

67546 – Land at Morris Street, Radcliffe

CONTAMINATED LAND – CONDITION

The site is currently vacant and covered in rough vegetation. Current land uses in the surrounding area includes residential, an electricity sub-station and a works. The site was formerly part of a chemical works, cotton weaving mill and later Hall's Mentholypthus Factory, the Cooperative coffin making business and a haulage yard. The site is not located within 250m of any known landfill sites, but is located adjacent to the River Irwell. The site is situated on alluvial deposits over the Middle Coal Measures Secondary A Aquifer.

Part of the site was within the application boundary for redevelopment of the former Hall's Mentholypthus Factory on Durers Lane for housing and commercial (Application: 55584). As part of the remediation for this development (undertaken between October 2012 and June 2013), the land south of Morris Street was used for the treatment of Japanese Knotweed (JKW). JKW impacted soil from the wider site was excavated and taken to a treatment area located within the proposed 'Innovation Area' adjacent to Morris Street. The JKW was placed within a 2.0m deep excavation, lined with a membrane and the impacted material sprayed with a persistent herbicide. It is understood that the impacted material is still present.

Flood defence works are currently being undertaken on part of the site by the Environment Agency (Application: 63559). Limited site investigation found that ground conditions generally comprised of topsoil/made ground over alluvial deposits over cohesive and granular glacial deposits over the Coal Measures Secondary A aquifer. Elevated levels of arsenic, lead and PAHs (D(ah)A) and the presence of asbestos were found in the soil. Elevated levels of leachable arsenic and zinc in the soil. Japanese Knotweed, Giant Hogweed and Himalayan Balsam were identified on site. Remedial actions to deal with this contamination, including the excavation and removal of impacted soils, is currently proposed under Application: 63559.

A desk study and preliminary risk assessment has been submitted. However, the report has been written to 'inform proposals for minor alteration to the consented flood defence works'. Therefore, the risk assessment is based on the continued current use of the site (vacant open land) and not the change of use to residential.

Therefore, an updated desk study and preliminary risk assessment is required.

A copy of this Section's detailed comments is attached (CL940.050220.1).

In line with the National Planning Policy Framework, the site is proposed for a sensitive end use 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.

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 it is considered unlikely 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 will not be required.

However, Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The Government report, 'UK Plan for Tackling Roadside NO₂', published in July 2017, identified Bury Council as an area having one or more roads with concentrations of NO₂ above statutory limits, according to more recent modelling results. Bury is therefore required to address these exceedances and we are currently engaging with Government on our proposed plans to reduce NO₂ concentrations across the borough.

Due to this requirement and in line with the principles of Good Practice set out in the EPUK Guidance, this Section recommends the following condition to be placed on any planning permission granted:

Air Quality Condition: Prior to occupation the applicant shall provide 1 EV chargepoint (minimum 7kW*) for each dwelling.

*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.

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.
21 October 2021.