

Planning Consultation Response

Condition Discharge Application

Environment Section – Contaminated Land

Application Reference:	64525	Discharge Reference:	72408
Site:	6 Bentley Lane, Bury, BL9 6RZ		
Approved Development:	Residential development of 3 no. dwellings		
To:	Helen Leach	From:	Sally Shaw
Our Reference:	CL937.101025.1	Date:	17 October 2025

Recommendations
Condition Status Summary
Condition 4 (Site Characterisation and Remediation Strategy) – Condition was recommended for discharge under our previous consultation response, CL937.190424.1, dated 19th April 2024 for application 67808. Condition 5 (Remediation Verification) – Recommended for discharge.

Desk Study Information	
Current use	On-site: At the time of the application was part of a residential garden. Off-site: At application stage this included residential and the large Tetrosyl site (now being redeveloped for housing).
Previous potentially contaminating land uses	On-site: Residential properties. Off-site: Quarries, mining activity, a reservoir, a dyeworks, Bevis Green Print Works (later Tetrosyl – car care products) and a works.
Environmental setting	Geology: Glacial till over the Rough Rock Formation. Hydrogeology: Secondary A Aquifer Hydrology: A surface watercourse that feeds a reservoir located within the Tetrosyl site is located 140m to the south east. Mining: Site not affected by mining. Landfill/Waste: The site is not located within 250m of a known landfill site.

	Radon: The site is located within a Category 2 Radon Affected Area.
Approved development	• Approved layout plan • Approved landscaping

Assessment / Comments	
Information Reviewed	• Contaminated Land Phase Three Report; Validation of Remedial Works, Martin Environmental Solutions, Report No: 2979-1, dated August 2025.
Previously Considered	• Phase 1 Environmental Site Assessment Report, Land Adjacent to 6 Bentley Lane, Enviro Solution Ltd, Reference: CL101, 28 October 2019. • Contaminated Land Phase Two Intrusive Investigation for Proposed Residential Development at Land adjacent 6 Bentley Lane, Bury, BL9 6RZ, Martin Environmental Solutions, Reference: 2171-1, October 2021.
LCRM Stage 1 - Site Characterisation and Risk Assessment	
Preliminary Risk Assessment	A satisfactory PRA was submitted in support of the application and reserved matters application (67808). This was considered in our consultation responses: CL937.290120.1, dated 29 January 2020 and CL937.141221.1, dated 14 th December 2021.
Site Investigation and Generic Quantitative Risk Assessment	An appropriate site investigation and GQRA was submitted in support of the reserved matters application (67808) and considered in our consultation response CL937.141221.1, dated 14 th December 2021.
Detailed Quantitative Risk Assessment	Not relevant for this site.
LCRM Stage 2 - Options Appraisal	
Remediation Strategy & Verification Plan	An acceptable Remediation Strategy was submitted in support of the previous application for discharge (67808) and considered in our consultation response CL937.190424.1, dated 19th April 2024. This comprised: • Clean cover system of 600mm (<i>450mm of inert, clean (non-waste), granular subsoil and an upper layer of 150mm topsoil</i>) within any garden or landscaped area. • Imported soil to be tested at the following ratio (with a minimum of three samples to be taken):

	○ Greenfield source sampling ratio of 1:200m³ ○ Brownfield source sampling ratio of 1:50m³ • Watching brief for unforeseen contamination. • Gas protection measures
Materials Management	No information submitted.
LCRM Stage 3 - Remediation and Verification	
Verification	The submitted report includes verification of gas protection measures undertaken by a Specialist in Gas Protection Verification at Geoshield Limited and soil analysis of the imported material. The submitted documentation of the verification of gas protection showed a high level of assessment. Thorough inspection was carried out on both the foundations and basement tanking and all faults identified were logged and repaired. Supporting photographs were provided. It would appear that the Cordek Tri-Gas membrane shown in the agreed plans was not used but a replacement membrane JUTA GP1 SAM. Both membranes appear to give the same level of protection, but it would have been advisable to make the Section aware of the change of product ahead of the works. It is noted that the actual landscaping (as shown in appendix B, page 41) has approximately half of the soft landscaped area shown on the approved plan replaced by hard landscaping. The report details how the site was substantially remodelled with material removed to create basements, with a backfill of clean stone. There was no report of any unexpected contamination. Invoices for the removal and import of material was included in appendices C and D. Information provided by the developer (email dated 16/10/2025) advised of the following material movements: <u>Waste away</u> 67 loads @ 20T = 134 Tonnes <u>To site</u> 60 tonnes of limestone MOT 182 tonnes of 20mm clean 4 tonnes of grade 2 topsoil 10 tonnes of grade 1 topsoil A Topsoil Analysis Report (Tim O'Hare Associates, dated 25th February 2025) was provided in the Verification report. This detailed the analysis of one soil sample. The report concluded that the <i>topsoil represented by this sample would be considered suitable for</i>

	<i>general landscape purposes.</i> Furthermore, the topsoil was fully compliant with the requirement of the British Standard for Topsoil. It would appear that the soil has been bought from a soil merchant and the analysis is for the stockpile the material came from. It is noted from the report that the extent of soft landscaping in the completed gardens is significantly reduced from the agreed plans. It is understood this was on practical grounds to accommodate steps given the site's topography. Furthermore, much of the existing ground was dug out and removed to accommodate the basement of the dwellings. As such the material that the remedial action of a cover system was proposed for has been removed. The imported material is no longer serving as a preventative measure and so the depth of "cover" is no longer relevant. A minimal amount of soil has been bought to site, and whilst the agreed remedial strategy was for a minimum of three samples to be analysed, only one sample of topsoil (none of grade 2topsoil/subsoil) was, given the size of the gardens this is proportionate in this case.
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Notes

- Bury Council's [Developers Guide for Contaminated Land](#) provides an overview of the assessment of contaminated land in Planning and developing potentially contaminated land.
- 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 ultimate responsibility for safe implementation of the development scheme resides entirely with the landowner and/or Planning Applicant.
- Developments that are brought into use prior to the requirements of pre-occupation conditions being satisfied, would be result in breach of condition and could result in the site being considered under Part 2A.
- 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.