

Application Number:	2021/0275/FUL	Application Type:	Major - Environmental Impact Assessment (EIA) development.
Proposal:	Full (EIA Development): proposed works for and use of replacement section of aqueduct, including earthworks, new supply network connection and ancillary infrastructure including: a new valve house building within fenced compound with permanent vehicular access provision; installation of tunnel shafts and open cut connection areas; within temporary construction compounds, to include site accesses, storage areas, plant and machinery and drainage infrastructure. In addition, mine grouting works, to facilitate main tunnelling works.	Location:	Haweswater Aqueduct.
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	17/01/2023
Applicant:	United Utilities Water Limited.	Determination Expiry Date:	06.08.2021. Extension of Time agreed until 18.04.2023.
Agent:	N/A		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	Major application
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Members resolve that they would be minded to grant planning permission subject to a Section 106 Agreement and the imposition of appropriate planning conditions and that the determination of the application hereafter be delegated to the Head of Planning, Chairman of Development Control Committee and Vice Chairman as follows:

- (1) To complete a suitable Section 106 Agreement to secure the imposition of the related Planning Obligations and if necessary, any other relevant legal agreements
- (2) To carry out drafting amendments to any planning condition including adding any conditions as may be required.
- (3) That upon satisfactory completion of the S. 106 Agreement, planning permission be granted subject to the conditions contained in this report or as amended by (2) above.

2. THE SITES

This application is submitted in relation to the proposed enhancement of our existing regional drinking water supply infrastructure as part of the strategic Haweswater Aqueduct Resilience Programme (HARP).

The HARP Project as a whole incorporates multiple development proposals which are located within seven different Local Planning Authorities all across the North West.

This planning application is somewhat unusual in that the submitted redlined application site actually encompasses all of the route of the proposed upgraded aqueduct, from the very north to the very south of the Borough, with specific temporary working areas/construction access compounds being proposed at Haslingden Road, at New Hall Hey, and Townsend Fold Water Treatment Works, and also at White Carr Lane, Walmersley.

This planning application approximately follows the routing of the existing Haweswater Aqueduct with the redline application boundary being drawn wide enough (that being approximately 25 metres wide) in order to contain/allow for any minor variations in the exact alignment of the proposed new tunnels.

The proposed above ground temporary working compounds are required in order to facilitate the necessary related construction and other access work. However due to the length and complexity of the proposed tunnelling operations these temporary arrangements will potentially be required for several years in certain instances.

Once the essential construction works have been completed it is intended that all of the temporary working areas will be subject to agreed landscape and habitat restoration schemes with only small scale new pump house structures being required in order to facilitate the future operation of the new aqueduct.

3. RELEVANT PLANNING HISTORY

United Utilities have previously submitted multiple applications in relation to their ongoing water supply operations throughout the Borough, which are separate to this specific proposal.

In response to a request from United Utilities for a Scoping Opinion for the Haweswater Aqueduct project (in relation to the intended content of the anticipated Environmental Statement) the Council issued a Scoping Opinion dated 09/01/2021 – reference 2019/0536.

A subsequent request for an updated Scoping Opinion was submitted in January 2021 and the Council therefore issued an updated Scoping Opinion dated 24/03/2021 – reference 2021/0063.

4. PROPOSAL

As stated above all of these works which are proposed as part of United Utilities Haweswater Aqueduct Resilience Programme (HARP).

The existing Haweswater Aqueduct extends for 110 Kilometres (km) from Haweswater in Cumbria to Greater Manchester and it directly supplies treated drinking water to large parts of Cumbria, Lancashire and Greater Manchester (with it currently providing water to approximately 2.5 million people across the region). A large proportion of households and businesses in Rossendale also receive their drinking water via the existing aqueduct.

The existing aqueduct was constructed between 1933 and 1955 and recent exploratory investigations have revealed that its structural condition is deteriorating and that it now needs to be upgraded in order to safeguard the long term continuity of that supply and also the quality of that drinking water provision.

Therefore, the successful delivery of the HARP project must therefore be considered to be of major regional importance.

This specific Haslingden and Walmersley Section of the HARP scheme which traverses through Rossendale involves boring 21km of new tunnel sections to form this part of the new aqueduct of which 14km would actually be located within RBC's administrative area. The new tunnel reception sites at either end would be outside the borough, being located in Hyndburn and Bury.

The proposed new tunnels would typically be 3.5m in diameter and they would be located approximately 200m below ground.

The proposed associated above ground temporary working compounds would both enable and facilitate those tunneling operations and allow for the appropriate handling and management of the waste materials derived from those works (which are described as being the tunnel arisings).

The proposed Haslingden Road Compound would be the main temporary construction area as it would be the key location from which the proposed new aqueduct tunnels would be driven to both the north (to the proposed reception site at Bolton Avenue, Hyndburn) and to the south (to the proposed reception site at Woodgate Hill, Bury).

Accordingly, large amounts of tunnel construction materials, most notably the pre-cast concrete tunnel segments, would need to be delivered to and temporarily stored prior to their installation.

It is also proposed that all the waste materials removed from the tunnels would be appropriately treated on site before being subsequently removed by HGV's. It is intended that those HGV's would directly access the adjoining A680 utilising the adjacent (to be improved) Tesco roundabout and via a dedicated new temporary access arrangement into and within the construction compound.

In visual terms, these major construction works would entail the erection and use of large cranes and the erection of several large waste material holding tanks and other temporary large scale structures on the site.

It is proposed that the appropriately treated tunnel arisings and other waste materials would then be taken away from the tunnelling site via the strategic road network and then appropriately deposited of by either appropriate re-use or in authorised landfill.

After the construction period it is intended that all the disturbed land at Haslingden Road would be subject to an agreed extensive restoration scheme. In terms of new permanent structures there would only be a small scale new Valve House, to service the operational needs of the new aqueduct, which would be constructed in agreed local materials.

Because of the length and complexity of the proposed tunnelling operations it is anticipated that construction works would be taking place on the compound site at Haslingden Road for approximately 6 years (potentially from 2023 onwards).

