

Civic Engineers
Carvers Warehouse 77 Dale Street
Manchester
Manchester
M1 2HG

Our ref: SO/2020/119988/01-L01
Your ref: 1226-01
Date: 04 February 2020

FAO: Peter Collier

Dear Mr Collier

**PRE-APPLICATION ENQUIRY - LAND AT COLLYHURST VILLAGE, MANCHESTER
NEEDWOOD CL, MANCHESTER M40 8JN**

Thank you for your pre-application enquiry. This request was received in office on the 16th January 2019.

Documentation Reviewed:

- 1226-01-CIV-XX-GA-DR-C-0001 P01 – Red Line Plan – Collyhurst Village
- EA Flood Map Planning Extract – Location: 385617/400388 Reference: Collyhurst

Environment Agency Commentary

We note from the red line plan provided (1226-01-CIV-XX-GA-DR-C-0001 P01) that the development proposal will be located in close proximity to the current alignment of Moston Brook water, part of the part of the wider River Irk WFD waterbody (Irk (Wince to Irwell, WFD Ref: GB112069061131).

From the indicative layout shown within 1226-01-CIV-XX-GA-DR-C-0001 P01, the current development proposal would involve building over/within 8 metres of the culverted watercourse, Moston Brook a designated "main river" and would not utilise current greenspace areas on site. The creation of development over a culvert is not considered good practice, as it could result in increased flood risk, cause and/or exacerbate access and maintenance issues once built and finally does not offer environmental/ecological enhancement. Consequently, as presented, it is unlikely that we would grant a Flood Risk Activity Permit for this application.

As part of any future development we would seek that developer first ascertains the possibility of de-culverting this section of the Moston Brook waterbody and where deemed impractical, based on a technical and/or financial evaluation, seeks to ensure any future development scheme avoids further deterioration of the waterbody status and condition.

We would recommend that the exact size, depth and line of the culvert is initially determined and the proposed site layout brought forward takes this information and the above EA position in consideration.

As part of your planning application you would be required to submit plans showing the exact line, size and depth of the culvert in relation to the proposed buildings. Buildings

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

should be sited no closer to the culvert walls than relating culvert depth below ground and development levels should be provisioned which reduce the residual risk of flooding in the event of a culvert collapse or blockage. We understand that the culvert reports from our Asset Performance team have been provided to yourselves by our Customers and Engagement team under reference GMMC157479AB which should enable further investigations on both culverts.

With reference to the large areas of existing greenspace, we would recommend as part of future scheme design, ecological assessment be undertaken of the existing site to inform and shape future scheme design, and identify how new surface water drainage design will protect the Moston Brook ecological receptor, avoid new urban diffuse pollution, and look to adopt multifunctional sustainable urban drainage options where feasible. For information see:

([https://www.ciria.org/Memberships/The SuDs Manual C753 Chapters.aspx](https://www.ciria.org/Memberships/The_SuDs_Manual_C753_Chapters.aspx))

The current indicative layout shown within 1226-01-CIV-XX-GA-DR-C-0001 P01, does not suggest these elements have been integrated as part of scheme design at present.

As part of new Environment Bill (<https://www.gov.uk/government/publications/draft-environment-principles-and-governance-bill-2018/environment-bill-summer-policy-statement-july-2019>) and government's commitment to sustainable development and biodiversity net gain; as well as draft Greater Manchester Spatial Framework (<https://www.greatermanchester-ca.gov.uk/what-we-do/housing/greater-manchester-spatial-framework/gmsf-full-plan/>) reflecting new environmental policies sought by government, future schemes such as this will likely need to show clearly how they are in accordance with this upcoming environmental policy guidance.

We would request the applicant review the layout and provide a continuous 8 metres easement measured from either side of the culvert wall to ensure essential maintenance and emergency access to the watercourse are properly provisioned. We would also welcome any proposals which offer further benefit such as daylighting of the watercourse.

Further to the above, we would also highlight from satellite imagery reviewed that the proposed development appears to have been subject previous built development which could represent a risk of pollution to controlled waters (close proximity to watercourse receptor / situated upon a Secondary A Aquifer). To address this matter, we recommend that you refer to our published '[Guiding Principles for Land Contamination](#)' which outlines the approach which should be adopted when managing this site's risks to the water environment.

To ensure proper model procedures and good practice, we recommend that developers should:

- Follow the risk management framework provided in [CLR11, Model Procedures for the Management of Land Contamination](#), when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed

- Refer to the [contaminated land](#) pages on gov.uk for more information

Waste Material – Advice to Applicant / Developer

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.

Environmental Permit / Flood Risk Activity Permit

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres from either side of the culvert of Moston Brook, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now [excluded](#) or [exempt](#). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Environment Agency has discretionary powers to carry out maintenance works on the channels of "main river" watercourses to remove blockages and ensure the free flow of water. Information on riparian landowner's rights and responsibilities can be found at <https://www.gov.uk/guidance/owning-a-watercourse>

EA Charge Agreement Service

Should you wish us to review any technical documents or want further advice to *address the environmental issues raised*, we may do this as part of our charged for planning advice service.

Further engagement will provide you with *the opportunity to discuss and gain our views on potential options before formally submitting further information as part of your planning application*. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available [here](#).

If you would like more information on our planning advice service or should you have any queries regarding this letter, then please do not hesitate to contact me.

Yours sincerely

Mr Andy Davies
Sustainable Places Advisor

Direct dial 02077140640

Direct e-mail andy.davies1@environment-agency.gov.uk