

CONTAMINATED LAND – CONDITION.

The site is currently occupied by hardstanding/tarmac and a wooded area. Current uses in the surrounding area include residential properties, the River Irwell, woodland, open land and the East Lancs Railway. The site was previously in use as terraced housing followed by a car park for the Waterside Public House, situated adjacent to Kay Bridge and the River Irwell. A cotton mill was situated to the north of the river. By 1978 the site had been cleared and was in use as public open space. The pub collapsed in a flood in December 2015. Previous uses within the wider surrounding area have included storage tanks, railway land, sewage works, quarries and electricity sub stations. The site is situated within 250m of a registered landfill site and the River Irwell flows along the northern boundary of the site. The site is underlain by Millstone Grit Secondary A Aquifer which is overlain by alluvium. The site is not situated within a Radon Affected Area.

It is understood that the proposed development comprises the construction of 5 no. detached houses with associated vehicular access, parking and landscaping.

Preliminary risk assessment has been received, which concluded that a site investigation and risk assessment was required. Please see attached letter CL912.090125.1.

In line with the National Planning Policy Framework, as 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 - CONTAMINATED LAND CONDITION 01: SITE CHARACTERISATION & RISK ASSESSMENT

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 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.

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 197 of the National Planning Policy Framework (December 2024).

CL02 - CONTAMINATED LAND CONDITION 02: 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 completed:

In accordance with the findings of site characterisation and risk assessment (add reference if already agreed) 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.

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 197 of the National Planning Policy Framework (December 2024).

CL03 - CONTAMINATED LAND CONDITION 03: REMEDIATION & VERIFICATION

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

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

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works within any approved phase. 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.

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 197 of the National Planning Policy Framework (December 2024).

AIR QUALITY – CONDITION – Electric Vehicle Charge Points

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 Planning Practice Guidance-Air Quality and EPUK Guidance, an air quality assessment will not be required.

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 - AIR QUALITY CONDITION 01: ELECTRIC VEHICLE CHARGE POINTS

Prior to occupation the applicant shall provide:

- 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).

Control of Pollution Regulations 1974

COPA INFORMATIVE 01 - The Control of Pollution 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 Pollution Regulations 1974.

**Operations – Environment Section.
9 January 2025.**