A further related smaller local pipeline connection would also need to be constructed in order to directly supply the existing adjacent Townsend Fold Water Treatment Works. The proposed temporary compound at New Hall Hey will be required in order to help construct this new local pipeline connection and it is envisaged that these enabling works will be ongoing for approximately 6 months (potentially from 2026). After the temporary working all of the undeveloped land would also be subject to an agreed restoration scheme.

The proposed works at Townsend Fold Water Treatment Works would be required in order to connect the new pipeline into that established local water supply facility. Works would take place mainly within and directly adjoining the confines of the existing Water Treatment Works. It is anticipated that these temporary works would be ongoing for approximately one year (also from 2026). Again all of the impacted land outside the existing water treatment works would be subject to an agreed restoration scheme.

The proposed mine grouting area at White Carr Lane, Walmersley would be required in order to appropriately stabilise (which would be achieved by injecting a grouting mixture into the ground at the depth of the anticipated tunnelling operation) an area of historic mine workings prior to the new tunnel alignment being driven through that area.

The proposed working area encompasses a relatively small 220m long area of arable land within a field off White Carr Lane which is located just to the north of Walmersley Golf Club. After the temporary grouting works this land would also be subject to an agreed restoration scheme. It is anticipated that these prerequisite grouting works would be taking place for approximately 6 months.

Because of the scale and nature of the proposed works and the potential sensitivities associated with the intended temporary working areas this application has been necessarily subject to environmental assessment in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The associated Environmental Statement, and its subsequent updated information and addenda, outline the anticipated impacts of the proposed development and identifies all of the proposed required related mitigation measures.

A package of updated and amended information was submitted in May 2022 in order to address the issues previously raised by consultees regarding traffic management issues (regarding the need to reduce impacts upon the Rawtenstall Gyratory, to enhance movements around the Tesco Roundabout and to improve the safety of the temporary access into the proposed Haslingden Road Compound).

5. POLICY CONTEXT

National

The updated National Planning Policy Framework (July 2021) outlines the Government's approach to defining planning policy and the relevant sections are;

Section 8 - Promoting Healthy and Safe Communities.

Section 9 – Promoting Sustainable Transport.

Section 12 – Achieving Well-Designed Places.

Section 13 – Protecting Green Belt Land.

Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.

Section 15 – Conserving and Enhancing the Natural Environment.

Section 16 – Conserving and Enhancing the Historic Environment.

The National Planning Practice Guidance provides more detail regarding the Government's operation of the planning system with specific guidance being set out regarding;

Environmental Impact Assessment

Green Belt

Healthy and Safe Communities

Land Stability

Natural Environment

Noise

Public Rights of Way

Planning Obligations

Travel Plans, Transport Assessments and Statements

Use of Planning Conditions

Water Supply, Wastewater and Water Quality

Development Plan Policies

Local policy considerations are set out in the Adopted Rossendale Local Plan 2021:

Strategic Policy SD1 – Presumption in Favour of Sustainable Development

Strategic Policy SD2 – Urban Boundary and Green Belt

Strategic Policy ENV1 – High Quality Development in the Borough

Strategic Policy ENV2 – Historic Environment

Policy ENV3 – Landscape Character and Quality

Policy ENV4 – Biodiversity, Geodiversity and Ecological Networks

Policy ENV5 – Green Infrastructure Networks

Policy ENV6 – Environmental Protection

Policy ENV9 – Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality

Policy ENV10 – Trees and Hedgerows

Policy LT2 – Community Facilities

Policy TR2 – Footpaths, Cycleways and Bridleways

6. CONSULTATION RESPONSES

Ministry of Defence – No Objection.

Canal and Rivers Trust – No Objection.

Natural England – Considers that the proposed development will not have significant adverse impacts on designated sites and has No Objection.

Greater Manchester Ecology Unit – Considers the Assessment of Ecological Impacts and the related mitigation measures to be acceptable and that the HRA is appropriate. Proposals for Biodiversity Net Gain need to be clarified. Therefore, no objection subject to the imposition of suitable conditions and obligations.

Environment Agency – Have confirmed that they have No Objection subject to the imposition of appropriate recommended planning conditions/related obligations in respect of materials/waste management, management of surface water, the reinstatement and management of the riparian corridor along the River Irwell, the safeguarding of private water supplies and the delivery of compensatory habitats.

Historic England – No comments.

Cadent Gas – Highlight the existence of their pipelines in the vicinity of Helmshore/Altham and the need for appropriate safeguarding of their existing infrastructure but confirm that they have No Objection from a planning perspective.

HSE (The Health and Safety Executive) – No comments.

The Coal Authority – Indicate that there are coal mining features and hazards which need to be considered in relation to the determination of this application and as such they recommend that they have no objections subject to the imposition of appropriate conditions.

National Highways – have considered both the original and the subsequent updated submissions and they have confirmed that they have No Objections in principle to what UU are proposing within the Borough so accordingly they recommend that conditions should be attached to any planning permission that may be granted.

Lancashire Highways – There have been extensive protracted negotiations over the last 2 years with Lancashire Highways regarding the measures required in order to safely mitigate the potential impacts of these proposed works. The highway issues primarily relate to the effective management of the traffic that will be associated with the construction stages at the various sites. The proposed mitigation measures will need to be controlled by planning conditions, appropriate S106 obligations and specific related highway agreements (S278 and S38 requirements). However, Lancashire Highways are still not in agreement regarding a number of matters.

Public Rights of Way (Lancashire CC) – Recommends that; in respect of the Haslingden Road compound that a controlled pedestrian crossing be installed on the A680, and that existing footpaths are reinstated and enhanced; in respect of New Hall Hey/Townsend Fold that the temporary diversion is supported and enhanced when reinstated; and for White Carr Lane that an amended shorter diversion be proposed and installed.

Lead Local Flood Authority (Lancashire CC) – Has No Objections to the works at this stage of the planning application but will require detailed site specific pre-commencement information (relating to compounds) when available so that further comments can be provided.

