

Planning Consultation Response

Condition Discharge Application

Environment Section – Contaminated Land

Application Reference:	68055	Discharge Reference:	71697
Site:	Land at Springside Road, Bury		
Approved Development:	Residential development comprising of 41 no. dwellings with associated access, landscaping and ancillary works.		
To:	Jennie Townsend	From:	Rebecca Jones
Our Reference:	CL1005.031125.CL1	Date:	3 November 2025

Recommendations
Condition Status Summary
Condition 3 (Site Characterisation and Remediation Strategy) – Previously recommended for discharge (Letter Reference: CL1005.080224.1). Condition 4 (Remediation Verification) – Enabling and Earthworks Phase validation information has been provided. Build Phase validation information is outstanding - item (i). As such this condition is not recommended for discharge. Please note that Condition 4 cannot be recommended for discharge until all plots are completed and validation information has been received and approved for all plots.
Outstanding Information
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) Build Phase Verification to validate that the work undertaken conforms to the remediation proposals received and agreed by this Section to include: A photographic record to demonstrate the placement of 150mm of validated topsoil in each plot, as proposed in the E3P Remediation Strategy (Plots 1 to 3 and 5 to 41).

Desk Study Information	
Current use	On-site: Open land and a tennis court. Currently being developed for housing. Off-site: Residential properties, a school and a church.
Previous contaminating land uses	On-site: Predominantly undeveloped other than the construction of tennis courts and a pavilion in the east of the site. Off-site: Brewery which was later in use as a Petroleum Works, and a church with a graveyard.
Environmental setting	Geology: Millstone Grit and the Old Lawrence Rock Sandstone overlain by Glacial Till. Hydrogeology: Secondary A Aquifer (Millstone Grit and the Old Lawrence Rock Sandstone). Hydrology: A culverted surface water course runs through the site. Mining: Not located within Coal Mining Development High Risk Area. Landfill/Waste: No registered landfill sites within 250m. Radon: Not located within a Radon Affected Area.

Summary of Land Contamination Risk Management (LCRM) Progress	
LCRM Stage 1 - Site Characterisation and Risk Assessment	
Preliminary Risk Assessment	A preliminary risk assessment has previously been submitted and approved which concluded that there is a potential risk to human health and the environment. A site investigation was recommended and has been completed: Phase I & II Geoenvironmental Site Assessment, Springside Road, Walmersley, E3P, Reference: 13-985-R1-1, April 2021.
Site Investigation and Generic Quantitative Risk Assessment	A site investigation and risk assessment has been completed which concluded: - Phase I & II Geoenvironmental Site Assessment, Springside Road, Walmersley, E3P, Reference: 13-985-R1-1, April 2021. - Ground Gas Addendum Report, Springside Road, Walmersley, E3P, Reference: 13-985-R3-1, July 2021. Ground Conditions and Human Health Risk Assessment: Ground conditions comprised mainly of topsoil, with tarmac and shallow made ground deposits encountered in two locations WS103 and

	TP105/SA102 in the tennis court area in the east of the site, to depths of between 0.17 m and 0.40 m bgl. Natural strata comprises clay deposits. Bedrock was not encountered. Elevated concentrations of PAHs and TPHs were found in one sample of made ground (TP105) and PAHs in one sample of topsoil (WS104) when compared to the S4UL for residential with homegrown produce (most likely associated with inclusions of tarmac or past bonfires). Remedial actions were recommended to deal with these exceedances. No exceedances were recorded within the rest of the site. Controlled Water Risk Assessment: High groundwater conditions were encountered during the monitoring programme with the response zones in WS103, WS105 and WS106 flooded on all monitoring visits. Within the remaining wells groundwater levels fluctuated between 0.6m bgl and 2.94m bgl. Groundwater samples were analysed from WS103 and WS105 and soil leachate testing carried out on a sample from TP105. Elevated concentrations of metals (copper, nickel and zinc) and PAHs were found in the groundwater and soil leachability sample when compared to the EQS values. An m-BAT assessment confirmed that the zinc present in the samples was bioavailable. However, given the marginal nature of the exceedances, the presence of cohesive clay deposits overlying the aquifer, and likelihood that the culvert will have an impermeable liner, the consultant considers the risk to controlled waters are low. However, the consultant recommended that it would be prudent to investigate the structural integrity of the culvert as groundworks progress, to ensure no future mobilisation of contaminants is caused, which may pose a risk to the watercourse. Ground Gas Risk Assessment: No elevated concentrations of methane were recorded in the monitoring wells. Carbon dioxide was recorded within the monitoring wells at concentrations ranging from 0.1%v/v to 6.0%v/v (WS104 on first visit). The consultant considered that the gas regime at the site is representative of CIRIA Characteristic Situation 1 and that no gas protection measures are required.
Detailed Quantitative Risk Assessment	A detailed quantitative risk assessment was not required.
LCRM Stage 2 - Options Appraisal	
Remediation Strategy & Verification Plan	The following remedial measures will be undertaken at the site: Remediation and Enabling Works Strategy, Springside Road, Walmersley, E3P, Reference: 13-985-R4-1 Final, January 2022.

