



**DEPARTMENT OF
OPERATIONS**

Dean Clapworthy
Bury Council Planning Department

Date 1 August 2024
Reference CL823.010824.1

Dear Dean

**Land between Butterstile Close and Hilton Lane, Prestwich, Bury, Planning Application:
67816 – Contaminated Land**

I write regarding the discharge of Conditions 3 and 4 of the above planning application. The Environment Section has received copies of the following documents:

- Email from Anton Lally (developer) regarding and between Butterstile Close and Hilton Lane, Prestwich, Bury, dated 19 July 2024.
- Waste Transfer Notes for Grade 1 Topsoil, R Drapers Ltd, Reference: 126077 & 126078, 16 & 20 February 2024.
- Refurbishment & Demolition Survey to Land Off Hilton Lane/Butterstile Close, Prestwich, Manchester, M25 9RS, Euro Asbestos Surveys Ltd, Reference: RDS1440, 11 November 2022.
- Delivery notes for 6mm and 20mm quarried stone, CP Aggregates Ltd, Reference: 1653, 5162, 5178 & 5258, 7 December 2023 and 8 January 2024.
- Email from Alexander Roxborough, Assent Building Control regarding Land Adjacent to Butterstile Close, Prestwich, Manchester, M25 9RS - Radon Barrier/Gas Membrane, dated 14 June 2024.

A copy of the following report has previously been received and reviewed:

- Site Completion Report, Hilton Lane (Butterstile Close), Prestwich, LK Consult, Reference: CL-602-LKC 21 1545-03, 18 March 2024.

The Environment Section has reviewed the above information in order to assess whether the following items requested in my [previous correspondence](#) of 7 June 2024 have been adequately addressed:

1. An updated verification report which includes the following information:
 - Delivery notes for the imported topsoil and subsoil from Drapers at Bickerstaff, Lancashire.
 - Further details regarding the depth of gravel placed in the rear gardens of Plots 1-5 and confirmation to whether a geotextile layer was installed.

- Copies of the Building Inspector's inspection records for the gas protection measures.
- A copy of the Asbestos Management Plan which was used in the development.

The site was formerly used as a garden. Current land uses in the surrounding area include residential, a garage, open space and a burial ground. Previous uses at the site have included infilling or land raising activities and garages. Part of the site is located within the boundary of a former landfill known as Butterstile Lane Landfill (Reference: C082). This site was given planning permission for tipping in 1949 and is shown on the 1952, 1953, 1960 and 1970 historical maps as an area of filled or disturbed ground. A second landfill known as Rainsough Brow Landfill is located approximately 15m to the west. Based on the historic OS maps it is likely that a tributary of the River Irwell is culverted close to the northern boundary of the site. The site is situated on fluvioglacial sand and gravel deposits over the Manchester Marls Secondary B Aquifer and Sherwood Sandstone Principal Aquifer.

The development has comprised the construction of 8 no. residential dwellings.

1. An updated verification report

Further verification information has been submitted to address the following issues:

- **Delivery notes for the imported topsoil and subsoil from Drapers at Bickerstaff, Lancashire.**

Delivery notes for the approximately 120 tonnes of topsoil supplied by Drapers, Bickerstaff, Lancashire on the 16 and 20 February 2024 have been supplied. No further information is required regarding this issue.

- **Further details regarding the depth of gravel placed in the rear gardens of Plots 1-5 and confirmation to whether a geotextile layer was installed.**

It is understood that the gardens in Plots 1-5 comprise the following:

- Artificial grass over,
- 75mm layer of 6mm limestone gravel over,
- 350mm layer of 20mm limestone gravel over,
- 450-650mm of reinforced concrete.

The quarried stone was imported by CP Aggregates Ltd on 7 December 2023 (approximately 57 tonnes of 20mm gravel) and 8 January 2024 (approximately 19 tonnes of 6mm gravel). Delivery notes for this material have been provided.

It is understood that the change from the original proposed clean cover system was due to the presence of a retaining structure that was designed and built to support the existing retaining structure along the Hilton Lane boundary.

No further information is required regarding this issue.

- **Copies of the Building Inspector's inspection records for the gas protection measures.**

An email from Alexander Roxborough, a Building Control Surveyor at Assent Building Control, has been received. The email confirms that a gas membrane was installed within the properties and was continuous across the cavity to the external wall with all joints sealed with radon block tape.

Delivery notes for the Visqueen Gas Barrier, tape, top hats and jubilee clips used on-site, and photographs taken during the construction showing the installation of the membrane have previously been received.

This Section is satisfied that the agreed gas protection measures have been installed.

- **A copy of the Asbestos Management Plan which was used in the development**

Due to the potential presence of asbestos containing materials within the made ground, the LK Consult Remediation Strategy recommended that an appropriate Asbestos Management Strategy should be developed and implemented during groundworks to protect site staff and nearby residents.

A copy of an Asbestos Refurbishment & Demolition Survey completed by Euro Asbestos Surveys Ltd has been provided. Although the report is described as a 'pre-refurbishment and demolition survey', there were no buildings on site at the time of the survey on 1 and 2 November 2022. Euro Asbestos Surveys carried out a visual inspection of the soil surface following a site strip, and no evidence of visual asbestos was noted. Consequently, no further action regarding the potential for asbestos in soils was considered necessary. No further information is required regarding this issue.

Conclusion

This Section is satisfied that the agreed remedial works have been completed, and that this development does not pose a risk to human health or the environment. Consequently, we are satisfied that the requirements of Condition 4 have been met and that this condition can now be recommended for discharge.

Condition 3 has previously been recommended for [discharge](#).

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.



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 ultimate responsibility for safe implementation of the development scheme resides entirely with the landowner and/or Planning Applicant.

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

Yours sincerely

Rebecca Jones
Environmental Protection Officer

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