

<b>Application Number:</b>	2023/0095	<b>Application Type:</b>	Full Planning Permission
<b>Proposal:</b>	Environment Agency Flood Risk infrastructure: Establishment of gated compound and 1mx1m kiosk with hydrometry and telemetry equipment onsite.	<b>Location:</b>	Land Next To The River Irwell, Hill End Lane, Cloughfold.
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	21/03/2023
<b>Applicant:</b>	Environment Agency	<b>Determination Expiry Date:</b>	25/04/2023
<b>Agent:</b>			

<b>Contact Officer:</b>	<b>Claire Bradley</b>	<b>Telephone:</b>	<b>01706 238636</b>
<b>Email:</b>	<b>planning@rossendalebc.gov.uk</b>		

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	No
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	No
<b>Other (please state):</b>	Council Owned Land

## 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

Delegate authority to Head of Planning to approve with conditions once the consultation period expires on 23.03.2023.

## 2. APPLICATION SITE

The application site is an area of wood land owned by the Council adjacent to the River Irwell accessed from Hill End Lane.

The Irwell Sculpture Trail runs alongside the application site.

## 3. RELEVANT PLANNING APPLICATION HISTORY

None

## 4. PROPOSAL

The application is to provide Environment Agency Flood Risk infrastructure. This will involve the establishment of gated compound and 1m x 1m kiosk with hydrometry and telemetry equipment onsite.

The purpose of this equipment is to monitor water levels and flows to provide flood alerts and warnings for the local community. Currently there is one located 1 km away on Cape Street to the rear of Ilex Mill.

In time this equipment will replace the existing kiosk and equipment at Cape Street.

## 5. POLICY CONTEXT

### National Planning Policy Framework

Section 2 Achieving Sustainable Development  
Section 4 Decision Making  
Section 9 Promoting Sustainable Transport  
Section 11 Making Effective Use of Land  
Section 12 Achieving Well Designed Places

### Development Plan

#### Local Plan Policies

Policy SS: Spatial Strategy  
Policy SD1: Presumption in Favour of Sustainable Development  
ENV1 High quality Development in the Borough  
ENV3 Landscape character and Quality  
ENV4 Biodiversity, Geodiversity and Ecological Networks

### Other material considerations

National Planning Practice Guidance

## 6. CONSULTATION RESPONSES

No comments have been received on this application

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order neighbour letters were posted out to surrounding properties on 28/02/2023 and a site notice was posted on 01/03/2023.

To date no consultation responses have been received on the application. The consultation period expires however on 22/03/2023.

## 8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety

### **Principle**

The proposed development is located within the urban boundary, where the Local Plan seeks to locate the majority of new development.

The application is for flood risk infrastructure which includes hydrometry and telemetry equipment onsite, within a gated compound to monitor water levels.

The majority of development by the Environment Agency is permitted development, however, as this is not on operational land, it required planning permission.

The development is considered to be acceptable in principle and in accordance with the NPPF and the Rossendale Local Plan.

### **Visual Amenity**

The works involve the siting of a 1m x 1m kiosk within a compound. The compound will measure 5m x 1.6m, and will be enclosed with 1.2m high weldmesh fencing powder coated green (RAL - 6005).

There will be no overall impact on the visual amenity of the area. The proposal is considered acceptable in terms of visual amenity.

### **Residential Amenity**

The property is situated in a relatively remote location away from any residential properties.

Having regard to the above, the proposed development is considered acceptable in terms of residential amenity.

## **Access, Parking and Highway Safety**

The application site is located adjacent to Hill End Lane and the Irwell Sculpture Trail. There is on street parking adjacent to accommodate construction vehicles and servicing vehicles.

There is no issue in relation to access parking and highway safety.

## **Trees**

There are a number of trees adjacent to the site. As the site is in the ownership of the Council, permission will be required to remove any as part of the development.

The Environment Agency have confirmed the following:

*Regarding the trees we have sought advice from our FBG (Fisheries, Biodiversity and Geomorphology) team and they have advised work will need to adhere to BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction. So before any construction work takes place our Ecologist sub-contractor will survey the area and advise whether we will need any removing to construct the intended design, and how best to protect the remaining during construction. If we do need to remove trees they will be added to our tree tracker for replanting on a 5:1 basis.*

Given the above there will be no issue in relation to the trees on the site that will not be mitigated through replanting.

## **9. CONCLUSION**

The proposal to provide Environment Agency Flood Risk infrastructure. This will involve the establishment of gated compound and 1m x 1m kiosk with hydrometry and telemetry equipment onsite is acceptable and in accordance with Policies ENV1, ENV3, and ENV2 of the Rossendale Local Plan.

## **10 RECOMMENDATION**

That planning permission be delegated to the Head of Planning to grant subject to the Conditions set out below following the consultation period expiring.

