

CONTAMINATED LAND – CONDITION.

The site is currently a large industrial site operated by Tetrosyl which includes a reservoir. Tetrosyl manufacture car care products which has included solvent based paints and thinners, such as white spirit. There are bulk storage tanks towards the rear of the site and other storage tanks within the manufacturing buildings which store solvents, and also underground storage tanks. Historic transformers have also been identified.

Adjacent land use includes housing, commercial and industrial premises, open space and farmland and the M66 motorway. Previous land uses on the site have included reservoirs, Bentley Mill (Cotton), Lumn Mills (Cotton and Logwood Dye), air shafts (possible associated with coal mining), a quarry, Bevis Green Print Works, tanks, works, refuse heaps and a car accessory factory (assumed to be Tetrosyl). In the surrounding area previous uses have included reservoirs, a tramway to Cob House Lane Colliery, Dark Lane Colliery, a Sandstone Quarry, a sewage works, works and areas of filling.

The site lies within 250 metres of two known landfill sites, known as Gin Hall Landfill (a former reservoir) and Mill Road, Walmersley (infilled former sewage works). Additionally, there is evidence of waste disposal on the development site. The Pigs Lee Brook sinks approximately 140m to the east and issues approximately 135m to the south west. There is also a reservoir on the site and a number of other reservoirs in the surrounding area. The site is underlain by glacial till (which is absent in the north west corner) over the Rough Rock Formation and the Millstone Grit Secondary A (minor) aquifers. The site is located within a former coal mining area and shallow coal seams have been mined beneath the site, with 3 former shafts present within the site boundary. The former Lumn Mills Colliery was situated adjacent to the site and workings extend beneath the site. The north west corner of the site is situated within a Class 2 Radon Affected Area.

The following report have previously been submitted in support of application 63533:

- Phase I and Phase II Geo-Environmental Site investigation, Bevis Green Works (Tetrosyl), Mill Road, Walmersley, Bury, E3P, Reference: 10-110-r1, May 2014.
- Mining Report, Mill Road, Walmersley, Bury, Betts Associates, Reference: 15/BHM/006/MJF/GS/LR1, 14 October 2015.
- Remediation and Enabling Works Strategy, Bevis Green Works, Mill Road, Walmersley, Bury, E3P, Reference: 11-500-R1, February 2017.
- Remediation Strategy, Bevis Green Works (Tetrosyl), Mill Road, Bury, BL9 6RE, Smith Grant, Reference: R2174-R01-v1, November 2018.
- Remediation Strategy, Bevis Green Works (Tetrosyl), Mill Road, Bury, BL9 6RE, Smith Grant LLP, Reference: R2174-R01-v2 Final, May 2019.
- Tetrosyl Bury: Development for Residential Use - Scope for further Groundwater Investigation, Smith Grant LLP, Reference: R2174 – L20190607 – Further SI: Groundwater_uncosted, 10 June 2018 (assumed to be 2019).
- Tetrosyl Bury: Development for Residential Use - Scope for further Gas/Vapour Investigation, Smith Grant LLP, Reference: R2174 –

L20190611 – Further SI: Gas & Vapour Monitoring_uncosted, 11 June 2018 (assumed to be 2019).

- Supplementary Site Investigation, Phase 1, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2714c-R02-v2, June 2020.
- Supplementary Groundwater Site Investigation, Phase 1, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2714c-R03-V1, October 2020.
- Letter – Comments on Supplementary Groundwater Monitoring Reports, Phase 1, Bevis Green Works, Mill Road, Bury, BL9 6RE, Environment Agency, Reference: SO/2020/120065/02-L01, 18 November 2020.
- Remediation Earthworks Completion Report – Phase 1, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2714c-R04-V2, November 2020.
- Phase 2: Supplementary Groundwater Investigation No.1, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2714c-R05-V1, December 2020.
- Phase 1 Developer-Stage Remediation Strategy, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2174-R07-v3 Final, March 2021.
- Response Letter from Environment Agency Regarding Supplementary Groundwater Monitoring Reports for Review Bevis Green Works, Mill Road, Bury, BL9 6RE, Reference: SO/2020/120065/03-L01, 19 March 2021.
- Phase 1 Developer-Stage Remediation Strategy, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2174-R07-v4 Final, July 2021.
- Phase 2: Supplementary Site Investigation, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2174c-R06-v1 Final, April 2021.
- Phase 2: Supplementary Groundwater Investigation No. 2, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2174c-R09-v1 Final, June 2021.
- Gas Protection Validation Record – Plots 143-146 Tetrosyl, Bury, Smith Grant, Reference: R2174, 23 August 2021.
- Materials Management Plan, Bevis Green Works, Mill Road, Bury, BL9 6RE, Smith Grant, Reference: R2174 MMP Tetrosyl Phase 1 V1.0, 26 August 2021.
- Controlled Waters Risk Assessment, Former Tetrosyl Works, Bevis, Green, Bury, Smith Grant, Reference: R2174-R10-v2 Final, August 2021.

Various phases of investigation have been undertaken across the former Bevis Green Site. Hydrocarbon/solvent contamination has been identified in the groundwater associated with bulk storage tanks and inorganic contaminants and PAHs in the wider made ground. Further intrusive work is still required to assess the risks to controlled waters and human health and from ground gas ingress within the Phase 2 Area which includes this new application. Within the Phase 2 Area, existing buildings and infrastructure still require demolition. Please see attached letters for further details regarding the works carried out to date – CL584.150322.1, CL584.240921.1, CL584.170821.1, CL584.220721.1, CL584.140721.1, CL854.180121.1, CL854.100820.1, CL854.240719.1, CL584.170419.1, CL584.200319.1.

In line with the National Planning Policy Framework, there is the potential for contamination on this site, therefore, we recommend that the following contaminated land conditions are placed on any grant of permission:

CLA1 - Contaminated Land Preliminary Risk Assessment, Site Investigation, Detailed Risk Assessment and Remediation Strategy.

CLA2 - Contaminated Land implementation of Remediation Strategy and Site Verification Report.

Asbestos Condition - Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified should be disposed of in an appropriate manner.

Reason - This is to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

AIR QUALITY – CONDITION

The site is not located within an Air Quality Management Area. Due to the scale of the development (99 dwellings) it is considered possible that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment is required. A copy of an air quality report has previously submitted and reviewed in support of Application 63533:

- Air Quality Assessment for Proposed Residential Development, Walmersley Old Road, Bury, Smith Grant, Reference: R2174B-R01-v2, March 2019.

The report concluded that the construction phase is likely to create dust emissions from demolition, earthworks, and construction activities and from track out from vehicles, consequently mitigation measures were recommended. The operational phase of development was not considered to have an adverse impact of air quality, see attached letter for full response (CL584.180419.AQ).

However, Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality, Due to this requirement, this Section recommends the following condition to be placed on are placed on any grant of permission:

Air Quality Condition: Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking) or a minimum 20% EV chargepoints (minimum 7kW*) (for unallocated parking).

**Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).*

Reason: In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

Air Quality Condition – Dust and Odour: No development shall commence unless and until a scheme to minimise dust and odour emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust and odour control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust and odour control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason: The information was not submitted at application stage and is required to reduce the impacts of dust and odour disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

INFORMATIVE - The Control of Noise Regulations 1975, Section 60.
Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 – 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

Operations – Environment Section.
16 March 2022.