Archaeology (Lancashire CC) – Consider that the proposed assessment and mitigation measures are deemed appropriate and need to be secured by condition.

Rochdale Borough Council – Indicate that the relevant policies in the Development Plan and NPPF should be taken into account in the determination of this application.

Burnley Borough Council – No objections.

Bury MBC – Raises No Objection (Bury MBC have already resolved to grant permission for their section of the HARP scheme).

Hyndburn BC – No comments received (Hyndburn BC have already resolved to grant permission for their section of the HARP scheme).

RBC Landscape Consultant – Considers that on balance the Assessment does provide sufficient information to support making an informed planning decision. However, details of landscape impact need further clarification and it is recommended that minor changes are made to the proposed layout and restoration proposals for both the Haslingden Road and New Hall Hey compounds to enhance the landscape mitigations.

RBC Arboricultural Consultant – Considers that the recommendations made in the Arboricultural Impact Assessment should be conditioned in order to ensure satisfactory tree safeguarding prior to works commencing.

RBC Environmental Health – Supports the mitigations proposed within the application but they do suggest the conditioning of noise mitigation and other measures in order to safeguard the residential amenity of the adjacent residential property at Lockgate Barn, Haslingden.

RBC Property Department – No Objections.

7. REPRESENTATIONS

Because of the extensive scale and the complex nature of this proposal, a significant statutory consultation was undertaken with 12 site notices being displayed at key locations all along the route of the proposed new aqueduct and specifically adjoining the proposed temporary construction compound sites and 400 individual nearby properties were directly notified and the requisite press notice published.

To date representations have been received from 6 local residents.

Residents have raised concerns about the potential temporary working/tunneling operations being in close proximity to their properties (including those adjacent to the proposed Haslingden Road compound and specifically Lockgate Barn) and the impacts that the related tunnel easements may directly have upon their existing property rights (specifically the owner of Higher Barn Clough End Road Haslingden).

A local resident has also made detailed comments regarding the need to protect and subsequently reinstate the footpaths adjoining the proposed New Hall Hey compound.

8. ASSESSMENT

The Need for the Development

The proposed upgrading of the Haweswater Aqueduct is of regional importance in terms of ensuring the resilience and quality of the regions water supply infrastructure.

Accordingly, at the strategic level it is accepted that this planning proposal is considered to be essential in its nature and there is no objection in principle to the provision of the proposed upgraded water supply infrastructure. Considerable weight must be afforded to the need to maintain drinking water supplies across the North West.

It is considered that there will be no long term harm to the area and that the related reinstatements and environmental net gains would result in local enhancement and legacy benefits. All parties also acknowledge that the noticeable local impacts of this proposal will only be actually during the extended periods of construction. Whilst it is accepted that these identified short-term impacts may last for up to a period of 6 years (in some instances), in planning terms therefore they can only be considered to be temporary.

The appropriate reinstatement of all the affected temporary working sites, which are all largely located within the designated Green Belt, is obviously an essential requirement and that is why it is proposed as a key aspect of these proposals.

In conclusion it is considered that unusually the discernable impacts of these planning proposals will be during the extended temporary construction periods rather than in the long term. Therefore, the applicable proposed conditions, and associated related planning obligations, are designed to appropriately manage the period of disturbance associated with those temporary construction works and to thereby minimise the impacts upon residents and the environment of the Borough.

The Environmental Assessment Process

Because of its strategic nature and potential sensitivity this proposal has been subject to the statutory Environmental Assessment process. The process identifies the locations, features and communities to be assessed, considers any environmental effects that may arise and the mitigations required in order to avoid, reduce or offset those impacts. The assessment also takes into account the cumulative effects of this and other potential committed developments.

That process has been necessarily exhaustive in its approach and it has been shaped by extensive inputs from all of the applicable statutory bodies and other relevant agencies. The robustness of the assessment process undertaken has subsequently been validated via the consultation responses received from all of the environmental agencies and the other relevant bodies. Subsequent to the initial consultation process additional environmental information (in the form of addenda) has been submitted in order to suitably further inform the process (and this has been appropriately re-consulted upon).

It is considered that the Environmental Assessment process has been appropriately thorough and it has concluded that the submitted information appropriately identifies and outlines all of the applicable environmental issues and levels of impact. Accordingly, it is considered that, subject to the satisfactory delivery of all of the proposed related mitigations, these complex planning proposals can now be reasonably determined on their planning merits.

The Proposed Environmental Impacts and Mitigations

Because of the nature of this application a key aspect of this planning process is to ensure that all of the proposed environmental safeguards and related mitigations can be satisfactorily secured and thereafter delivered. Therefore, a wide range of related planning conditions and obligations, as recommended by relevant statutory consultees, are proposed.

Some nearby residents have raised their concerns regarding the impacts that the proposed tunneling works may have upon the amenity and structural stability of their properties. United Utilities have specifically responded regarding these points and outlined their intention to enter into an appropriate planning obligation in order to ensure that no existing properties are detrimentally affected or impacted upon by these proposals. There are also provisions within the Water Industry Act 1981 that would allow affected parties to make a claim against the applicants for any potential damages arising.

There are several residential properties sited in close proximity of the proposed Haslingden Road main construction compound and as such it will be essential that their existing amenity is safeguarded as far as possible during the protracted construction works. This will be achieved by appropriate controls being put in place with regard to the intended working hours and in respect of any potential noise or other nuisances. The RBC Environmental Health have been, and will be, involved in formulating those conditions.

Also with regard to the Haslingden Road compound the applicants have acquired the directly adjacent Lockgate Farm and Langwood residential properties but there is a privately owned residence, Lockgate Barn, which directly adjoins the northern boundary of the proposed construction compound. Because of its immediate proximity it is considered that specific screening and monitoring measures will be needed in order to safeguard the amenity of that particular residential property.

There are also residential properties in relative close proximity to the proposed New Hall Hey and Townsend Fold construction compounds and appropriate operating conditions would again need to be put in place to safeguard their amenity during the period of the construction works.

