



Public Health and Communities

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Team: Environmental Control (Landfill Gas)

Application Number: 25/00964/DOC

Proposal: Submission of details to comply with conditions 5 (contamination), 8 (condition survey) and 12 (landscaping) on planning permission 21/00092/FUL | The Crimble Restaurant Crimble Lane Heywood Rochdale OL11 4A

Dear Nick,

I have reviewed the documents submitted with the application, namely :

- InfoTrack Ltd Groundsure Utility Essential Report for Stamford Legal for the property The Crimble Restaurant, Crimble Lane, Heywood, OL11 4AD, report reference: "Your ref: GRS17924", and;
- InfoTrack Ltd Groundsure Screening for Stamford Legal for the property The Crimble Restaurant, Crimble Lane, Heywood, OL11 4AD, report reference: IT-94784644

I notice that on the original application (21/00092/FUL) the applicant submitted a "phase 1 contaminated land assessment" from GeoSmart Information. This recommended either a GI or watching brief to validate the preliminary risk assessment undertaken (front page of the "phase 1 contaminated land assessment"). This risk assessment was accepted by my predecessor Michael, although he requested a condition relating to a ground investigation. In a follow up email, he said the following to John Copestake (Sent on: Tuesday, October 11, 2022 3:09:49 PM):

"Afternoon John,

I did see the attached with the original application, the sites use is being changed from a commercial to a more sensitive proposed residential use. I'm not sure from the report whether the new houses include gardens but I think it's highly likely they will.

The submitted report is not much more than a search, a compilation of existing sources, doesn't even include a site visit, but it does conclude a ground investigation could be necessary.

Considering the high sensitivity of the end use and the site has been subject to a previous use and materials have historically been imported onto the site (tennis

court) then a ground investigation is required and the condition below is appropriate.

However, I may reconsider if more information is supplied such as the rear gardens and whether material is to be imported etc.

Otherwise the condition stands.”

This advice was accepted, and condition 5 was placed on the planning permission:

“No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved by the Local Planning Authority. The assessment must be undertaken by competent persons. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - a. human health,
 - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s).

The development shall thereafter be completed in full accordance with the approved recommendations.”

What has been submitted for application 25/00964/DOC is a screening assessment from GroundSure, produced by Infotrack UK Limited. To use the words of my predecessor, “The submitted report is not much more than a search”. In effect, what has been submitted under this application is the same which was submitted for application 21/00092/FUL. This is not what was required by the condition. In this case, I would recommend that the applicant engage experienced consultants to undertake the site works required.

I note that the screening assessment submitted under 25/00964/DOC notes that the risk on site is considered to be acceptable in relation to Part 2A of the Environmental Protection Act 1990. Whilst I can’t disagree with this assessment, the site is not being assessed under Part 2A of the Environmental Protection Act but under the Town and Country Planning Act 1990, where suitable for use is the threshold, not significant possibility of significant harm.

For the applicants information, I note that the screening assessment submitted under 25/00964/DOC notes that the site is within a coal mining affected area; Mining Remediation Authority data suggests shallow historic mining approximately 10-25m deep within the near vicinity, last mined in 1900. There is also a shaft close by shown on the 1848-1849 historical OS map, and a nearby coal seam which outcrops at surface. It is possible that the Mining Remediation Authority would require a Coal Mining Risk Assessment to be undertaken.

I also note that the report indicates further work required in relation to radon risks, which may mean that radon protection measures are required.

Thanks

Jon

If you have any queries, please do not hesitate to reach out.

Yours sincerely,

Jonathon Parr

Jonathon Parr
Environmental Health Senior Officer (Environment Prot)