

Application Number:	2025/0382	Application Type:	Full
Proposal:	Full application to re-route existing culverted section of River Spodden, with ancillary engineering works including the blocking up of an existing culvert, daylighting of river and reprofiling of site levels.	Location:	Albert Mill Albert Street Whitworth Rochdale Lancashire OL12 8PJ
Report of:	Head of Planning	Status:	For Publication
Report to:	Development Control Committee	Date:	08.12.2025
Applicant:	Spenside Developments Limited	Determination Expiry Date:	07.11.2025 EOT agreed to 12.12.2025
Agent:	Tetra Tech		

Contact Officer:	Claire Bradley	Telephone:	01706 238636
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	Yes Cllr Alan Neal 1, Concerns over numerous issues, using the land for the importation of large amounts waste onto this site without having the appropriate LCC licenses. 2, Concerns over possible impact upon the Health and Wellbeing of local residents and families walking past taking children to and from schools in this area on a daily bases, having to walk on a public footpath which is unsafe due to very large HGVs entering and leaving the site from early hours until late
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 the application be approved subject to the conditions specified below.

APPLICATION DETAILS

2. SITE

The application relates to a previously developed site of approximately 1.3ha, located immediately to the west of (and at a lower level than) Market Street in Whitworth. Formerly occupied by Albert Mill, the site has now been largely cleared although there is still a derelict building of stone and brick construction standing at the south eastern end of the site.

The site is located within the Urban Boundary and designated as a Housing allocation (H59). There are various level changes on the site, most particularly a significant drop from Market Street into the site. The site is accessed from Market Street.

Public footpath 126 runs along the southern edge of the site in an east – west direction, joining up with a cycleway and path which runs further to the west of the site and on to Healey Dell. To the west of the site there is a multi-use games area and a pump track, which lie south of Massey Croft – a residential street. The River Spodden runs beneath the site through a culvert.

The majority of the site lies within Flood Zone 1, with parts of the site in Zones 2 and 3.

3. RELEVANT PLANNING APPLICATION HISTORY

2019/0341: Full: Demolition of existing building and erection of 37 no. dwellings and 48 apartments for the over 55s (48 x 2 beds, 24 x 3 beds, and 13 x 4 beds), with associated works. (Approved subject to S106)

2014/0078: Outline planning application for the demolition of existing buildings and replacement with residential development with all matters reserved except access and layout. (Approved subject to S106)

2012/0588: Outline Application for the demolition of existing buildings & erection of up to 49 Residential Units, with access off Albert Street (Amended to omit vehicular access from Massey Croft and provide 6 additional parking spaces to rear of 1Albert St). (Approved subject to S106)

4. PROPOSAL

This application is a full application to re-route existing culverted section of the River Spodden, with ancillary engineering works including the blocking up of an existing culvert, day lighting of river and reprofiling of site levels.

The purpose of the proposed development is to help ready the Albert Mill site to accommodate a future residential development.

The proposed development would support this process through addressing the existing constraints on site in the form of the culverted section of the River Spodden which runs under the site and the engineering works necessary to establish appropriate site levels for development.

The River Spodden is approximately 12km in length and flows south as one of the two major tributaries of the River Roch. The river passes through the site, predominantly within a culvert. The river currently enters the site at its north-west corner and flows through the site before leaving in the south-east corner of the site.

The section of the River Spodden on the Albert Mill site measures approximately 130m in length. A short section of the river (approximately 30m) is open near the western edge of the site, before passing through into a culvert which runs for approximately 100m before emerging near the south-eastern corner of the site.

As a result of the River Spodden running through the site, there are areas within the site that fall within Flood Zone 2 and 3. Western, central and southern parts of the site fall within these flood zone areas, following the course of the river. The other parts of the site are within Flood Zone 1.

The site's topography slopes down quite significantly from east to west, from Market Street down towards the alignment of the river. Residential properties neighbour the site to the north and west, with areas of scrub woodland also to the west. Parkland and a public right of way neighbour the site to the south. The Green Belt also abuts the southern boundary of the site.

Permission was most recently granted in 2019 (reference 2019/0341) for a residential scheme on the site which included permission for the re-routing and daylighting of the river through the site. That permission has now expired, but the principles of the current proposals being presented are consistent in approach.

The realigned river channel will include gentle meanders and will be engineered to have shallow sloping banks which will be reinforced with planted geotextile revetments. The new river will include natural features including gravel bars and natural river channel base materials.

In addition, the proposal includes an 8m wide easement buffer from the river boundary to provide a green landscaping buffer down to the riverbed. The landscaping will include a mixture of native scrub planting and scattered native riparian trees. The existing wooded embankment would be retained along the south-western bank of the river.

As part of the necessary engineering works the existing culverted watercourse would be infilled and the site levels would be raised to provide a suitable platform for development, raising the land for future development outside of the floodplain. The finished floor levels for the development platform will also be at a level to be 'flood free' during all fluvial events.