There is also a single residential property situated in close proximity to the proposed White Carr Lane temporary working area and its amenity would obviously also need to be safeguarded during the period of the proposed nearby temporary construction works.

There will be temporary visual impacts upon the affected local landscapes which are associated with the proposed working areas and the construction compounds. Because of both the scale and duration of the intended construction works these will obviously be most pronounced in respect of the proposed Haslingden Road construction compound.

In respect of the terrestrial ecology, there would be impacts due to the nature and extent of the construction works but the proposed restoration and reinstatement works, plus the proposed environmental net gain proposals, would result in no residual significant adverse effects.

With regard to the water environment, no residual significant effects are predicted although there will need to be specific actions in order to appropriately safeguard the riparian corridor along the River Irwell.

In respect of cultural heritage, the proposed archaeological requirements will provide for appropriate mitigation.

In terms of soils, geology and land quality, no residual significant effects are predicted.

In terms of public access and recreation, no significant effects have been identified provided that all of the affected public rights of way are appropriately reinstated.

With regard to transport planning, no residual significant effects are predicted, provided that all of the proposed traffic management mitigations are effectively implemented.

In terms of noise and vibration, there may be discernable temporary impacts at properties within close proximity of the construction compounds and tunneling operations. Appropriate noise mitigation measures and an effective Construction Code of Practice should minimise these impacts.

In respect of air quality, with the intended control measures in place no significant effects are predicted.

In terms of major risks, no significant residual impacts are predicted.

With regard to the inevitable short term community disturbance that will be caused by these construction works the related obligations to be placed upon United Utilities will provide for a Community Liaison Officer to ensure effective coordination with the appointed contractors and with all of the affected local communities.

Accordingly, to conclude in terms of the overall environmental impacts and outcomes it is accepted that there will be some discernable short term temporary visual and environmental impacts upon the affected local areas but it is considered that these will generally be limited in their nature. Provided that all of the proposed mitigations, restorations and reinstatements (and the related environmental net gains) are effectively implemented, then it is considered that there will not be any long term residual detrimental impacts from these developments.

Impacts upon the Green Belt

The proposed compound and working areas at Haslingden Road, New Hall Hey and White Carr Lane are all situated within the designated Green Belt.

The proposed tunneling operation at the Haslingden Road compound would involve the erection of significant temporary structures and the use of related heavy construction machinery and it is considered that this would result in some discernable temporary visual impacts for the extended duration of those construction works.

The proposed compound at the Townsend Fold Water Treatment Works would be located between the River Irwell and the established UU site and as such a major issue for those temporary works will be the safeguarding of that adjacent water environment.

The proposed White Carr Lane working area is located in a very rural, open part of the Green Belt and as such there would be limited related, localised visual impacts during the period of the temporary works.

National and local policies all seek to protect the Green Belt by presuming against inappropriate development but in doing so they do make allowance for very special circumstances to apply to the provision of essential infrastructure.

Therefore, in order to appropriately preserve/reinstate the long term openness of the Green Belt all of the proposed temporary construction compounds, and the related access and working areas,

would need to be subject to suitable landscape and habitat restoration schemes (and with appropriate ongoing maintenance being required for an appropriate period in order to ensure establishment).

The Phasing of the Proposed Works

This is a complex application which encompasses a series of protracted temporary construction works, ongoing for various periods of time, in a number of locations. There is also the fact that these proposed temporary works may be required to commence at differing time periods over what may be an extended period of years.

As such it will be necessary to look to impose a non-standard, segmented approach whereby all of the restrictions upon the interim working arrangements and the proposed subsequent long term restoration requirements for a specific construction site are agreed before the commencement of works at that specific working location.

Therefore, it is proposed that stringent phasing/commencement requirements are placed upon any permission whereby for each proposed section of the construction, no works can commence at that location until the Local Planning Authority has agreed to the applicable proposed temporary working practices, as well as the relevant environmental safeguards and the related restoration requirements.

There will also potentially be applicable phasing requirements in relation to the various stages of the proposed development process including pre-commencement; during the various temporary construction periods; in relation to the subsequent permanent works; and especially in relation to the subsequent landscape and environmental restorations and reinstatements.

The Proposed Traffic Management Arrangements

These proposals would obviously require a considerable number of total vehicle movements to take place in order to facilitate the necessary construction works and especially in order to deal with the required tunnel materials and the waste to be derived from the tunneling operations.

With regard to the Haslingden Road compound it is anticipated that the intended construction works could generate between 145 and 351 vehicle movements a day with the actual daily numbers being dependent upon the nature of what type of construction works are underway/taking place at that specific point in the construction process.

Therefore, it is intended that a dedicated temporary vehicle access arrangement would be created in order to allow for appropriate direct egress and access to the adjoining A680. The proposed construction compound is of considerable scale and as such it is considered that this will allow for appropriate temporary working, parking and traffic management arrangements to be satisfactorily accommodated.

Access to the proposed New Hall Hey compound would be via New Hall Hey Road and the adjoining current development site and it is anticipated that the temporary construction works would generate between 32 and 74 vehicle movements per day.

The proposed New Hall Hey compound would impact upon a number of existing Public Rights of Way, including the Irwell Sculpture Trail and the Railway Heritage Trail, and these would need to be appropriately diverted for the period of the construction works.

The proposed Townsend Fold compound would be accessed via the existing road network, and Holme Lane, that serves the existing treatment works and it is anticipated that between 33 and 74 vehicle movements per day would be generated by the required construction works.

The White Carr Lane temporary working area would be accessed via the existing main road and the associated local rural lane network and as such the proposed construction traffic would need to be carefully managed. It is anticipated that between 25 and 60 vehicles per day would need to access the proposed working area. Accordingly established nearby routes for both walkers and horse riders would need to appropriately diverted and managed during the period of the construction works.

Because of the duration and complexity of the anticipated construction periods there will be an overarching requirement for a comprehensive Construction Traffic Management Plan, which will define all of the access and haulage routes to be utilised and the vehicle types and numbers, to be agreed and implemented, prior to any construction works commencing at the various proposed locations.

