comment on this issue understanding the Transport Assessment has since been provided but has not yet been assessed within the HRA.

Rochdale Canal Site of Special Scientific Interest

A variety of pH diverse plant species including floating water plantain, pond weeds and emergent

¹ Certain qualifying features such as lower plants apply a lower critical level/ critical load when compared to higher vascular plants due to their sensitivity. It is important to use the correct environmental benchmark.

vegetation, a diverse invertebrate assemblage and water birds are contained within the reasons for notification. The full citation can be found at [Designated Sites View](#). Natural England advise the amendments to the HRA will also address our concerns relating to the nationally designated site.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Additional Advice

Places for Everyone

The Application Site falls within Policy JP Allocation 2: Stakehill of the adopted Places for Everyone Plan ([PfE](#)). The development must meet the following policy wording:

- Deliver high quality landscaping and green and blue infrastructure within the site both to enhance the attractiveness of the scheme and provide opportunities for recreation to both residents and people working in the area. This should include making provision for biodiversity, including taking appropriate account of the Rochdale Canal Site of Special Scientific Interest, along with the existing brooks and ponds within the site, in accordance with policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity
- Carry out a project specific Habitats Regulation Assessment in relation to the Rochdale Canal for planning applications of 1,000 sqm / 50 dwellings or more
- Incorporate appropriate noise and air quality mitigation taking account of the M62 and A627(M) motorway corridors

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above has been provided. Continue to send any new consultations or further information on existing consultations to consultations@naturalengland.org.uk.

Yours sincerely

Zoe Haysted

Sustainable Development Senior Officer
Cheshire to Lancashire Area Team
Natural England