The site ground levels across the central and eastern parts of the land are to be raised by circa 2 metres and levelled, to bring the site level with the surrounding land to the north and west and to lessen the level difference on the eastern side of the site adjacent to the Market Street highway.

The proposals will support the wider development of the site with the re-routing of the river allowing better scope for a future residential scheme on the site, maximising the developable land, whilst also reducing flood risk

A temporary vehicle access point would be used from Market Street during the construction period, where an existing dropped kerb is already in situ.

POLICY CONTEXT

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 5 Delivering a sufficient supply of homes
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change

Development Plan

Local Plan Policies

- Policy SS: Spatial Strategy
- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Urban Boundary and Green Belt
- Policy HS1: Meeting Rossendale's Housing Requirement
- Policy HS2: Housing Allocations
- PolicyENV1: High Quality Development in the Borough
- Policy ENV5: Green Infrastructure Networks
- TR4: Parking

Other material considerations

National Planning Practice Guidance

5. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objections subject to conditions
United Utilities	No objections subject to condition
Environment Agency	No objections subject to conditions and informatics
Environmental Protection	No objections

6. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 21.10.2025, and neighbours were notified on 01.10.2025.

One comment has been received as follows:

I lodge my objection to re profiling as this in my view is a way of disposing of the waste material from the current workings

- Please confirm that the re profiling that has already taken place on land adjacent to George Street is not contaminated and planning permission had been given.
- Can I also have an assurance that any further development of this land will not have any structural effect on my property
- Original development plans it stated no fires on this site, i notice that recently a large amount of scrap wood has been delivered on site

7. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity
- 3) Access, Parking and Highway Safety
- 4) Land Contamination
- 5) Drainage

Principle

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

The site is sustainably located, and is a designated housing allocation. The proposed development will facilitate the redevelopment of the previously developed site.

The principle of the development is considered acceptable.

Visual Amenity

Policy ENV1 of the Local Plan seeks to promote high quality design in the Borough, and includes a varied set of criteria with which development proposals need to comply.

Paragraph 135 of the Framework states that planning decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

The acceptability of the principle for the development of the site for residential use, including the daylighting and re-routing of the river through the site, has been established through the granting of previous planning permissions on the site.

The realigned river channel will include gentle meanders and will be engineered to have shallow sloping banks which will be reinforced with planted geotextile revetments. The new river will include natural features including gravel bars and natural river channel base materials.

As part of the necessary engineering works the existing culverted watercourse would be infilled and the site levels would be raised to provide a suitable platform for development, raising the land for future development outside of the floodplain. The finished floor levels for the development platform will also be at a level to be ‘flood free’ during all fluvial events.

The site ground levels across the central and eastern parts of the land are to be raised by circa 2 metres and levelled, to bring the site level with the surrounding land to the north and west and to lessen the level difference on the eastern side of the site adjacent to the Market Street highway.

The development proposed will improve the river channel and will enable the site to be developed for future residential development.

In view of the above it is considered that the proposals are acceptable in terms of visual amenity. It is therefore considered that it is in accordance with the requirements of Policies ENV1, of the Rossendale Local Plan and Section 12 of the NPPF.

Neighbour Amenity

Policy ENV1 (c) requires development to be sympathetic to surrounding land uses, avoiding demonstrable harm to the amenities of a local area; and (d) states that the scheme should not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light; nor should it be adversely affected by neighbouring uses and vice versa.

The realignment of the Rover Spodden will not impact any properties outside of the site.

The proposed development is not considered to impact on the amenity of any neighbouring property and is in accordance with Policy ENV1 and the NPPF.

Access, Parking and Highway Safety

Access for construction phase of the realignment of the River Spodden is to be taken from the existing dropped kerb area on Market Street

LCC Highways have commented as follows:

My detailed examination of this application, which included accident analysis, assessment of access design, visibility requirements and parking concludes there are no highway grounds to support an objection as set out by NPPF.

The supporting documents such as the Construction Management Plan are suitable which includes the provision of wheel washing equipment and Road Sweeping as required. It is expected that the wheel washing will be carried out on an area with a bound surface that can be regularly cleaned to prevent the spreading of debris and mud on the highway.

It is noted that a Site Access Ramp is to be constructed, details of method of construction and how it is interfaced with the rear of the footway will be required.

Additionally, there is a concern regarding the construction of the footway at this point, and the potential for damage caused by the over running of large vehicles such as 32 tonne tipper lorries, it is expected that any damage caused by the works will be repaired at the developers expense.

Should you wish to support the application we would look for conditions and notes to be added to your decision notice.

Subject to the inclusion of the recommended conditions, the proposal will not impact highway safety or capacity and is in accordance with the Rossendale Local Plan.

Land Contamination

The NPPF advises that:

Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

It also advises that:

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The Council's Environmental Protection Consultee has commented as follows:

I have no objections to the proposals. This is on the understanding the Environment Agency is a planning consultee. I reiterate that my comments in response to this application do not cover the proposed wider residential development. The report is unfinished in that regard.