## **11. CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

Application form signed and dated 27/02/2023

Drawing No EXD-JBAU-00-HL-DR-C-0001-General\_Arrangement received 28/02/2023

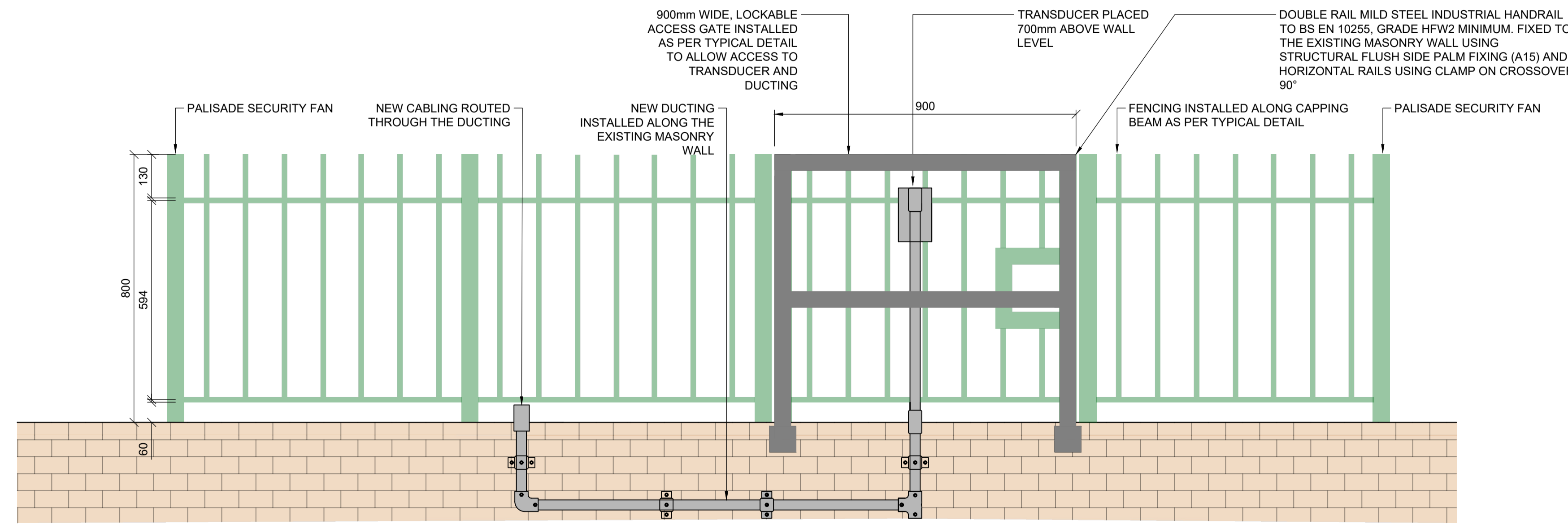
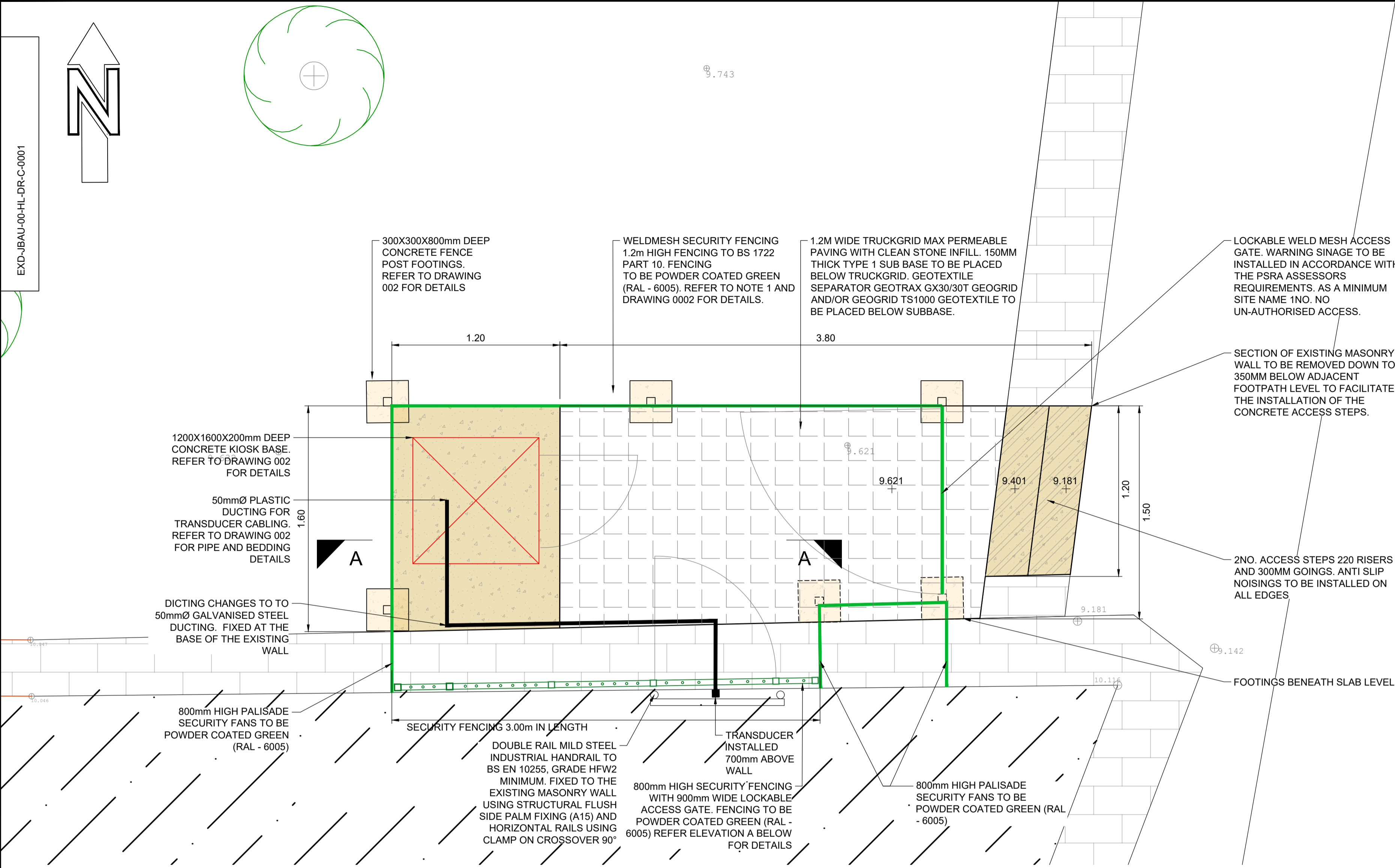
Drawing No EXD-JBAU-00-HL-DR-C-0002-Details received 28/02/2023

Location Plan received 28/02/2023

Reason: To define the permission and in the interests of the proper development of the site.

