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Tuesday, 14 January 2025

Ask for: Peter Dilworth
Ref: ECL.9595. PDD.001

Dear Sirs

Pilsworth Quarry, Pilsworth Road, Bury, BL9 8QZ, Planning Application: 71273 – Contaminated Land

We write specifically in response to the recommendation for refusal of the above application made by the Environmental Protection Department of BCC – as reproduced below:

CONTAMINATED LAND – REFUSAL

The site historically remained undeveloped until the landfilling commenced c2003 and this area of the site is understood to have been in use for hardcore screening. Surrounding historical uses have included a sand quarry and more recently a landfill with offices, car parking and weighbridges. The site is situated above the Lower Coal Measures Formation Secondary A Aquifer which is overlain by Glaciofluvial Sand and Gravel.

It is understood that the proposed development comprises the erection and operation of Material Recycling Facility (MRF). This is a retrospective application following the commencement of approval 69956 for a MRF with the construction materially different than approved. Furthermore, the pre-commencement contaminated land condition (no.3) of the approval had not been addressed at the time of commencement. In addition, a similar condition requirement was set by the Coal Authority, now known as the Mining Remediation Authority, (condition no.4) as the site falls within a Development High Risk Area. It is noted from the planning application form that works commenced on the 1st August 2024 and it is understood the building is largely complete.

A ground investigation report, Wardell Armstrong, reference GM13005/FINALV2, dated December 2024, has been submitted in support of this application. Whilst the site investigation and risk assessment may be considered to be adequate for pre-commencement, the report did not address the fact that the building was complete missing an opportunity to assess the site in its current condition and advise whether any of the recommendations for remedial measures were incorporated into the build. Please see attached appraisal, CL551.201224.1, for more details.

*Given this we have no option but to recommend that the application be **refused** until appropriate and sufficient information is provided with regards to Contaminated Land.*

In support of this Application receiving consent from the LPA, Egniol Consulting Limited would note the following points:

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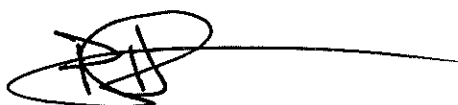
1. The ground investigation report by Wardell Armstrong (WA) concluded that the risks in relation to contaminated materials at the site are low.
2. It is our opinion that any localised contamination identified by WA is superficial and related to screening activities undertaken historically in this area for a limited period only, by Viridor Waste Management.
3. Due to low levels of contamination identified by the WA ground investigation, the materials on site were found to be suitable for excavation, processing and re-use in the building construction works and/or to be left in place on site beneath the building, which again confirms that the levels of risk identified in relation to ground contamination at this location are very low.
4. No methane gas was detected during monitoring undertaken following on from the site investigation work by WA, which is indicative that there is no bio-degradable waste in the made ground at this location.
5. Having analysed historic Google Earth photographs from before commencement of quarrying at the site and up to the present day, it is concluded that this area of the site has never been worked for sand extraction (or landfilling) and the WA report confirms that made ground is only superficial at approximately 1.0m deep across the footprint of the building.
6. The construction process for the building now in place included removal of the made ground across the site to around 1.0m depth (down to in-situ sand), re-processing of the excavated materials (crushing and screening) and then replacement of the hardcore product as foundation materials beneath the building ground slab. During this process, any unsuitable waste materials identified in the excavated materials were removed prior to processing and re-use.
7. The granular layer constructed under the building (as noted above) will act as a passive dispersal layer beneath the floor slab (as suggested may be necessary by WA) although we do not believe this is a necessary requirement given the nature of the materials in place under the building.
8. The granular materials in place beneath the floor slab were bound at the upper surface with a layer of fine material and a layer of visqueen then installed above the hardcore layer and under the concrete floor slab. This visqueen layer will act as gas barrier (suggested as may be necessary by WA) although again, we do not consider that a gas barrier is needed due to the nature of the in-situ materials under the building.
9. A 300mm thick reinforced concrete slab has been constructed at ground level across the whole of the building footprint, which will also act as a significant barrier between the ground and atmosphere to prevent any gaseous exchange (although it is not required for this purpose, in our opinion).
10. The whole of the ground surface surrounding the building is to be covered by a concrete apron and this will also act as a containment barrier for any contamination that may be present on site and below ground level.
11. The ground investigation undertaken by WA found no evidence of coal workings under the building.
12. When in use, all personnel in the building will be in a protected environment. Machine drivers will be in their cabs and will have to wear gas monitors. Personnel in the picking cabin in the MRF will be in an environment with continuous air monitoring and fresh air circulated into the picking cabin from outside the building.
13. The nature of the building is such that it is not a 'sealed' environment; air monitoring within the building and air circulation through the building will be continuous.

To supplement the above information and if required to help gain approval for the building as constructed, we would suggest that (if required) some further site investigation (extent and details to be agreed with the LPA) can be undertaken around the building location to better confirm the risks associated with the existing ground conditions on this part of the site. We believe that this would confirm there are no environmental risks or risks to site personnel associated with land contamination around (and under) the building. If required, we would be happy for such a Condition to be stipulated and linked to a planning consent.

We would be very happy to work with the LPA to formulate an appropriately worded condition to ensure that the LPA, including the Environmental Protection Department, are ultimately satisfied that there are no risks in relation to contaminated land. If however, further site investigation shows that there are specific risks that have not been envisaged, we will work with the LPA to ensure that any risks that may be identified in this regard are dealt with to the full satisfaction of the LPA.

We look forward to your response in relation to this matter in due course.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'P' and 'D' followed by a long horizontal line.

Peter Dilworth
for Egniol Consulting Ltd.