Comments from the Environment Agency are as follows:

The current or previous use(s) of the development site suggest that the land may be affected by contamination. Land contamination can harm human health, soils, ecosystems, property, drinking waters supplies, groundwater and surface water.

Land contamination is a material planning consideration. The planning decision should ensure that the site is suitable for its proposed use, considering any risks from contamination and any proposed land remediation. The planning application should therefore be supported by adequate site investigation information, prepared by a competent person. After remediation is carried out, as a minimum, the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. This approach is supported by paragraph 196 of the National Planning Policy Framework.

The current or previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A.

The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.

Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

The conditions recommended by the Environment Agency are included in full in the recommendation below and ultimately on the final decision notice.

Subject to the recommended conditions, the proposed development will not have a detrimental impact on controlled waters through contamination on the site.

Flooding and Drainage

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

All development proposals will be required to consider and address flood risk from all sources. A sequential approach will be taken and planning permission will only be granted for proposals which would not be subject to unacceptable flood risk, or materially increase the risks elsewhere, and where it is a type of development that is acceptable in a Flood Risk location. Assessment should be informed by consideration of the most up to date information on Flood Risk available from the Environment Agency, the Strategic Flood Risk Assessment (SFRA), the Lead Local Flood Risk Authority and the sewage undertaker. Developers will be expected to provide appropriate supporting information to the satisfaction of the Local Planning Authority, such as Flood Risk Assessments for all developments in Flood Zones 2 and 3 and as required by national policy and any local validation requirements. Site specific mitigation measures should be clearly identified.

The Environment Agency have commented as follows:

Flood risk

The proposed development will only meet the NPPF's requirements in relation to flood risk if the recommended planning condition is included.

The planning condition recommended by the Environment Agency details the relevant submitted documents and mitigation measures and states that these mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

United Utilities have commented as follows:

Noting this is a Full application, we request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan PRIOR TO DETERMINATION of this application.

Should planning permission be granted without the provision of this information we request the following condition is attached to any subsequent Decision Notice:

The recommended condition requires the submission of full details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

As this application is only for the diversion of the river and not for the future housing development, it is considered that this condition is unreasonable to attach to this permission (which is only for the re-routing of the river) – rather, it would be relevant to any future application for dwellings on the site, where a sustainable surface and foul drainage scheme would normally be included.

Ecology and Biodiversity

There is a statutory requirement for a development to provide a 10% net gain in biodiversity on an application site.

Policy ENV3 of the Local Plan advises that:

The Council will expect development proposals to conserve and, where possible, enhance the natural and built environment, its immediate and wider environment, and take opportunities for improving the distinctive qualities of the area and the way it functions.

Policy ENV4 of the Local Plan advises that:

Development proposals should protect areas of biodiversity and protected species; areas of geodiversity and ecological networks, and where possible enhance sites and linkages. Any adverse effects should be first of all avoided; if this is not possible, minimised and mitigated against, and where this cannot be achieved, compensated for. All development proposals should seek to protect and enhance biodiversity, and will be requested to quantify any net gains.

The documents submitted include a Preliminary Ecological Appraisal which includes a BNG assessment which concludes as follows:

The baseline biodiversity units (i.e. the site's pre-development condition assumes as of January 2020) has been calculated at 1.29 Habitat Units and 0.35 Watercourse units. The on-site biodiversity units after the completion of river realignment has been calculated at 1.42 habitat units and 0.45 watercourse units. The development will therefore result in a net gain of 0.13 habitat units representing a 10.33 % net percentage biodiversity gain of habitat units; and a net gain of 0.11 watercourse units representing a 30.64 % net percentage biodiversity gain of watercourse units. Therefore, the watercourse diversion will achieve the required 10% biodiversity net gain

The proposal also includes a Himalayan Balsam Removal Statement.

Subject to appropriate conditions the development will have a positive impact on the ecology and biodiversity at the site and is in accordance with Policies ENV3 and ENV 4 of the Rossendale Local Plan.

8. CONCLUSION

Subject to the inclusion of recommended and appropriate conditions, the proposed development is acceptable in terms of principle, visual amenity, neighbour amenity, highway safety, land contamination and ecology and biodiversity.

The proposal accords with the National Planning Policy Framework and Rossendale Local Plan.

9. RECOMMENDATION

That planning permission is granted subject to the following conditions.