## 12. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

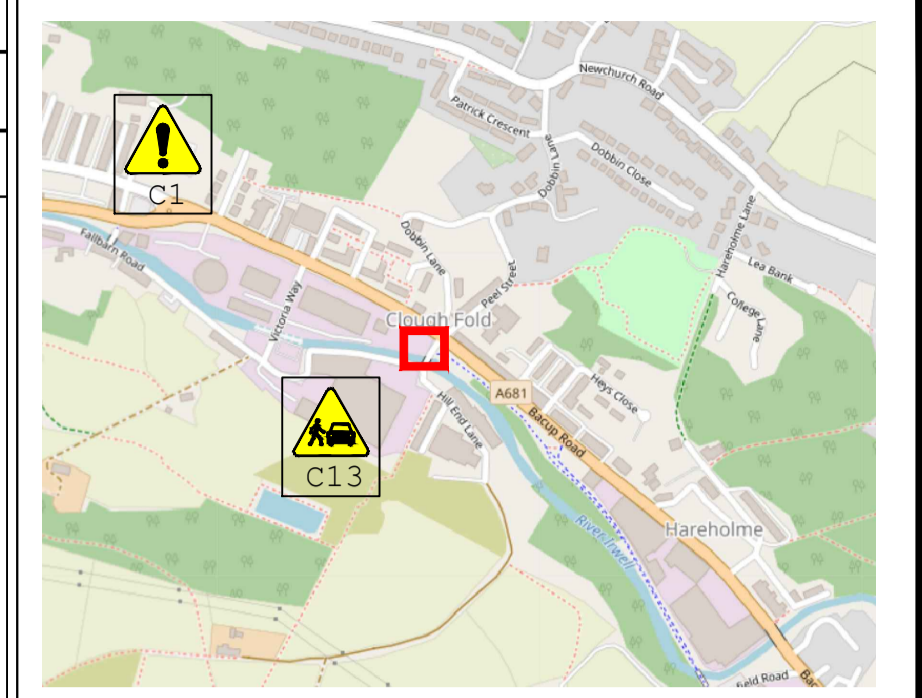


ELEVATION A  
NTS

UTILITY SERVICES INVESTIGATION GAUGE TO PAS 128			
<span style="color: red;">○</span>	TYPE D: DESK STUDY		
<span style="color: orange;">○</span>	TYPE C: DESK STUDY AND SITE RECONNAISSANCE		
<span style="color: yellow;">○</span>	TYPE B: DESK STUDY WITH SITE RECON AND UTILITY DETECTION SURVEY		
<span style="color: green;">○</span>	TYPE A: DESK STUDY WITH SITE RECON, UTILITY DETECTION SURVEY & TRIAL HOLES		
TYPE D	TYPE C	TYPE B	TYPE A
AWAITING	N/A	N/A	N/A

THE POSITION OF ANY EXISTING PUBLIC OR PRIVATE SEWERS, UTILITY SERVICES, PLANT OR APPARATUS SHOWN ON THIS DRAWING HAS BEEN OBTAINED FROM STATUTORY RECORDS. THE INFORMATION SHOWN IS BELIEVED TO BE CORRECT BUT NO WARRANTY TO THIS IS EXPRESSED OR IMPLIED. OTHER SUCH PLANT OR APPARATUS MAY ALSO BE PRESENT BUT NOT SHOWN. INVESTIGATIONS SHOULD BE UNDERTAKEN ON SITE CONFIRMING LOCATIONS BEFORE BREAKING GROUND.

Safety, Health and Environment information	
In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant risks	
Design / Construction	
1	Accessing the site – public and private access leading to road traffic accident.
2	Working near water/ Flood Risk leading to drowning.
3	Lifting operations - risk of injury.
4	Compaction works - hand/arm vibration.
5	Leptospirosis - Ill health, death through contact with contaminated water.
6	A full service search has not been completed and therefore a full service search should be completed in line with PAS 128, HSG47 and GS6 prior to works commencing on site.
7	Construction noise and minor dust generation cannot be avoided.
8	Plant movement - Possible impact to the embankments efficacy, increasing flood risk - residual risk low can be mitigated through control measures.
9	Plant/Public interface during works resulting in injury or death - Risk remains due to site location but can be reduced through proper management and site conduct.
Environmental	
10	Spread of non-native species.
11	Pollution/fish kill due to Concreting/Grouting above the watercourse- Residual risk is low but needs to be managed
Maintenance	
12	Inspection/maintenance of proposed Radar at the top of the concrete capping leading to falling/drowning in the watercourse
Decommissioning / Demolition	
13	NA