Subsequent negotiated additions to the proposed traffic management arrangements have resulted in the requirement for significant enhancements at the Tesco Roundabout that in essence facilitates the proposed safe access to the proposed Haslingden Road compound. Specific HGV movement controls would also need to be put in place in order to reduce the related impacts upon the existing Rawtenstall Gyratory system, and to allow for minor access and other enhancements in respect of the other proposed working areas.

In regard to the Rawtenstall Gyratory, the applicable modelling indicates that subject to all of the proposed traffic management arrangements the proposed construction works at the Townsend Fold WTW would result in an increase of 1 HGV and 0.5LGV's per hour against the existing levels using the gyratory.

Highways England have confirmed that they consider that there are no outstanding fundamental issues, they have no objections in terms of the impacts of the additional traffic generated, and as such they are content not to object to the proposed development, subject to the imposition of appropriate planning conditions.

Lancashire Public Rights of Way has been extensively involved in the negotiations regarding these proposals and have recommended that they can be supported, subject to satisfactory reinstatements and via the delivery of positive enhancements to the local footpath/cycleway network.

After extensive involvement and protracted negotiations Lancashire County Highways, who are the local highway authority and who have been involved for the last 2 years in terms of shaping these proposals, indicate that they are now in agreement with the applicants regarding the majority of highway matters but they still have concerns regarding a number of particular issues, namely;

- Traffic Impacts on Rawtenstall Gyratory – LCC have indicated that they would want to seek a limit on related HGV's from using the gyratory or to require a contribution from the applicants towards improvements. However, in response UU have outlined that, via their traffic modelling and intended traffic management measures, only 1 in every 6,920 vehicles would be attributable to the HARP Scheme. As such, this very small, temporary (for 12 months only) increase would not meet the tests for a S106 contribution, which have to be necessary to make the development acceptable.
- Vehicular Access to the Townsend Fold WTW Compound – LCC have indicated that they consider that from vehicle tracking there would be potential areas of conflict in accessing the

WTW compound. In response, the evidence does point to such a risk being minor and your officers are of the opinion that these details can be conditioned and dealt with at the detailed design stage.

- The existing refuge island at the Holme Road/Bury Road junction – LCC have indicated that they consider there would be a risk of overrun. In response, LCC have already indicated that UU’s proposals for a revised design of the refuge island are not unreasonable. Hence, it is your officers’ opinion that a revised design for the refuge island can be appropriately conditioned.
- Proposed controls over the HGV movements associated with this development – LCC indicate that they are in agreement with the currently proposed routing arrangements but the final arrangement for the disposal of the related tunnel arisings, may result in the need for further mitigations. In response UU have indicated that they would be willing to accept a condition regarding the maximum number of HGV’s entering the site on any single working day.

Notwithstanding these issues, having regard to the proposed extensive highway impact mitigations and the acknowledged, limited, temporary nature of these impacts, it is considered that permission should be reasonably granted subject to the imposition of the intended traffic related planning conditions and the related traffic mitigation obligations.

To conclude regarding the proposed traffic management arrangements, it is accepted that there will be certain limited local highway impacts during the period of these complex construction works, however, via the intended planning conditions and obligations, they can be appropriately monitored and managed.

Operating/Construction Code of Practice

The scale and extended nature of the proposed construction works, which it is indicated could be for up to at least 6 years in the case of the Haslingden Road compound, mean that the Local Planning Authority can reasonably look to appropriately monitor and intermittently review the impacts of the applicable temporary working practices.

Accordingly, it is proposed that the agreed temporary working arrangements/the applicable construction codes of practice (which it is intended that United Utilities appointed contractors will be required to work too via the terms of their contracts) should be subject to continuous monitoring with periodic reviews, in order to ensure that all the proposed environmental safeguards are operating as effectively as possible.

In all instances, any unacceptable divergence from the particular agreed working practices would need to trigger an immediate review and the instigation of appropriate remedial action.

Planning Obligations

The proposed related planning obligations will be required to secure the;

- Delivery of Biodiversity Net Gains/Compensatory habitats
- Provision of the Community Liaison Officer
- Ecological Clerk of Works

- Safeguarding of Existing Residences and Premises
- Traffic Impact Reinstatements
- Traffic Management Contributions
- Footpath/cycleway Enhancements

The Planning Balance

It is important for the decision maker to be able to consider both the need for the proposed development and to have the ability to appropriately evaluate both any permanent or temporary harm that may arise from the potential grant of this planning permission.

In this instance it is widely accepted that the appropriate upgrading of the Haweswater Aqueduct is a community infrastructure issue of acknowledged regional importance and that the intended locations for the proposed works are predominantly determined by the current route of the existing aqueduct.

It is also accepted that the proposed development will give rise to very limited new permanent structures and related impacts, provided that all of the proposed environmental mitigations, especially in terms of the required landscape and habitat restorations are appropriately implemented and thereafter suitably maintained, the impact of these is considered to be acceptable. Indeed, these proposals create opportunities to deliver significant related net gains in terms of both the required landscape restorations and with regard to the proposed biodiversity enhancements.

It is accepted that the discernable impacts of these proposals will be during the applicable temporary construction periods (which it should again be noted would be for what will be an extended period of up to 6 years in the case of the proposed main Haslingden Road construction compound).

Therefore, whilst there is a considerable importance placed upon ensuring that those necessary construction works can readily go ahead, they do need to be carried out in such a manner so as to appropriately mitigate both the identified environmental issues and so that do not unduly impact upon the amenity of nearby affected residents.

In considering the planning balance, it is also important to consider how all of the identified and proposed mitigations can be appropriately delivered. In this instance the proposed mitigations will be ensured via the imposition of appropriate planning conditions and via the explicit requirements of the related S106 Agreement obligations.

Conclusions

In conclusion, it is considered that these significant development proposals are somewhat unusual in that there are no fundamental objections whatsoever to the upgrading of this important piece of regional water supply infrastructure.

