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Our Ref CL919.050419.1
Your Ref 63821
Date 5 April 2019
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Department for
Communities & Wellbeing

Lesley Jones
Director of Public Health

Tom Beirne
Bury Council Planning Department

Dear Tom

Stormer Hill Works, Mill Street, Tottington, Bury, BL8 4AT, Planning Application: 63821 – Contaminated Land

I write regarding the above planning application. The Environment Section has received a copy of the following report:

- Phase I Desk Study Report for Land at Stormer Hill Works, Tottington, Bury, BL8 4AT, Demeter Environmental Ltd, Reference: 19-03-05 Revision 0, March 2019.

The Environment Section has reviewed the above information in order to assess the following points:

1. The adequacy of the desk study information available for this site.
2. Whether the information submitted is sufficient to determine that the site presents a low risk to human health and the environment.
3. If pre-commencement or pre-occupation planning conditions are required.

The site is currently occupied by the service yard/storage area of Stormer Hill Works, landscaped area and access road. Stormer Hill Works is currently occupied by Alltex, a textile dyeing and finishing company. Current land uses in the surrounding area include the rest Stormer Hill Works, open land, reservoirs, housing and commercial premises. Previous uses at the site have include open land, a former reservoir and filter beds associated with Stormer Hill Bleach Works, later a cloth finishing works. In the surrounding area previous uses have included reservoirs, railway land, Stormer Hill Bleach Works, Engineering Works and a Works. The site does not lie within 250 metres of any known landfill sites, but is in close proximity to a number of surface water features and the Kirklees Brook. The site lies above glacial till deposits over the Lower Coal Measures Secondary A Aquifer.

It is understood that the proposed development comprises of a new storage building

1. The adequacy of the desk study information available for this site

The report includes a description of the site including its past historical uses. An appraisal of the site environmental setting is presented including its geology, hydrogeology and hydrological regime, mining activities, waste management issues,

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and identification of additional environmental sources, pathways and receptors. This information has been used to compile a clear site conceptual model, which identifies potential sources, pathways and receptors and likely pollution linkages.

The desk study information provided appears to be sufficient to assess the potential risks at the site.

The desk study included a site reconnaissance visit, which identified made ground being present on site within the soft landscaped area. The report concludes that there is potential risk from ground gas due to the infilled former reservoir and filter beds on-site.

Although the presence of made ground has been identified on site, the risks to future site users from ground contamination is low due to the low risk nature of the development (an industrial storage building), and the fact that the development will be hardstanding and no new soft landscaping is proposed. The risk to controlled waters is considered low due to the presence of glacial till over the underlying aquifer and the fact that the nearby reservoirs are not considered to be of high sensitivity.

Due to the low risk nature of the development (an industrial storage building), the consultant does not consider that a site investigation is necessary. However, the following precautionary remedial actions are recommended:

- Precautionary gas protection measures.
- Any new water mains should be barrier pipe.
- Watching brief to identify and deal with any previously unforeseen contamination identified.
- Details of any soil material removed from site, including copies of waster transfer documentation.

The proposed outline remediation strategy is acceptable to this Section, however, a detailed remediation strategy and validation plan (how the remedial measures will be verified) is required. This should include further details regarding the proposed gas protection measures including the manufacturer's specification sheet for the chosen gas membrane and a detail drawing illustrating the measures to be installed. Additionally, confirmation is required as to whether the new building will have a water supply.

Additionally, if the CL:aire Definition of Waste Protocol is to be used, a copy of the Materials Management Plan will be required.

All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

2. Whether the information submitted is sufficient to determine that site presents a low risk to human health and the environment

In order for this Section to be satisfied that this development does not pose a risk to human health or the environment, the following information needs to be submitted to the Council for approval:

(i) A detailed remediation strategy and validation plan.
(ii) A materials management plan, if the CL:aire Definition of Waste Protocol is to be used.
(iii) After completion of site works, a verification report is required to validate that the work undertaken conforms to the remediation proposals received and agreed by this Section. The report would be expected to include the following:

- Summary of desk study, site investigation report and remediation strategy.
- Details of who carried out the work.
- Details and justification of any changes from original remediation strategy.
- Substantiating validation data that should include:
    - Validation information for the installation of the gas protection measures including a photographic record and copies of the independent consultants inspection record and validation check list.
    - Confirmation that barrier pipe was used for any new water supply in the development. Validation information including photographs and delivery notes will be required.
    - Confirmation that no unforeseen visual or olfactory contamination was encountered during the development. This should include a photographic record of the development and should focus particularly on the excavations for the foundation in order to illustrate the ground conditions encountered.
    - Copies of waste management records to ensure that any material removed from site was disposed of at a suitably licensed waste disposal facility.
- Confirmation that remediation objectives have been met.

The above information will be required by planning conditions, if permission is granted.

3. If pre-commencement or pre-occupation planning conditions are required

If planning permission is granted, the above information will be required by condition.

In line with the National Planning Policy Framework, there is the potential for contamination on this site, therefore, we recommend that the following contaminated land conditions are placed on any grant of permission:

CLA1 - Remediation Strategy.
(Please note that Contaminated Land Preliminary Risk Assessment and Site Investigation and Risk Assessment not required).

CLA2 - Contaminated Land implementation of Remediation Strategy and Site Verification Report.

Reason - This is to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

Please do not hesitate to contact me if you require any clarification of the above.

Yours sincerely



Rebecca Jones
Environmental Protection Officer

Please Note:
The Environment Section has used all reasonable endeavours to determine the risk from contaminated land and ground gas based upon the information available to it. However, the comments made above should not be taken to imply that the land is safe or otherwise suitable for this or any other development. The responsibility for safe development rests with the developer.