10. 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 application form received 12.09.2025 and the following drawings and documents, unless otherwise required by the conditions below:

Site Location Plan, Dwg no L(-1)000 Rev 01 received 12.09.2025

Site Plan, Existing (1:500), Dwg no.L(-1)011 Rev 04 received 12.09.2025

River Diversion Site Plan, Proposed, (1:500), Dwg no. L(-1)011 Rev 02 received 12.09.2025

River Spodden Diversion Existing Plan (Site Level Drawing), Rev 0 received 12.09.2025

River Spodden Diversion Plan & Sections, Rev 6 received 12.09.2025

Sewer Records, (for information) (11.08.2018) received 12.09.2025

Planning Statement, (Tetra Tech) received 12.09.2025

Statement of Community Involvement, (Tetra Tech) received 12.09.2025

Geo-Environmental Audit, Phase 2 Site Investigations and Phase 3 Remediation Statement (TJ Booth Associates), Ref. rep-tjba-JAY-albert mill-Phs 2+3 Env-170423, Rev 02 received 12.09.2025

Construction Method Statement received 12.09.2025

Removal of Himalayan Balsam Method Statement received 12.09.2025

Extended Phase 1 Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Mulberry) received 12.09.2025

Hydraulic Modelling Report, including Flood Risk Assessment, July 2019 (Waterco) received 12.09.2025

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

3. The measures detailed in the approved Method Statement for the Removal of Himalayan Balsam shall be strictly adhered to throughout the construction period.

Reason: To ensure the control of an invasive species.

4. No development, site clearance, or earth moving shall take place or material or machinery brought on site until a method statement via a Construction Environmental Management Plan (CEMP) to protect the River Spodden from accidental spillages, runoff, dust and debris has been supplied to and agreed by the LPA. All measures will be implemented and maintained for the duration of the construction period and for future operations in accordance with the approved details.

Reason: To protect controlled waters and the ecology of the area from pollution.

5. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the approved Biodiversity Gain Plan is delivered and to ensure the habitat created in line with the approved HMMP is appropriately managed and monitored for 30 years from the completion of the development hereby approved.

6. No part of the development hereby approved shall be occupied until:

- a. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- b. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the habitat creation and enhancement works set out in the approved HMMP are completed to the satisfaction of the local planning authority.

7. Monitoring reports shall be submitted to and approved in writing by the local planning authority in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy ENV4 of the Local Plan.

8. Construction works shall not be permitted outside the following hours-

Monday to Friday 08:00 to 18:00
 Saturday 08:00 to 13:00

Construction hours shall not be permitted on Sundays or Bank or Public Holidays.

Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

Reason: To ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise.

9. No removal of or works to any hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of the ecology and biodiversity of the site

10. The development shall be carried out in accordance with the submitted supporting documents, in particular:

- River Spodden diversion plan & sections prepared by TJ Booth Associates (File name: Dwg-tjba-JAY-albert-mill-050423; Rev 6 and dated August 2025).
- River Diversion Site Plan Proposed prepared by GA Studio (DWG No: L(-1)011; Rev 02 and dated November 2024)

These mitigation measures shall be fully implemented as part of the development. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons: To reduce the risk of flooding on site and elsewhere and to ensure the daylighting of the culvert is carried out to a determined standard with acceptable hydraulic characteristics

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site, in line with paragraphs 187 and 196 of the National Planning Policy Framework

12. No development shall take place until a scheme for the provision and management of undeveloped riparian buffer zone alongside the newly diverted and 'skylighted' River Spodden has been 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 buffer zone scheme shall be free from built development including hard standing, access roads or parking areas, domestic/amenity garden areas, lighting and any formal landscaping. The scheme shall include:

- detailed plans, including long and cross-sections (minimum 4), showing the extent and layout of the buffer zone in context with planned future residential development
- detailed design of new diverted River Spodden including channel, corridor and banksides constructed on site
- Details of any proposed land raising and any revetment options proposed/required adjoining new diverted River Spodden to achieve stated future residential end use
- details of proposed soft landscaping scheme including planting schedule; including both tree/shrubs and ground flora; and it be predominantly based of native species
- details demonstrating how the buffer zone and river will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

- details of any proposed new site surface water drainage and surface discharge arrangements to watercourse
- details of any new footpaths, boundary fencing, lighting, etc along new riparian corridor.

Reasons: Land alongside watercourses are particularly valuable for wildlife and it is essential this is protected. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy ENV4 (biodiversity/ecological networks), ENV5 (green infrastructure) & ENV6 (environmental protection) of the Rossendale Core Strategy.

13. No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:500 showing the location of all defects identified.
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time, and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

14. Deliveries and removals to and from the approved development shall not be accepted between the hours of 8:15am to 9:15am and 2:45pm to 3:45pm Monday – Friday, to avoid peak traffic on the surrounding highway network. This shall not apply during school holiday periods.

Reason: In the interest of highway safety. These dates can be found on Lancashire County Councils website.

15. The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme which has first been submitted to and approved by the Local Planning Authority.

Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users.

12. INFORMATIVES

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Rossendale Borough Council.