LOCATION MAP  
NTS

- Notes Relating to Proposed Works
- Weld mesh fence used to be in compliance with BS 1722 Part 10 and be powder coated green (RAL - 6005).
  - Within the site boundary there is a need to trim back overgrown vegetation to enable installation works. EA ecologists/arboriculturist to comment on the extent of vegetation clearance required to facilitate the installation works. Refer to the bullet point list below.
    - Vegetation affected by the proposals to be assessed by a qualified ecologist/arboriculturist in advance of the works.
    - Topsoil and turf disturbed on site shall be removed carefully and stockpiled on site (Class 5A Acceptable Earthworks Material in accordance with the Specification for Highways Works) for reuse within the planting strip / embankments. Native earthworks shall only be removed off-site for disposal if deemed unsuitable for re-use by either competent Geotechnical Engineer or Ecologist.
    - Where topsoil and turf is deemed unsuitable for re-use then alternative finish would be to take formation level down to 300mm below finished ground level and import topsoil (Class 5B Acceptable Earthworks Material in accordance with the Specification for Highways Works) and reseed in accordance with native grass seed type (CESWI 7 Grass Seed Mix 1).
    - All other surfaces disturbed including footpaths etc. to be reinstated to match current specification.
  - All surface finishes at the boundary of the site with the public footpath to be made good, including minor modification / repairs as deemed necessary to provide neat finish to the site boundary.
  - Adequate site and H&S signage to be in agreement with Public Safety Risk Assessment Officer & EA's PRSA Officer.
  - Position and associated field of the CCTV camera shall be reviewed in consultation with the PSRA to determine whether a second camera is required to fulfil the site's security requirements.

Rev	Date	Description of Revisions	Drawn	Chkd	Appr
C02	16/01/23	ADDITIONAL HANDRAILS	HPS	HPS	MW
P01	12/01/23	UPDATES TO HARDSTANDING	HPS	HPS	MW

Status  
A4 - FOR CONSTRUCTION

Client/Contractor	Consultant
Cheetham Hill Construction Ltd Woodhill Road Bury Lancashire BL8 1AR Tel: 01617 615109 Project	JBA Consulting The Old School House St Joseph's Street TADCASTER LS24 9HA Tel: 01937 837900

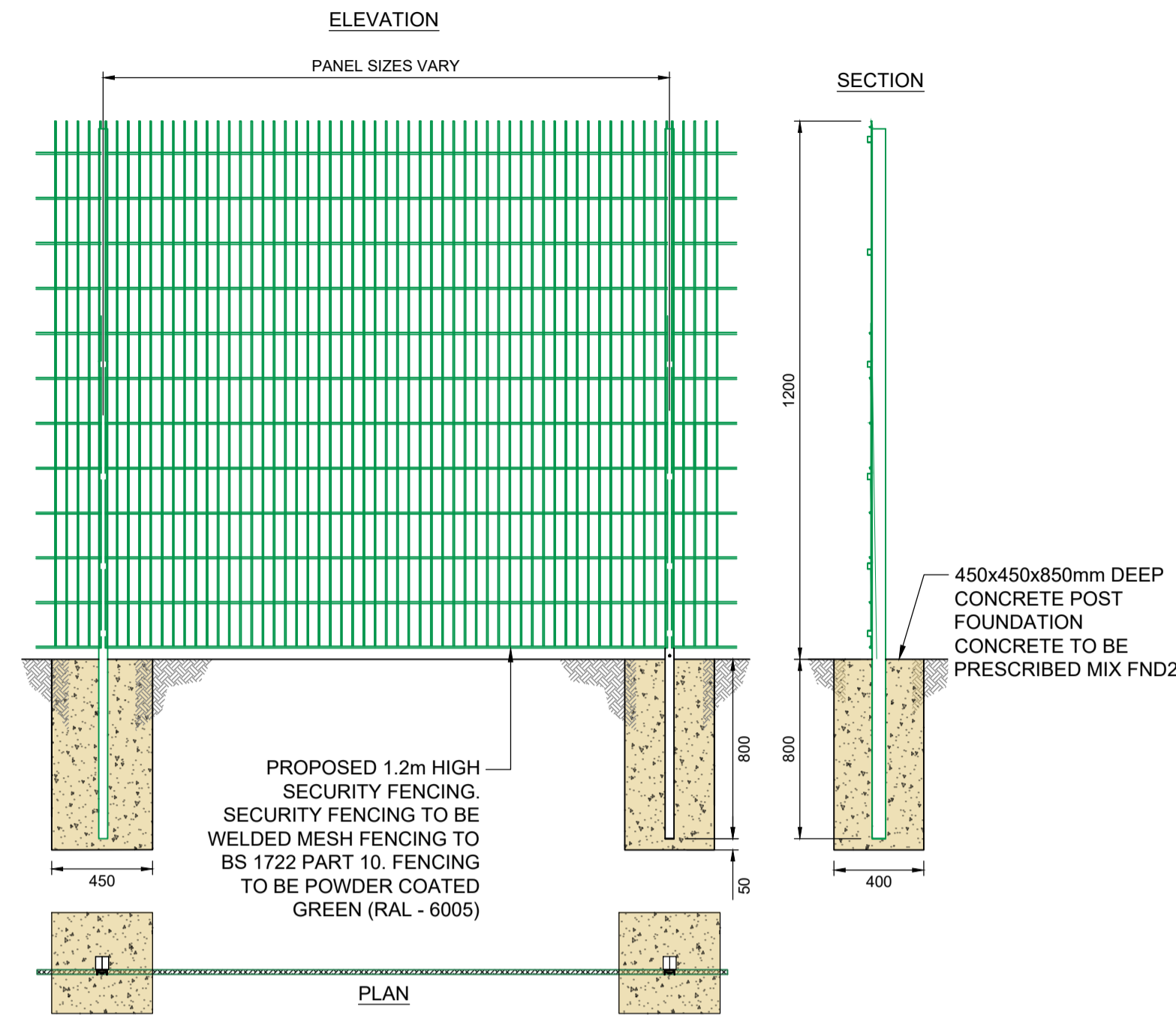
Cheetham Hill Construction Ltd.  
GMMC H&T CONTRACT

