

CONTAMINATED LAND – CONDITION.

The site has historically been in use as open land prior to being developed a garage colony. Surrounding land uses have included a farm, sand pits, Manchester Water Works reservoirs and housing. The site is not within 250m of a registered landfill although there are possible areas of filled ground within 250m. The site is not within a Radon Affected Area. The site lies above fluvioglacial sand and gravel deposits over the Upper Coal Measures Formation Secondary Aquifer.

A Phase 1 Desk Study and Preliminary Risk Assessment Report has previously been received and commented on by this Section. Further investigation has been recommended and is therefore required.

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

No development hereby permitted (except demolition and site clearance) shall take place until the works relating to land contamination detailed below are fully completed:

With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

- I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
- II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
- III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

CL02: REMEDIATION STRATEGY & VERIFICATION PLAN

No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

CL03: REMEDIATION & VERIFICATION

The development hereby permitted within any approved phase shall not be occupied until the works relating to land contamination detailed below are fully completed:

Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

CL05: IMPORTED SOIL

Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

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 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).*

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. The required measures to do this are currently under discussion. Due to this requirement, and 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

Prior to occupation use the applicant shall provide:

one 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.

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*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: 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 1974, 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 1974.

Operations – Environment Section.

11th Oct 2024