There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

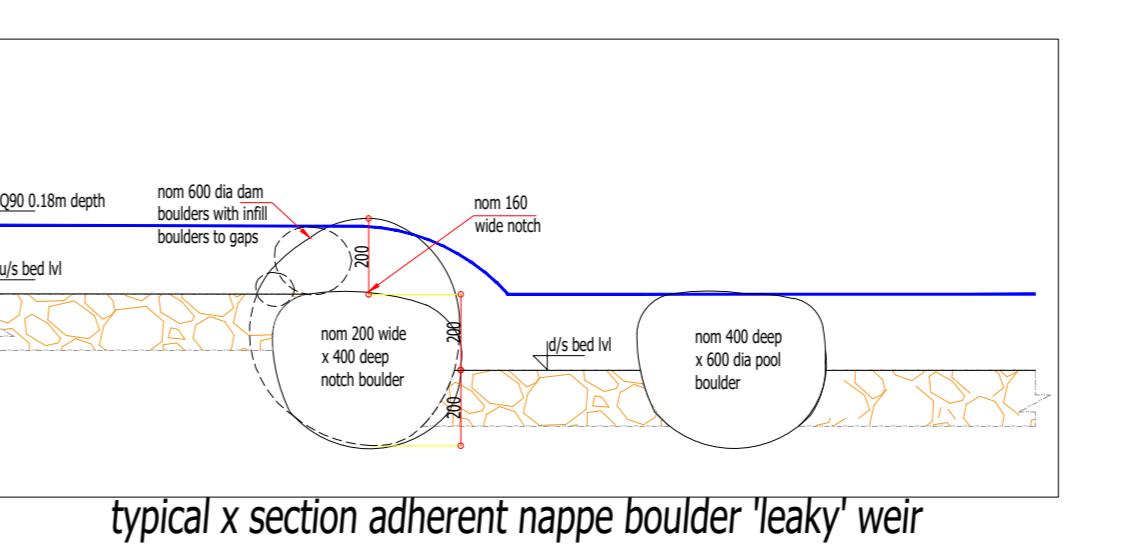
