

Bury Metropolitan Borough Council
Town Hall
Knowsley Street
Bury
Lancashire
BL9 0SW

Our ref: SO/2023/123093/02-L01
Your ref: 69164

Date: 23 January 2024

Dear Sir/Madam

[AMENDED PLANS/ ADDITIONAL INFO] ERECTION OF A RETAIL UNIT (USE CLASS E) AND SYNAGOGUE WITH ASSOCIATED CAR PARKING, LANDSCAPING, ASSOCIATED EXCAVATION WORKS AND ACCESS ARRANGEMENT AND ADDITION OF BASEMENT FOR USE FOR STORAGE. REMOVAL OF INTERNAL STAIRWELL FROM PREVIOUSLY APPROVED APPLICATION 63054. FORMER TEXACO GARAGE, BURY OLD ROAD, PRESTWICH, M25 0HH.

Thank you for referring further amended details regarding the above application to the Environment Agency. We would wish to make the following comments.

Environment Agency position

We have reviewed the submitted Geotechnical Assessment Report for the former Texaco Filling Station, Bury Old Road, Prestwich by Mr. C. Eccles - Brownfield Land Consultant dated April 2022, and previously reviewed the Phase 3 Ground Investigation report by Redstart dated Aug. 2021 and a Geotechnical Investigation Factual Report by Redstart Northwest Ltd dated March 2022.

The supporting documents to date do not demonstrate that the risk posed by this proposal are acceptable and do not demonstrate that the risks of pollution have been understood or provide adequate mitigation for these risks.

The previous use of the proposed development site as a petrol filling station presents a high risk of contamination that could be mobilised during construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the development site is on a principal aquifer/secondary aquifer A.

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

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This planning application has therefore failed to meet the requirements of paragraphs 180 and 189 of the National Planning Policy Framework and given the nature of this potential contaminant of concern we believe that the trial pits are not the appropriate type of investigation methodology. We have identified that the samples that have been taken have been done so from too shallow a depth (barring those from TP04) to be sufficiently representative for site characterisation.

Advice to the applicant/LPA

We have additionally identified from the 2022 reporting that works on site have now commenced and that a substantial excavation has been undertaken, yet there is no clear justification for the work, no validation or verification of the work or an assessment of risks from the former land use.

Addressing the above issues

The applicant should provide information to demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures. This information should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) [Land contamination risk management \(LCRM\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/land-contamination-risk-management-lcrm), 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
- Refer to [‘The Environment Agency’s approach to groundwater protection’](#)

Yours faithfully

Mrs. SYLVIA WHITTINGHAM
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