Drawing Title  
Hill End Lane, Rawtenstall.  
General Arrangement

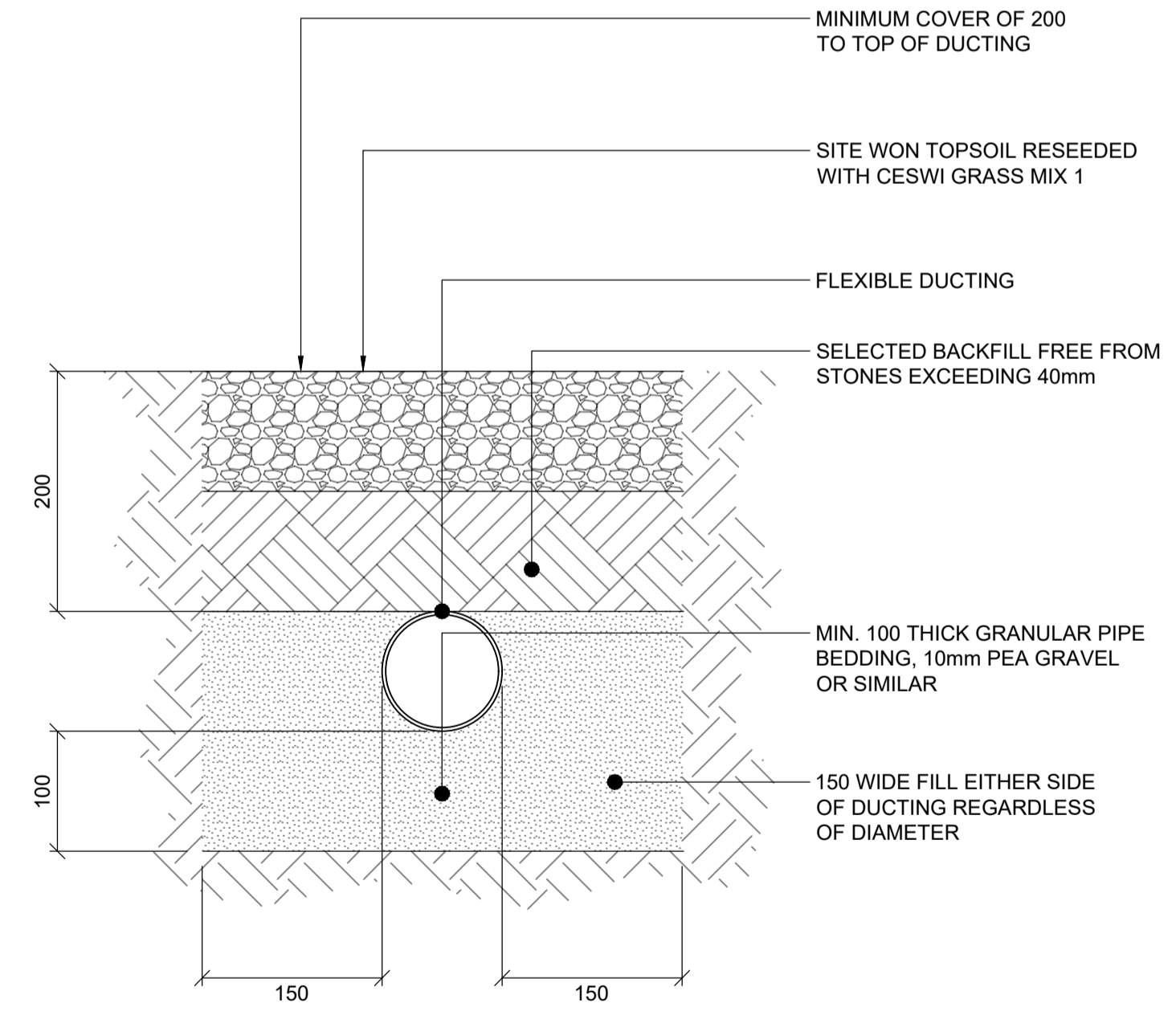
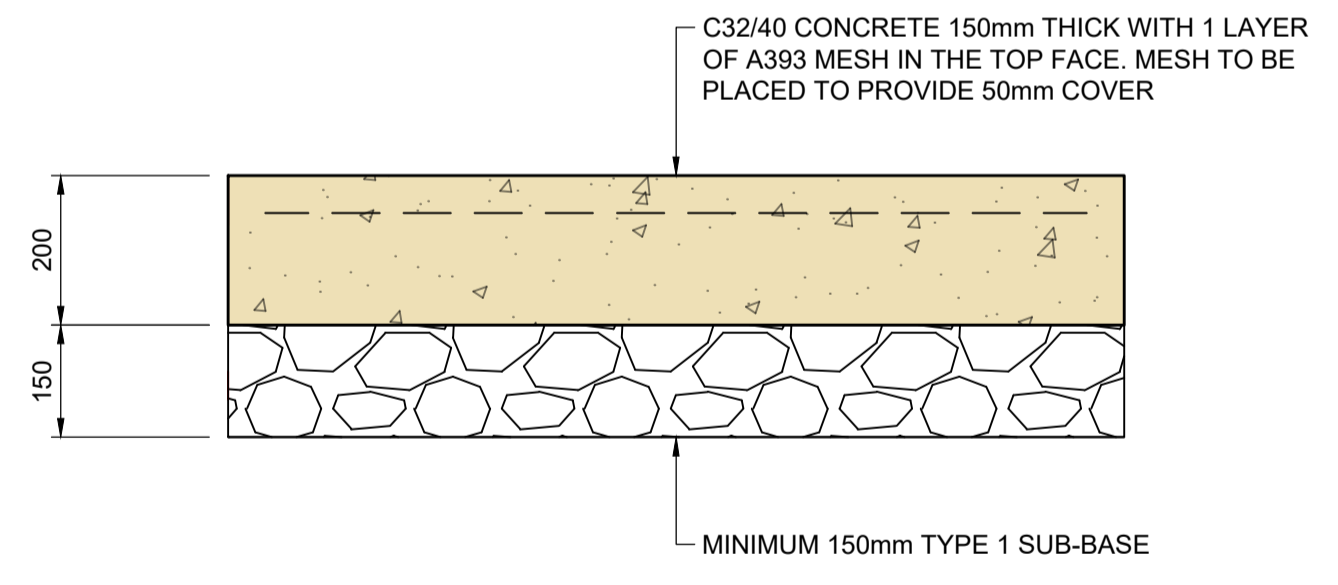
