

CONTAMINATED LAND – CONDITIONS.

The site currently comprises recently cleared land, previously occupied by domestic garages and is adjacent to a landfill site. Contaminated land reports have been submitted in support of the application, but these do not include the starting point of all contaminated land assessments, a Preliminary Risk Assessment. A site visit and discussions with the applicant have been undertaken in order to understand the site and the proposed development more fully. The scale of the proposal has been taken into account when considering how to address the shortcomings in the submission in order to move towards a development that is suitable for use. The applicant should consider these points carefully and ensure that any future works undertaken are proportionate and site specific as noted in our response. Whilst standard conditions are recommended, the information required is specific.

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:

CL01 - SITE CHARACTERISATION & RISK ASSESSMENT

CL02 - REMEDIATION STRATEGY & VERIFICATION

CL03- REMEDIATION & VERIFICATION

CL04 - UNEXPECTED CONTAMINATION (or the Environment Agency's wording to avoid duplication of similar worded conditions).

INFORMATIVE

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 199 of the National Planning Policy Framework (December 2024).

Further information on assessing land contamination in planning can be found in Bury Council's [Developers Guide](#) and on the [Planning Portal](#).

AIR QUALITY – CONDITION

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very 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.

The proposed development will have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. To support the principles of the Greater Manchester Clean Air Plan in reducing levels of nitrogen dioxide and in order to manage current and future levels of air pollution Bury Council is encouraging the use of cleaner vehicles. As such and in line the requirements of the Building Regulations (The Building Regulations 2010, [Approved Document S, Infrastructure for the charging of electric vehicles](#)), this Section recommends the following condition to be placed on any grant of permission:

AQ01 - ELECTRIC VEHICLE CHARGE POINTS

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*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 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

Environmental Protection

03/02/2026

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