

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

Our ref: SO/2025/124943/01-L01
Your ref: 25/00381/OUT
Date: 13 May 2025

Dear Sir/Madam

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

LAND NORTH AND EAST OF STAKEHILL INDUSTRIAL ESTATE, MIDDLETON

Thank you for referring the above application to the Environment Agency. We have no objection in principle to the proposed development, but we would like to make the following comments.

Environment Agency position

Contaminated Land

We have reviewed the following report:

Environmental Statement (vol. 1-3) by WSP Ltd dated March 2025 that included technical submissions of the water environment and a Phase 1 Geo-Environmental Desk Study report by REFA Ltd dated April 2018.

We have identified that the Phase 1 desk study report is now out of date through the passage of greater than 5years and that it was written with a different proposed end-use.

The applicants' submissions demonstrate that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
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In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 196 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. An updated, contemporary, preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

Condition

No drainage systems for the infiltration of surface water to the ground where adversely elevated concentrations of contamination are known or suspected to be present are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

Condition

Piling methods using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed ground improvement activity, does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework and Position Statement J of the [‘The Environment Agency’s approach to groundwater protection’](#).

Condition

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

Model Procedures and good practice

This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters.

We recommend that you should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) [Land contamination risk management \(LCRM\) - GOV.UK \(www.gov.uk\)](#), when dealing with land affected by contamination
- 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.

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

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.

Introduction of SUDS:

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.

Piling and Penetrative ground improvement methods:

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Regulatory position statements

Discharges from dewatering to surface water or groundwater will require an Environmental Permit unless you can meet the conditions of the RPS or exemptions or exclusions for groundwater activities. The following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

Biodiversity

Two waterbodies of Trub Brook flow through site; largely in shallow culvert; through the southern element of mixed use development; as identified both the Environmental Statement Volume I, Chapter 7 – Ecology (WSP, Mar 2025) and Appendix 12.1 – Flood Risk Assessment. As outlined in these reports the scheme provides a ideal opportunity to de-culvert and positively integrate these two important green infrastructure assets, and we would seek a River Corridor Strategy condition be included as part of this indicative outline application to provide further detail as where and how the Trub brook waterbodies will be skylighted, taking opportunities to integrate one of key green infrastructure assets and ecological receptors of the southern industrial element of Stakehill site, as sought as part of adopted Rochdale Core Strategy policy G8 & Places for Everyone joint development plan policies JP-G2, G3 & G8.

Condition**River Corridor Strategy**

No development shall take place until a detailed River Corridor Strategy for Trub Brook watercourses within the extension of the Stakehill Industrial Estate development site has been submitted to, and be approved in writing by, the local planning authority in consultation with the Environment Agency.

The content of the strategy shall include the following:

1. Provide a minimum 10m wide green space corridor and development free zone; except for new access crossing; along both watercourse corridors.
2. Provide pre and post scheme detailed cross-sections (a minimum 5 cross-sections along both stream corridors, and particularly at pinch points of scheme design), showing the new industrial buildings and associated infrastructure in context to watercourses and greenspace corridors; including any new riparian land remodelling, opportunities to skylight channels as part of channel diversions and the use soft engineering solutions in new channel designs to enhance the multifunctionality of the de-culverted reaches of waterbody.
3. details of new access road crossing over watercourse that keep culverted lengths to minimum and allow unimpeded ecological and hydrological connectivity.
4. Full details of proposed new soft landscaping scheme including any new marginal or semi-aquatic along stream corridor, and a planting schedule predominantly based on native species along both ecological corridors.
5. Environmentally sensitive design of any new surface water connections to the Trub Brook waterbodies.
6. Pollution prevention measures adopted during construction to protect and preferably improve water quality in the Trub Brook watercourse downstream.

The development shall be undertaken in full accordance with the approved strategy and the measures retained thereafter.

Reason

To ensure the protection and positive integration of Trub Brook waterbodies, linking wildlife corridors, and main green infrastructure assets; securing opportunities for the enhancement of the nature conservation and green infrastructure value of the site in accordance with policies, Rochdale Core Strategy policy G8, Places for Everyone Joint Development Plan policies JPA 2, JP-G2, G3 & G8, and the National Planning Policy Framework.

We note that in current site surveys by consultants WSP (Mar 2025) that the current Trub Brook has been largely culverted and impacted by previous land use of site. As part of new riparian redevelopment this provides restoration opportunities of stream and key green infrastructure asset and would welcome clearer detail as where restoration along both watercourses and key green infrastructure assets is viable, and as to what solutions will be delivered as part of riparian development, and one that can potentially help provide part of the required flood storage required (BWB, Mar 2025) for existing greenfield site.

Design options for any new revetments or embankments should preferably be guided by relevant best environmental practice literature promoting green engineering options (<https://www.hrwallingford.com/projects/green-infrastructure-supporting-green-river-engineering>); and design new site surface water drainage based on best practice CIRIA guidance in regards to the construction or removal of redundant surface water outfalls (CIRIA Culvert, Screen and Outfall manual C786).

The ecological enhancements that have been outlined in landscape strategy (Plincke, 2025) proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment. In light of the above, the proposed development will only be acceptable if a planning condition requiring a landscape management scheme is included.

This approach is supported by paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to natural environment.

It is not necessary for the landscape plan to be provided prior to the granting of planning permission, as this matter can be addressed by a planning condition

Condition

A landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of maintenance regimes
- details of any new habitat created including new above ground SUDs features and skylighted stream channels on site
- details of treatment of site boundaries and/or buffers around new or retained water bodies/wetlands.
- details of management responsibilities

Reason(s)

To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy G7 of the Rochdale Core Strategy, and JP-G8 of Places for Everyone Joint Development Plan .

The proposed development will be acceptable if a planning condition is included requiring a method statement to be agreed to put appropriate control measures in place regarding the invasive species Japanese knotweed, Himalayan balsam and Variegated Yellow Archangle present.

Condition

No development shall commence until a detailed method statement for removing or the long-term management / control of identified on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed, Himalayan balsam and Variegated Yellow Archangle during any operations e.g. mowing, strimming, bank regrading or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act

1981, as amended. Development shall proceed in accordance with the approved method statement.

Reasons

This condition is necessary to prevent the spread of Japanese knotweed, Himalayan balsam and Variegated Yellow Archangel which are invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 187, where planning decisions should contribute to and enhance the natural and local environment & 192, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Advice to the applicant

The proposed site location is within 8 metres of a designated statutory main river.

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.

For further guidance please visit www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Please forward a copy of this letter to the applicant, and send me a copy of the decision notice.

Yours faithfully

Mrs SYLVIA WHITTINGHAM
Planning Advisor

Direct e-mail SPPlanning.RFH@environment-agency.gov.uk