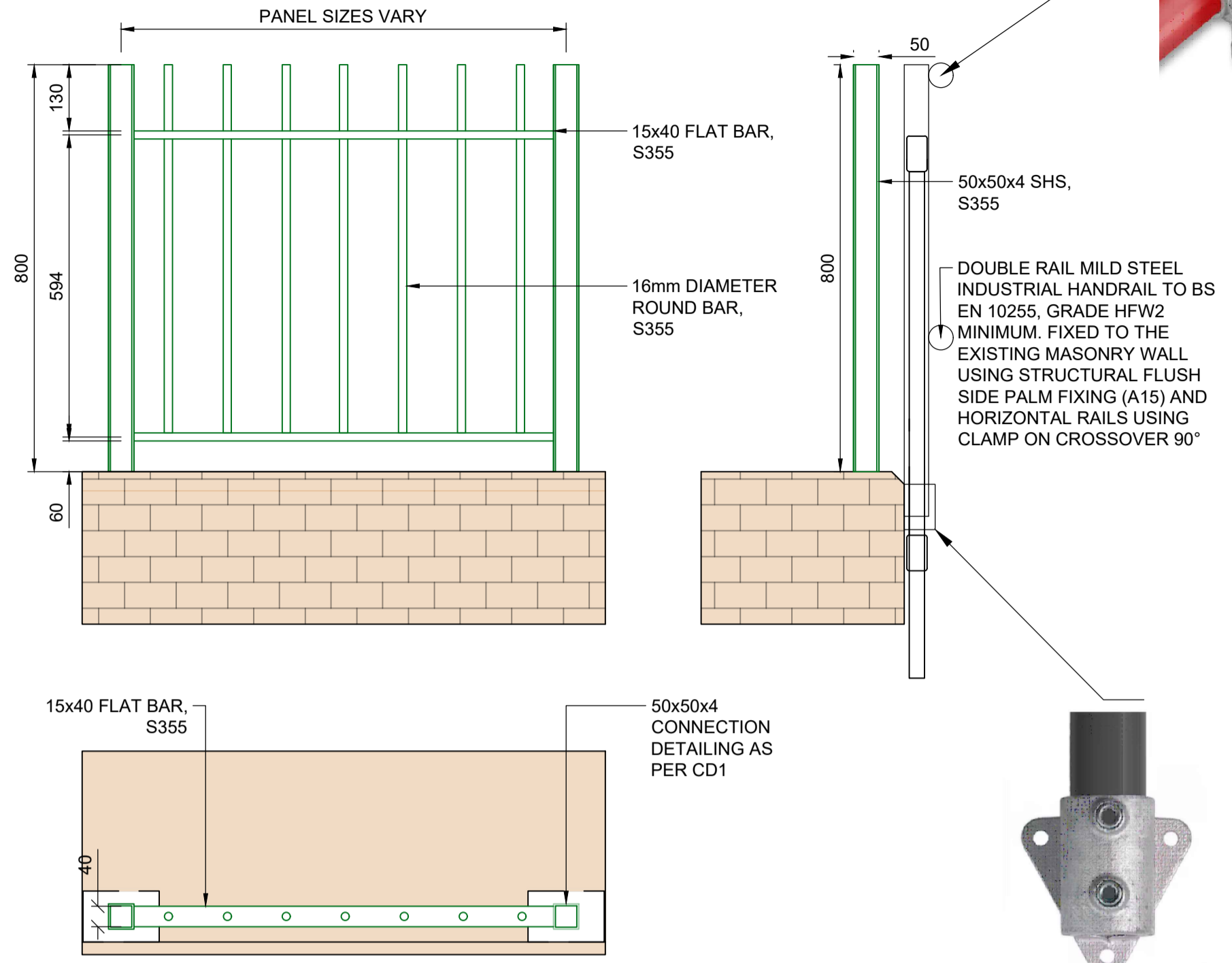
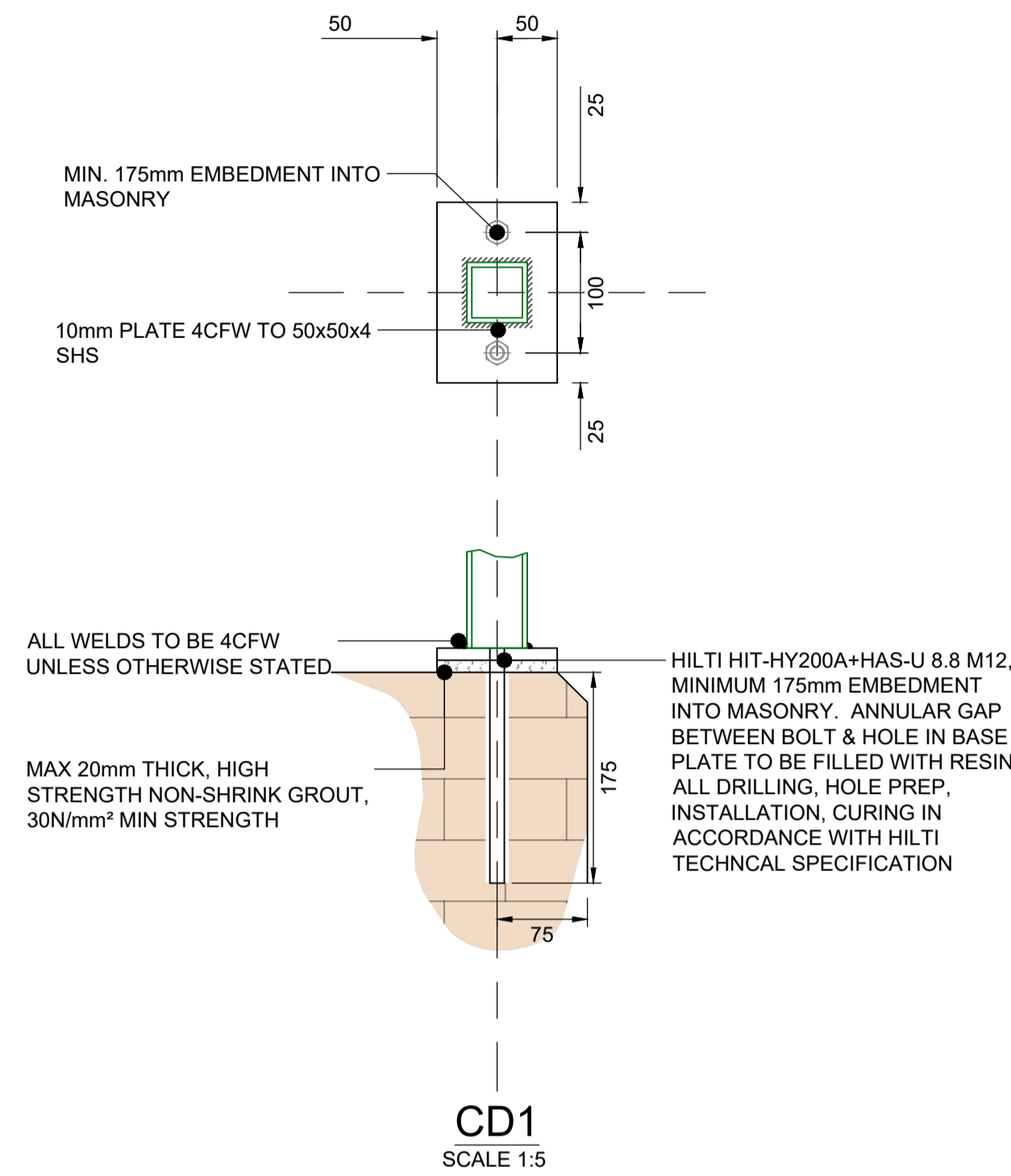
Designed	Signed	Date
H.P. SHONE	<i>H.P. Shone</i>	16/03/22
Drawn	Signed	Date
H.P. SHONE	<i>H.P. Shone</i>	16/03/22
Checked	Signed	Date
M.WEST	<i>M. West</i>	25/03/22
Approved	Signed	Date
C.DALE	<i>C. Dale</i>	25/03/22