Earthwork Phase Remediation

- **Delineation and excavation of PAH and TPH impacted made ground in the vicinity of TP05/former tennis courts.** Validation samples will be taken from the base and sides of the excavation and tested for the contaminants of concern (speciated PAHs, banded TPH and VOCs). On-site screening for VOCs using a PID will also be undertaken.
- **Recovery of suitable topsoil for re-use within gardens and soft landscaped areas.** The PAH impacted topsoil located in the vicinity of WS104 will be delineated and segregated for re-use in areas of low sensitivity or for off-site disposal.
- **Excavation, breaking of processing of all above and below ground structures** including all active drainage infrastructure.
- **Cut and fill of made ground and natural site soils to development level.** Validation of site won and imported fill materials to be used as general backfill to be tested at a rate of:
 - 1 per 1000m³ for site-generated 6F2 and site-won made ground with a minimum of 3 samples from each source.
 - 1 per 2000m³ for site-won underlying natural with a minimum of 3 samples from each source.

Samples will be tested for a suite of analysis that will include metals, speciated TPH, speciated PAHs and asbestos as a minimum. Soil leachability samples will also be recovered from site-won made ground at a rate of 1 per 2000m³ (minimum 3 samples). The results will be compared to suitable generic assessment criteria and EQS/DWS.

- **Materials Management Plan** to be developed and implemented, where soils are to be re-used under the CL:AIRE Definition of Waste Code of Practice. A U1 exemption will be registered for the importation and re-use of soils.
- **Appropriate environmental controls** to minimise potential dust emissions and nuisance.
- **Watching brief** during the earthworks phase to identify and deal with any previously unforeseen contamination.

	<u>Build Phase Remediation</u> • Clean Cover System where made ground exists following remedial earthworks, to comprise 600mm clean cover (150mm topsoil and 450mm subsoil) will be placed in all garden and soft landscaped areas. Where made ground is absent and verified natural soils are present at the finished level, 150mm of validated topsoil will be placed. The imported and site won cover soils will be tested at a rate of: ○ 1 per 50m³ for brownfield sourced topsoil and subsoil with a minimum of 3 samples from each source. ○ 1 per 200m³ for greenfield sourced topsoil and subsoil with a minimum of 3 samples from each source. Samples will be tested for a suite of analysis that will include metals, speciated TPH, speciated PAHs and asbestos as a minimum. The results will be compared to generic assessment criteria for residential with homegrown produce (C4SL and S4UL). The depth of cover will be validated using trial holes and photographic evidence for each and every plot. • United Utilities water pipe risk assessment to confirm whether or not barrier pipe is required. Where barrier pipe is required, validation confirmation including delivery notes for the barrier pipe and a photographic record of their installation will be required.
Materials Management	A copy of the Materials Management Plan (MMP) for the re-use of site won soils and importation of soils under CL:AIRE DoWCoP has previously been received: • CL:AIRE Materials Management Plan, Springside Road, Walmersley, E3P, Reference: 13-985-R5-1, 5 June 2024. The June 2024 MMP does not include details of any source site for the proposed imported soils. However, it is understood that no imported soils were required for the enabling and earthworks phase as there was a balance of material for the cut fill works. Details of imported topsoil used in garden areas has been included in the E3P Verification Report, Validation Report (Reference: 13-985-R6-2, September 2025): • 85m³ of imported topsoil purchased from Cheshire Soils and Aggregates (sourced from Redrow Homes developments in Ledsham and Daresbury). Three samples of the material were