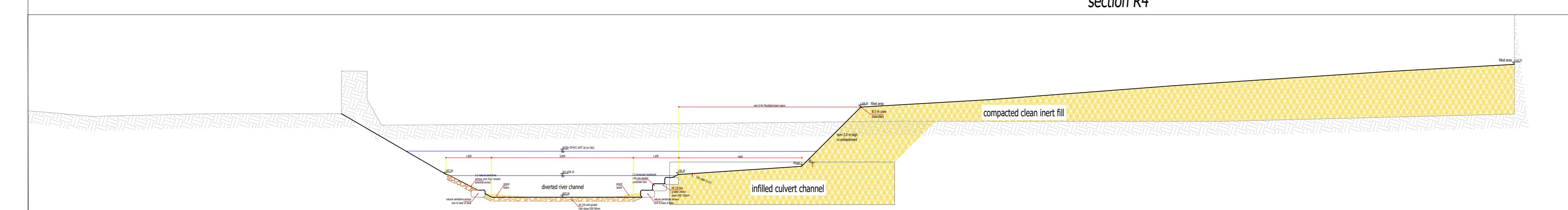
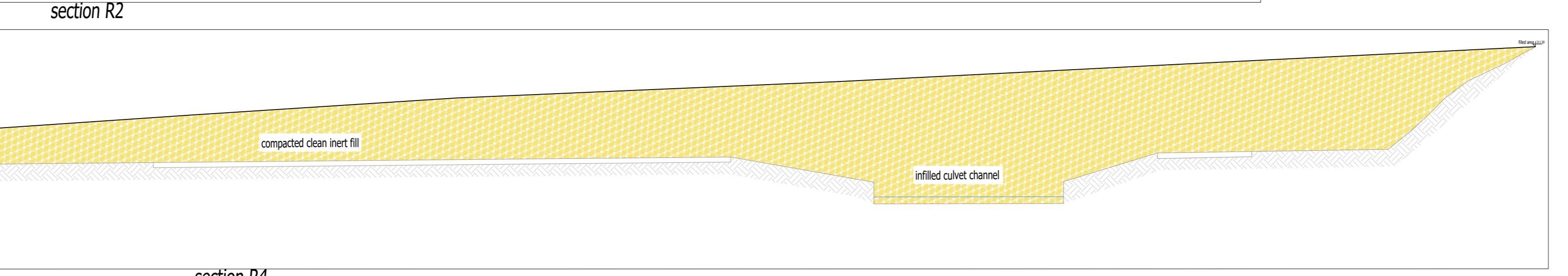
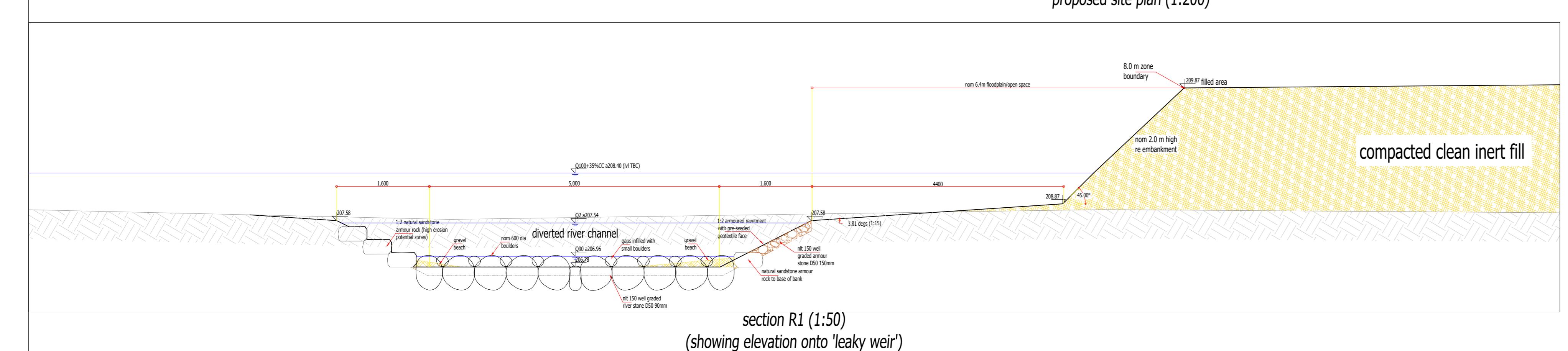