Representations have appropriately raised issues that relate to the temporary impacts and with regard to the necessary extended construction periods. However, it is considered that those impacts can be mitigated via appropriate planning controls and the related S106 Agreement obligations.

In considering the planning balance, it is important to acknowledge the essential need for the development and to recognise, that any discernable impacts will only be experienced during the temporary construction periods.

Accordingly, provided that appropriate measures can be put in place in order to manage and mitigate as far as possible those temporary impacts, it is considered that this planning permission can reasonably be granted in order to ensure the delivery of the associated long-term regional and local community benefits. It is your officers' opinion that those temporary impacts can be adequately managed and mitigated by this proposed development, subject to planning conditions and planning obligations, the latter to be secured (via a Section 106 Agreement).

9. RECOMMENDATION

That the application is approved subject to the conditions set out in this report and the completion of a Section 106 Agreement in order to secure the required temporary mitigations and the proposed long-term enhancements.

10. CONDITIONS

Time Limits

1. The development hereby approved must be satisfactorily commenced within five years beginning with the date of this permission.

Reason. As required by the applicable legislation.

Approved Plans and Documents

2. This permission is granted on the basis that the development shall be implemented in accordance with the following list of approved plans and documents;

Plans/Drawings:

Scheme Overview Plan RBC-HW-APP-004-01-01 Rev 0
Section Overview Plan RBC-HW-APP-004-01-02 Rev 0
Site Location Red Line Plan RBC-HW-APP-004-02 Rev 0
Site Layout Plan (Existing Site Layout - Haslingden Road Compound) 80061155-01-JAC-TR5-97-DR-C-00003 Rev P01
Site Layout Plan (Proposed Permanent Site Layout - Haslingden Road Compound) 80061155-01-JAC-TR5-97-DR-C-00004 Rev P01
Site Layout Plan (Existing Site Layout – Townsend Fold WTW / New Hall Hey Compounds) 80061155-01-JAC-TR5-97-DR-C-00005 Rev P03
Site Layout Plan (Proposed Permanent Site Layout - Townsend Fold WTW / New Hall Hey Compounds) 80061155-01-JAC-TR5-97-DR-C-00006 Rev P03
General Arrangement - Scheme Extents (Sheet 1 of 11) RBC-HW-APP-004-04_01 Rev 0
General Arrangement - Scheme Extents (Sheet 2 of 11) RBC-HW-APP-004-04_02 Rev 0
General Arrangement - Scheme Extents (Sheet 3 of 11) RBC-HW-APP-004-04_03 Rev 0
General Arrangement - Scheme Extents (Sheet 4 of 11) RBC-HW-APP-004-04_04 Rev 0
General Arrangement - Scheme Extents (Sheet 5 of 11) RBC-HW-APP-004-04_05 Rev 0
General Arrangement - Scheme Extents (Sheet 6 of 11) RBC-HW-APP-004-04_06 Rev 0
General Arrangement - Scheme Extents (Sheet 7 of 11) RBC-HW-APP-004-04_07 Rev 0
General Arrangement - Scheme Extents (Sheet 8 of 11) RBC-HW-APP-004-04_08 Rev 0
General Arrangement - Scheme Extents (Sheet 9 of 11) RBC-HW-APP-004-04_09 Rev 0
General Arrangement - Scheme Extents (Sheet 10 of 11) RBC-HW-APP-004-04_10 Rev 0
General Arrangement - Scheme Extents (Sheet 11 of 11) RBC-HW-APP-004-04_11 Rev 0
Proposed Haslingden Road Compound - Construction Phase Drawing RBC-HW-APP-004-05_01 Rev 0

Proposed New Hall Hey & Townsend Fold WTW Compounds - Construction Phase Drawing RBC-HW-APP-004-05_02 Rev 0
 Proposed New Hall Hey & Townsend Fold WTW - Connection Phase Drawing RBC-HW-APP-004-06 Rev 0
 Compound Sections - Haslingden Road Compound (Sheet 1 of 3) RBC-HW-APP-004-07_01 Rev 0
 Compound Sections - Haslingden Road Compound (Sheet 2 of 3) RBC-HW-APP-004-07_02 Rev 0
 Compound Sections - Haslingden Road Compound (Sheet 3 of 3) RBC-HW-APP-004-07_03 Rev 0
 Compound Sections - (New Hall Hey and Townsend Fold WTW Compounds) RBC-HW-APP-004-07_04 Rev 0
 Townsend Fold WTW Compound – Pipeline Open Cut Construction Easement – Cross Section 80061155-01-UU-TR5-XX-DR-C-20022 Rev P02
 Compound Elevations - Haslingden Road Compound (Sheet 1 of 3) RBC-HW-APP-004-09_01 Rev 0
 Compound Elevations - Haslingden Road Compound (Sheet 2 of 3) RBC-HW-APP-004-09_02 Rev 0
 Compound Elevations - Haslingden Road Compound (Sheet 3 of 3) RBC-HW-APP-004-09_03 Rev 0
 Compound Elevations - New Hall Hey & Townsend Fold WTW Compounds RBC-HW-APP-004-09_04 Rev 0
 Haslingden Road Compound – Valve House and Access Building 80061155-01-UU-TR5-97-DR-C-00041 Rev P02
 Typical Raised Air Valve Chamber Detail 80061155-01-UU-TR5-97-DR-C-00046 Rev P01
 Compound Junction Access Details - Haslingden Road Compound RBC-HW-APP-004-11_01 Rev 3
 Indicative Mine Grouting Area (White Carr Lane) RBC-HW-APP-004-13_01 Rev 0
 Example Mine Grouting Area Compound Layout / Section RBC-HW-APP-004-13_02 Rev 0

Planning Documents:

