

Planning Consultation Response

Condition Discharge Application

Environment Section – Contaminated Land

Application Reference:	69459	Discharge Reference:	72378
Site:	Land adjacent to 35 Hilton Street, Bury, BL9 6LT		
Approved Development:	Erection of 2 no. terraced dwellings		
To:	Tom Beirne	From:	Sally Shaw
Our Reference:	CL1121.301025.1	Date:	

Recommendations
Condition Status Summary
A low-moderate risk of land contamination has been identified. Given the site's location in an area potentially affected by mining precautionary gas protection measures have been recommended. These should be appropriately installed and verified and the necessary documentation submitted with regards condition 6. • Condition 5 (Site Characterisation and Remediation Strategy) – Sufficient information has been provided to recommend discharge of this condition. • Condition 6 (Remediation Verification) – to be considered post site completion and the report should be submitted prior to the development being brought into use.
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) A materials management plan, if the CL:AIRE Definition of Waste Code of Practice is to be used. (ii) After completion of site works, a verification report is required to validate that the work undertaken conforms to the remediation proposals received and agreed by this Section.

Desk Study Information	
Current use	On-site: Open land Off-site: Residential and commercial properties.
Previous potentially contaminating land uses	On-site: Previously two dwellings demolished between the mapping periods 1978-1992. Off-site: Mills, works, factory and a garage.
Environmental setting	Geology: Bedrock of Pennine Lower Coal Measures Formation comprising Mudstone, Siltstone and Sandstone. The superficial deposits are Till comprising Diamicton. Hydrogeology: The site is underlain by a Secondary B Bedrock Aquifer and a Secondary Undifferentiated Superficial Aquifer. Hydrology: The nearest surface water body is the Inland River located 208m E of the site. Mining: The site is located in an area potentially affected by Coal Mining. Landfill/Waste: The site is located within 250m (153m east) of a known landfill site, Mill Lodges. Infilled late 1970s reportedly with demolition waste. Radon: The site is not affected by radon.
Approved development	• Approved site plan. • Approved landscaping.

Assessment / Comments	
Information Reviewed	• Phase 1 Desk Study Report, STM Environmental Consultants Ltd, reference: PH1-2025-000084, dated 11/07/2025. • Coal Mining Risk Assessment, Mining Remediation Authority, dated 21/07/2025. • Remediation Strategy and Verification Plan, STM Environmental Consultants Ltd, reference: REM-2025-000028, dated 03/11/2025.
LCRM Stage 1 - Site Characterisation and Risk Assessment	
Preliminary Risk Assessment	The report includes a description of the site including its past historical uses. An appraisal of the site environmental setting is presented including its geology, hydrogeology and hydrological regime, mining activities, waste management issues, and identification of additional environmental sources, pathways and receptors. This information has been used to compile a clear site conceptual model, which identifies

	potential sources, pathways and receptors and likely pollution linkages. A low-moderate risk was concluded. As such a watching brief was recommended during site works. Given the site's location in a Coal Mining Area, a Coal Mining Risk Assessment was recommended by the consultant. The Coal Mining Risk Assessment concluded that <i>it is not considered that the development site has been subject to coal mining legacy features that will influence the development</i>. However, the report also stated that <i>due to the difficulties in identifying coal related gas hazards, it may be prudent to consider completing a gas risk assessment for the development site. This may recommend basic gas protection measures within the foundation design, which are resistant to permanent gases (carbon dioxide, methane and carbon monoxide) and comparable to that suggested in BR211, as commonly used to protect against radon in residential properties.</i>
Site Investigation and Generic Quantitative Risk Assessment	Precautionary remedial measures are to be incorporated in lieu of a site investigation given the scale of the development.
Detailed Quantitative Risk Assessment	Not relevant at this site.
LCRM Stage 2 - Options Appraisal	
Remediation Strategy & Verification Plan	Precautionary gas protection in line with Characteristic Situation 2 are proposed. This will be installed by appropriately certified and experienced installers and will be verified by a 3rd party independent verifier. Foundation plans and the technical datasheet of the chosen membrane are provided within the Remediation Strategy. It is recommended that clarification is sought from the membrane supplier as to whether the membrane should be continued across the cavity.
Materials Management	Not relevant at this stage.
LCRM Stage 3 - Remediation and Verification	
Verification	Details of what should be undertaken and included in a Remediation Verification Report were detailed in the report. This should be submitted prior to the development being brought into use.

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.