

PLANNING COMMITTEE
Schedule of Supplementary Information

18th August 2022

**Members are advised of the enclosed information that was either
received or requested after the production of the planning applications report**

**Bolton
Council**

13931/22	
Ward	Halliwell
HALL	ASHBURNER STREET MARKET ASHBURNER STREET

Members are advised that the outstanding information requested by the Environment Agency (a Phase 1 Preliminary Risk Assessment in relation to historic land contamination) has now been submitted - in fact, the Applicant has gone further than this by also providing a Phase 2 Site Investigation.

For background, the Environment Agency raised objection on the basis that as the underlying geology of the site is capable of acting as an aquifer, construction activities at the site have the potential to mobilise any historic contaminants related to former industrial activities and could therefore lead to watercourse pollution - if the development were to be carried out without this being taken into account.

Four boreholes were drilled into the land underneath the site and the soil analysed - the results are that no contaminants capable of being mobilised during construction were found within the samples. The Environment Agency have been provided with the two surveys but at the time of writing have not been able to respond.

Officers have no reason to doubt the findings of the two surveys as they have been carried out by a professional company who specialise in this form of investigation and have no reason to suspect that the Environment Agency will take a different view. We are also satisfied that this issue is capable of being entirely resolved by a condition that requires information on how the method of construction will ensure that any residual risk is considered. Officers are similarly satisfied that the Council has the ability to determine this application with such a condition in place, despite the Environment Agency's objection i.e. we would be resolving the objection via a condition. The Environment Agency do have certain powers to limit the decision-making powers of Local Planning Authorities, but they relate to flood risk concerns and not to the matter at hand in this instance. However, as a professional courtesy to an important statutory consultee, Officers are recommending that Members delegate the decision to Officers so that the response of the Environment Agency can be fully taken into account prior to a decision being issued.