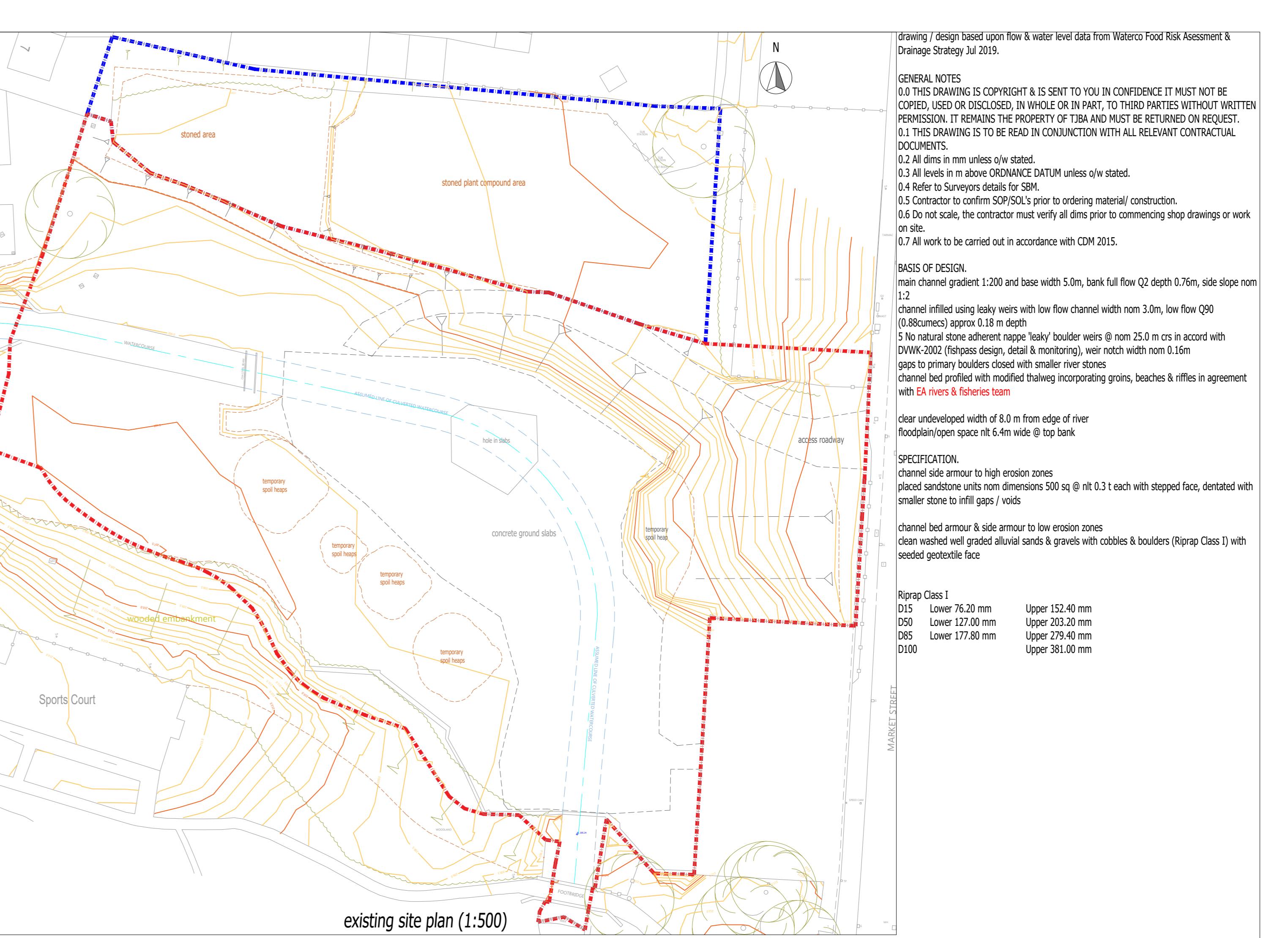
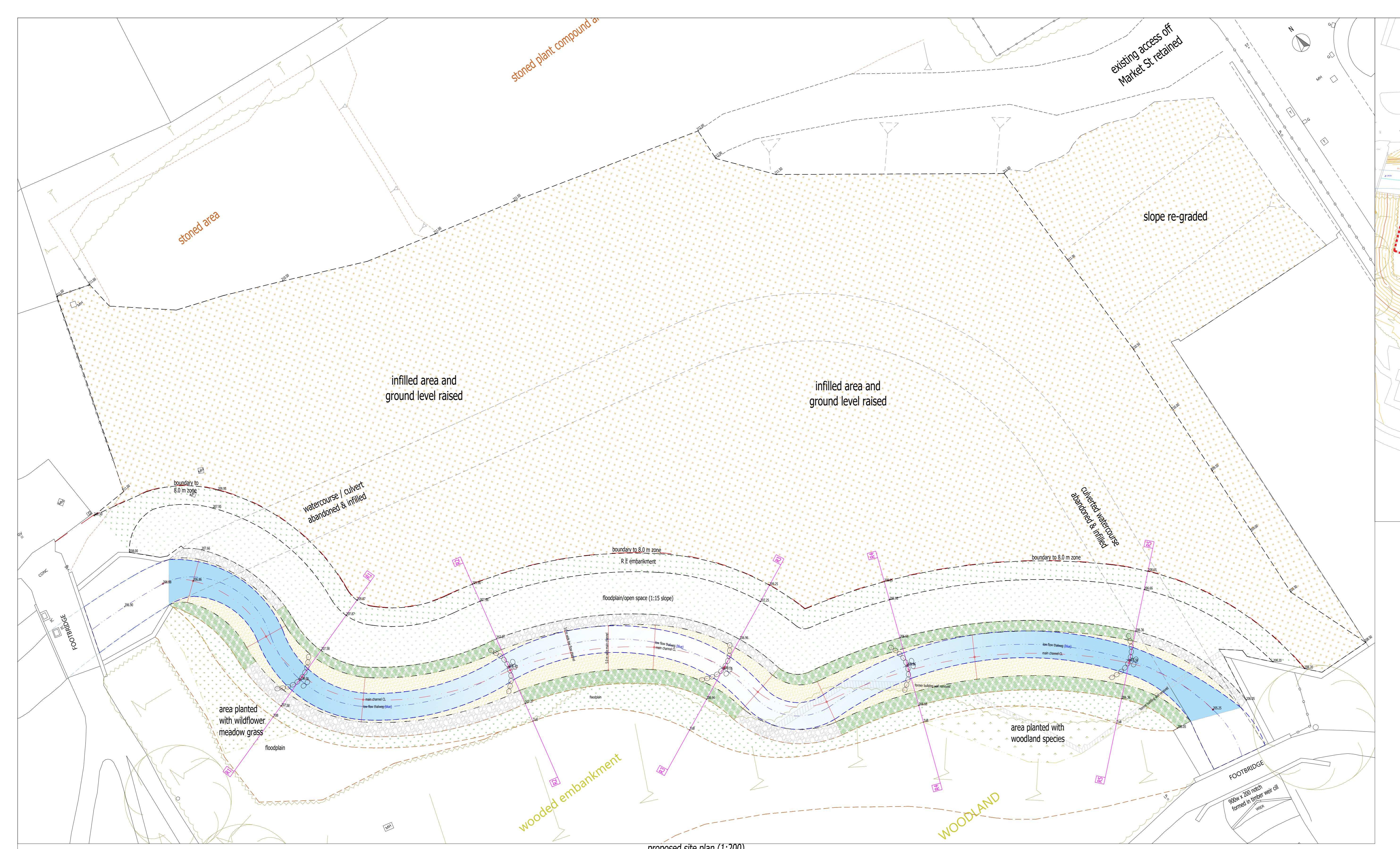
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply

2. 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.
3. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
4. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
5. Where any trenches or other excavations are to be left open overnight these should be fitted with mammal ramps or should have the sides battered to form a slope to allow badgers to escape. A tidy works area should be maintained during construction and any hazardous substances should be fenced off to remove any badger hazards from the site.
6. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:
 - erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
 - altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work

- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

7. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.





or approval

CONSULTING CIVIL & GEOTECHNICAL ENGINEERS Tel:017

JA YATES / ALBERT MILL, WHITWORTH

river Spodden diversion plan 8 sections

	Sept 21	gs	plan & sections
ended	Sept 23	ds	
ent	Sept 23	ds	

AMENDMENTS/ ISSUES		
note amendments	aug 25	ds
latest survey added, general update of plan & sections	aug 25	tjb
leaky weirs added	feb 25	tjb
upper bank profile adjusted	oct 24	tjb
river alignment amended, client comment added	sept 24	tjb
river bed profiles & notes amended	sept 23	ds
seeding note to embankment	sept 23	ds
original	sept 23	tjb
REASON/ CHANGE	DATE	BY

FILE NAME: dwg-tjba-JAY-albert mill-050423

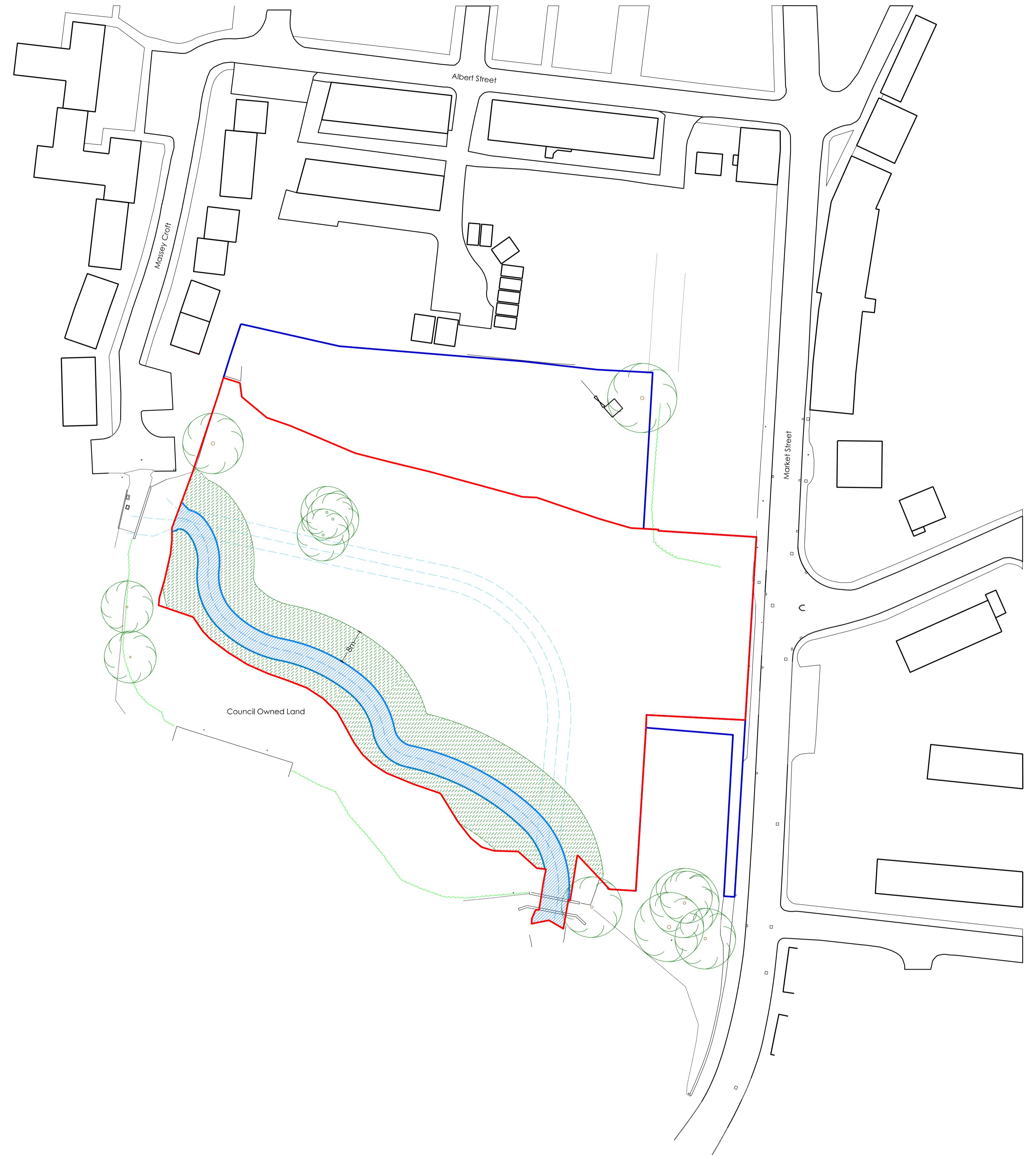
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river Spodden diversion

plan & sections

SCALE: 1 : 200 & 50 @



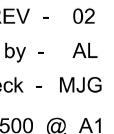
Revisions / Notes			
REV	DATE	BY	DESCRIPTION
01	22.05.25	AL	Updated area for application
02	29.08.25	AL	Updated area for application

KEY

- Site boundary
- Land in applicant ownership
- Existing river route (in culvert)
- Proposed river diversion
- Easement / landscape buffer / POS

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 Architects / Masterplanning / Urban Design / Interiors

ALBERT MILL - WHTWORTH
 River Diversion Site Plan
 by - AL
 Proposed
 check - MJG
 Project No - 24-01 | DWG No - L(-1)011 | NOV 24 | 1:500 @ A1





DANGEROUS
BUILDING
KEEP OUT