	tested prior to its placement (Certificate: 24-34373-1, IMPTS101-103). No elevated concentrations of contaminants were found and the material was considered suitable for use 30 m³ of topsoil purchased from Tong Quarry, Bacup for use in gardens/landscaped areas. Three samples of the material were tested prior to its placement (Certificate: 25-29742-1, IMPTS201-203). No elevated concentrations of contaminants were found and the material was considered suitable for use.
LCRM Stage 3 - Remediation and Verification	
Verification	Further information regarding the verification of the enabling and earthworks phase remediation has been submitted and reviewed: The following documents have previously been received and reviewed: - Validation Report, Springside Road, Walmersley, E3P, Reference: 13-985-R6-1, January 2025. - Response to Comments Springside Road, Walmersley, E3P, Reference: 13-985-L3-3, 12th June 2025. - Validation Report, Springside Road, Walmersley, E3P, Reference: 13-985-R6-2, September 2025. Verification information (report and follow up letter) has previously been received for the main earthworks phase and build phase remedial actions (see letters CL1005.240425.1, CL1005.020725.CL1 and CL1005.260925.1). However, a number of issues were raised which required further information: (i) Additional Enabling and Earthworks Remediation Phase Validation Information to include: The sample references supplied in the E3P letter (Reference: 13-985-L3-3, 12th June 2025) for the natural subsoil tested as part of the original site investigation and reported upon in certificates of analysis - I2 Analytical, Reference: 21-58346, 1 March 2021 do not fully match the samples on the certificate. WS104 (1.0m) is not a sample that appears on certificate: 21-58346 (see below). Please clarify the sample reference. Clarification has been received from E3P that:

'The letter (E3P, Reference: 13-985-L3-3, 12th June 2025) incorrectly refers to sample WS104 at 1.00 m. The correct reference on certificate: 21-58346 is WS101 at 1.00 m'.

No further information is required regarding this issue. Consequently, this Section is satisfied that that sufficient verification information has been provided to demonstrate that the agreed Enabling and Earthworks Remediation Works have been undertaken and completed.

(ii) Build Phase Verification to validate that the work undertaken conforms to the remediation proposals received and agreed by this Section to include:

- **A photographic record to demonstrate the placement of 150mm of validated topsoil in each plot, as proposed in the E3P Remediation Strategy (Plots 1 to 3 and 5 to 41).**

No further information has been received.

Section 9.9.1 of the Remediation Strategy states that:

E3P will collect photographic evidence of the placement of 150 mm of certified topsoil and 450 mm of subsoil on completion of construction works. This element will also be checked by the Building Control Officer as part of the site completion prior to issuing of a CML certificate.

PROCEDURE	METHOD
Validation	Photographic evidence will be taken by E3P of the topsoil placement demonstrating the depth of topsoil and practical completion of works are required for each and every plot. For plots where sub-soil depths require validation by E3P during the build phase, photographs will be taken and collated by E3P.
Validation Certificate	Once the photographs of the placement of topsoil (over the clean material) have been provided, E3P will issue a plot specific validation certificate to demonstrate that the required subsoil and topsoil has been placed in the required garden plots along with the chemical analysis.
Completion Report	Upon completion of all garden and landscaped areas within the development, a Completion Report will be issued providing the confirmation that all remediation requirements have been achieved.

Plate 1 provides an example of a garden validation photographs that will be required for each plot.

A photographic record to demonstrate the placement of 150mm of validated topsoil in each plot is still required, as proposed in the E3P Remediation Strategy (Plots 1 to 3 and 5 to 41).

Notes

- 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.