Planning, Design and Access Statement RBC-HW-APP-003 Rev 0
 Haslingden Road, New Hall Hey and Townsend Fold WTW Compounds - Lighting Management Plan Overview RBC-HW-APP-005_01 Final (April 2021)
 White Carr Lane Mine Grouting Area - Lighting Management Plan Overview RBC-HW-APP-005_02 Final (April 2021)
 Statement of Community Involvement RBC-HW-APP-006
 Construction Traffic Management Plan HBC_RBC_BMBC-HW-APP-007 Rev 4.0
 BNG Report on site RBC-HW-APP-008_01 Rev 3
 BNG Report off site RBC-HW-APP-008_02 Rev 1
 SSSI Assessment HBC_RBC_BMBC-HW-APP-009 Rev 3.0
 HRA Report HBC_RBC_BMBC-HW-APP-010 Rev 7.0
 Final Mining Risk Assessment HBC_RBC_BMBC -HW-APP-011 V1.0

Environmental Statement:

Volume 1 Non-Technical Summary
 Volume 2 Environmental Statement
 Volume 3 Figures
 Volume 4 Technical Appendices

First SEI:

Supplementary Environmental Information HBC_RBC_BMBC-HW_SEI Rev 0 (Oct 2021)
 HBC_RBC_BMBC-HW_SEI APPENDIX A1 - A11

Second SEI:

Second Supplementary Environmental Information – Rossendale RBC-HW_SEI_2 Rev 0 (April 2022)

Reason. For the avoidance of doubt and to ensure an appropriate standard of development as pursuant to relevant National Planning Policies and the applicable policies contained within the Development Plan.

Phasing of the Proposed Works

3. Prior to the commencement of development, a Phasing Plan showing the sequencing of the development for managing the construction, restoration and reinstatement works shall be submitted to and agreed in writing by the Local Planning Authority. Conditions (set out below) that are required to be submitted to the Local Planning Authority for approval shall be submitted to and agreed in writing by the Local Planning Authority in accordance with the sequence set out in the agreed phasing plan. The development shall thereafter be implemented solely in accordance with the approved scheme or as subsequently amended by written agreement with the Local Planning Authority.

Reason. For the avoidance of doubt and to ensure that the development is implemented in accordance with all of the required related mitigations.

Compliance with Operating/Construction Code of Practice

4. Development within each phase approved under Condition 3 above shall not be commenced until a fully comprehensive Construction Code of Practice, indicating how the appointed contractor intends to operate in an environmentally suitable and neighbourly manner, for the relevant phase has been submitted to and agreed in writing by the Local Planning Authority. The appointed contractor shall then operate in accordance with that approved Construction Code of Practice (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. For the avoidance of doubt and to ensure that the appointed contractor operates in accordance with all of the required and agreed mitigations.

Appropriate Restoration, Reinstatement and Aftercare

5. Development within each phase approved under condition 3 above shall not be commenced until appropriate comprehensive proposals for the restoration, reinstatement and aftercare (in respect of the restored landscape) of the environment in respect of that impacted area for the relevant phase, has been submitted to and agreed in writing by the Local Planning Authority. The proposed restorations, reinstatements and aftercare shall be implemented in accordance with those agreed details (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. For the avoidance of doubt and to ensure that all the required restorations and reinstatements are implemented in accordance with the agreed and required environmental mitigations.

Construction Compound Details (Micro-siting)

6. Development within each phase at Haslingden Road, New Hall Hey, Townsend Fold and White Carr Lane shall not be commenced until full details of the proposed related construction compounds (including their exact siting, intended layouts, proposed hoarding design, details of noise generating equipment and lighting details) has been submitted to and agreed in writing by the Local Planning Authority. The compounds shall then be set up and operated in accordance with those approved details (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. For the avoidance of doubt and to ensure that the development is implemented in accordance with the required mitigations.

Valve House Materials

7. Prior to the construction of the proposed permanent new Valve House at the Haslingden Road Compound, details of the proposed external materials shall be submitted to and agreed in writing by the Local Planning Authority. The building shall then be constructed in accordance with those approved details (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to ensure an appropriate standard of development in accordance with Development Plan policies.

The Construction Traffic Management Plan

8. Development within each phase approved under Condition 3 above shall not be commenced until a Construction Traffic Management Plan (the CTMP) has been submitted to and agreed in writing by the Local Planning Authority. The CTMP will include all the proposed traffic routing strategies and control arrangements, the required related localised access and highway works, the proposed operational controls over construction traffic during peak periods, the intended access and haul routes, the proposed vehicle types and numbers, and the intended working hours. All the proposed construction traffic management arrangements shall be implemented in accordance with the agreed CTMP (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to ensure safe and appropriate local traffic management and access arrangements in accordance with the applicable Development Plan policies

Agreed Highway Works and Traffic Management Schemes

9. Development within each phase approved under Condition 3 above shall not be commenced until the full design and construction details of the required local highway schemes and improvements for the relevant phase has been submitted to and agreed in writing by the Local Planning Authority. The proposed local highway management schemes and improvements shall be implemented in accordance with those agreed details (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to ensure safe and appropriate local traffic management and access arrangements in accordance with the applicable Development Plan policies.

National Highways Conditions

10. Development within each phase approved under Condition 3 above shall not be commenced unless and until United Utilities have undertaken a geotechnical assessment in accordance with standard CD622 of the Design Manual for Roads and Bridges in connection with all anticipated operations covered by this planning application in relation to;

- Tunnelling under the A56 trunk road north of Rising Bridge;
- Tunnelling adjacent to the A56 trunk road Woodcliffe cutting;
- Site formation earthworks for the Haslingden site compound;
- Mine grouting at White Carr Lane; and
- Site formation earthworks at White Carr Lane.

The Geotechnical Assessment for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of that phase of development.

Reason. To ensure that the risks to the Strategic Road Network (SRN) asset are suitably mitigated.

11. Development within each phase associated with the creation of the Haslingden Road site compound and the tunnelling operations beneath the A56 trunk road north of the A56/A680 Rising Bridge junction, shall not be commenced until;

- There has been a survey to record the condition of all highway-related drainage systems within the vicinity of the above works (to be repeated once all works pursuant to this application have been completed); the results shared and agreed with National Highways (and any subsequent damage attributable to the works made good by the applicant).
- A plan to ensure that said drainage apparatus are protected from disturbance, damage and settlement for the full duration of the works has been submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure the safety and integrity of the SRN and to also ensure that the highway drainage system of the SRN continues to function as it has been designed to.