Scale(s) As Shown @ A1	National Grid Reference SD 82230 22532
Structure Reference	Sheet 1 of 1
Drawing Number 2022s0364 -EXD-JBAU-00-HL-DR-C-0001	Revision C02

EXD-JBAU-00-HL-DR-C-0002



**WELD MESH SECURITY FENCING DETAIL**  
**(868 TWIN MESH)**  
NOT TO SCALE



**UTILITY SERVICES INVESTIGATION GAUGE TO PAS 128**

TYPE D: DESK STUDY	TYPE C: DESK STUDY AND SITE RECONNAISSANCE	TYPE B: DESK STUDY WITH SITE RECON AND UTILITY DETECTION SURVEY	TYPE A: DESK STUDY WITH SITE RECON, UTILITY DETECTION SURVEY & TRIAL HOLES
AWAITING	N/A	N/A	N/A

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**CBR/FORMATION NOTES**

CBR'S ANTICIPATED TO BE:  
NATURAL FORMATION MATERIAL: 4%  
MINIMUM SOIL BEARING PRESSURE ASSUMED: 30KN/M<sup>2</sup>

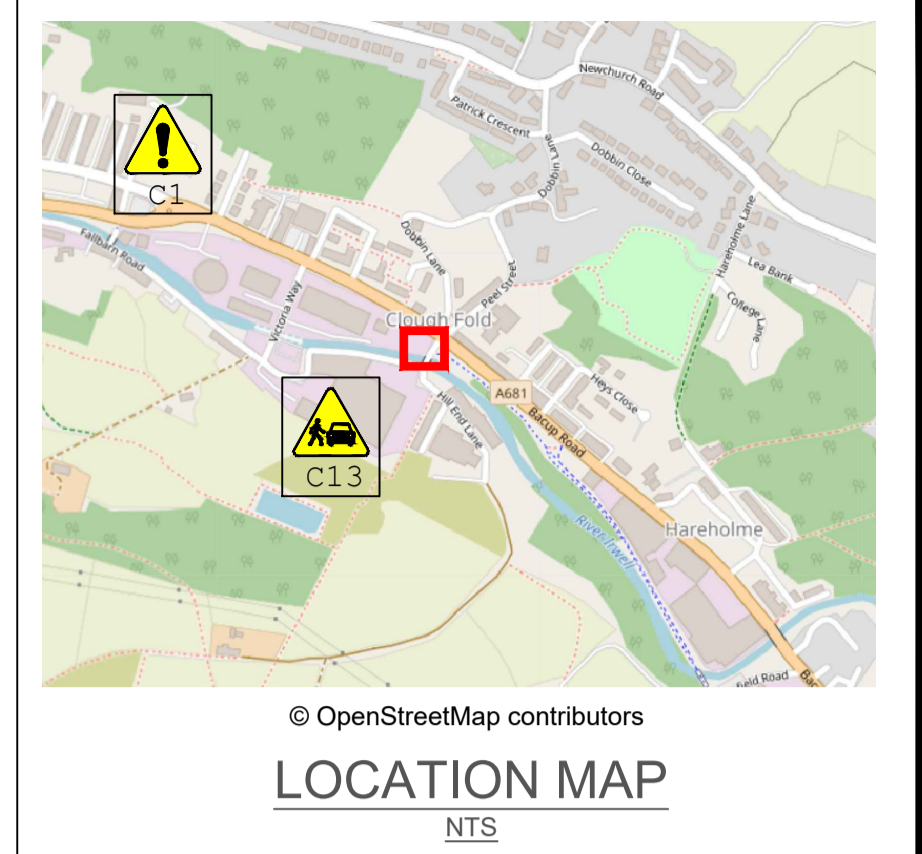
FURTHER INSITU CBR TESTING AND FORMATION ASSESSMENT IS RECOMMENDED PRIOR TO INSTALLATION OF SUB-BASE TO ESTABLISH-

1. REQUIREMENT FOR INCREASED SUB-BASE THICKNESS.
2. REQUIREMENT FOR ADDITIONAL CAPPING LAYER OR DRAINAGE BLANKET.
3. REQUIREMENT FOR SUB-BASE DRAINAGE.
4. METHOD OF COMPACTION TO BE USED FOR PROOF ROLLING.
5. REQUIREMENT FOR GEOSYNTHETIC REINFORCEMENT/SEPARATION.
6. TREATMENT REQUIRED TO ANY MADE GROUND.

CBR'S BELOW 4% ARE TO BE NOTIFIED TO THE JBA ENGINEER.

**PREPARATION AND TREATMENT OF FORMATION**

TO CLAUSE 601, 602, 608, 609, 612 AND 616 AND TABLES 6/1, 6/2, AND 6/4 OF HIGHWAYS AGENCY SPECIFICATION FOR HIGHWAY WORKS. GROUND TO BE REMOVED DOWN TO VIRGIN MATERIAL, OR AS DIRECTED BY THE ENGINEER. COMPACTION WORKS TO BE CARRIED OUT IN DRY WEATHER CONDITIONS. SOFT MATERIAL, LOOSE FILL, DISTURBED GROUND OR WEATHER AFFECTED MATERIAL BELOW THE FORMATION TO BE REMOVED AND REPLACED WITH WELL COMPACTED CAPPING TO SHW SERIES 800 AND SERIES 600. COMPACTION TO SERIES 600 TABLE 6/4. WHERE REQUIRED DEPTH OF ADDITIONAL CAPPING EXCEEDS 300MM, FOR EXAMPLE FORMER TRENCHES, PITS AND CELLARS, THE EXCAVATION SHOULD BE BENCHED INTO NATURAL GROUND.



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Client/Contractor: **CHC** (Cheetham Hill Construction Ltd)  
Consultant: **JBA** (JBA Consulting)

Cheetham Hill Construction Ltd.  
**GMMC H&T CONTRACT**

Drawing Title: **Hill End Lane, Rawtenstall.**

**DETAILS**

Designed	H.P. SHONE	Signed	H.P. Shone	Date	16/03/22
Drawn	H.P. SHONE	Signed	H.P. Shone	Date	16/03/22
Checked	M.WEST	Signed	M. West	Date	25/03/22
Approved	C.DALE	Signed	C. Dale	Date	25/03/22
Scale(s)	As Shown @ A1	National Grid Reference	SD 82230 22532		
Structure Reference		Sheet	1 of 1		
Drawing Number	2022s0364 -EXD-JBAU-00-HL-DR-C-0002	Revision	C02		



(Existing Apparatus at Cape Street for comparison shown above)