12. There shall be no connection into the drainage system of the A56 trunk road or M66 motorway.

Reason. To ensure the safety and integrity of the SRN and to also ensure that the highway drainage system of the SRN continues to function as it has been designed to.

13. Development within each phase approved under Condition 3 above shall not be commenced until a detailed site construction traffic management plan and site construction working method statement relating to the compounds at Haslingden Road and White Carr Lane for the relevant phase has been submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure the safety and integrity of the SRN is maintained.

Approved Hours of Working

14. For the Haslingden Road Compound the working hours shall be:

- a) Tunnelling works up to twenty-four (24) hours per day, seven (7) days a week;
- b) Above ground works to support tunnel working:

- i. Up to twenty four (24) hours per day, seven (7) days per week above ground support to tunnelling including:
 - 1. maintenance;
 - 2. security;
 - 3. ventilation;
 - 4. refuelling;
 - 5. separation and thickening of arisings for stockpiling, excluding spoil removal from site and associated HGV movements;
- c) Above ground works other than support to tunnel working at Launch Sites including spoil removal from site and associated HGV movements
 - i. Monday to Friday 07:00 to 19:00. Deliveries 07:00 to 19:00
 - ii. Saturday 07:00 to 13:00. Deliveries 07:00 to 13:00
 - iii. No works Sunday. No deliveries
 - iv. No works on bank holidays. No deliveries;

The development shall then be implemented in accordance with these working hours (or as may be subsequently amended by the written agreement of the Local Planning Authority). These working hours shall be reviewed by the local planning authority subject to the agreement of the detailed siting plan under condition 2.

Reason. In order to appropriately safeguard the amenity of existing properties and residents.

Approved Hours of Working (Townsend Fold WTW, New Hall Hay and White Carr Lane Compounds)

15. Development within each phase approved under Condition 3 above shall not be commenced until details of the intended hours of working (at each specific working location) for the relevant phase have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with those agreed working hours (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to appropriately safeguard the amenity of existing properties and residents.

Noise Mitigation Measures

16. Development within each phase approved under Condition 3 above shall not be commenced until details of the intended noise mitigation measures (at each specific working location) have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with those agreed noise mitigation measures (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to appropriately safeguard the amenity of existing properties and residents.

Tree/Landscape Safeguarding/Reinstatement Measures

17. Development within each phase approved under Condition 3 above shall not be commenced until full details of the intended tree and landscape safeguarding measures, and the intended related tree and landscape reinstatements, for that particular location have been submitted to and agreed in writing by the Local Planning Authority. The works shall then be implemented in accordance with those agreed tree and landscape safeguarding and reinstatement proposals (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to deliver the required tree and landscape mitigations and environmental enhancements.

Ecological Safeguards

18. Development within each phase approved under Condition 3 above shall not be commenced until a scheme of appropriate ecological safeguards for the relevant phase has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include and ensure compliance with all the stated environmental mitigations (as set out in the associated Environmental Statement and addenda), the applicable requirements of the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

Reason. In the interests of protecting wildlife and the natural environment.

Archaeological Investigation and Works

19. No development within each phase approved under condition 3 shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists (www.archaeologists.net). The development shall be carried out in accordance with these agreed details.

Reason. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with this site.

Drainage/Surface Water/Private Water Supply, Materials Management and Site Waste Management Plans

20. Development within each phase approved under Condition 3 above shall not be commenced until details of the intended drainage strategy (which will include proposals for the appropriate management of surface water, local flood risk and sustainable drainage), the safeguarding of private water supplies, the management of materials and site waste as specified by the Environment Agency (in their detailed planning consultation response reference NO/2021/113551/02-L02 dated 23rd February 2022) for the relevant phase has been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with those agreed details (or as may be subsequently amended by the written agreement of the Local Planning Authority).

Reason. In order to ensure appropriate management of the local water environment in accordance with Development Plan policies and the requirements of the Environment Agency.

Provision of Compensatory Habitats

21. Development within each phase approved under Condition 3 above shall not be commenced until a scheme for the provision and management of any compensatory habitats necessary to mitigate the impacts of the project has been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason. In order to safeguard and enhance the environment.

Management of the River Irwell Riparian Corridor

22. A scheme for the positive reinstatement and management of the riparian corridor along the River Irwell shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The scheme shall include;

- Plans showing the extent and layout of the restored riparian corridor with any new riparian revetment design preferably based on a bio-engineering solution, where feasible.
- Details of any proposed soft landscape reinstatement scheme including a planting schedule predominantly based in native species.
- Treatment of invasive non-native species and appropriate biosecurity measures to be adopted.
- Details demonstrating how the riparian zone will be protected during development and managed over the longer term.
- Details of any new boundary features i.e. fencing.

Reason. In order to appropriately safeguard the water environment in accordance with the requirements of the Environment Agency.

Footpath Safeguarding/Diversions/Reinstatement

23. Development within each phase approved under Condition 3 above, shall not be commenced until details of the proposed related, Public Rights of Way intended closures, necessary diversions and essential reinstatements have been submitted to and agreed in writing by the Local Planning Authority. All subsequent works to, and reinstatements of, the public rights of way network shall be carried out in complete accordance with those agreed details.

Reason. In order to satisfactorily safeguard and then ensure appropriate reinstatement of the affected Public Rights of Way.

Coal Mining Conditions

24. Development within each phase approved under Condition 3 above shall not be commenced until;

- a) A scheme of targeted additional intrusive investigations (either in advance of the proposed works or during the mine stabilisation phase) has been agreed and carried out as required on site to establish the risks posed to the development by past coal mining activity.

- b) Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

Prior to the development being taken into beneficial use, a signed statement or declaration prepared by a suitably qualified person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. The document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. In order to address any identified coalmining legacy issues.