

67816 – Land between Butterstile Close & Hilton Lane, Prestwich

CONTAMINATED LAND – CONDITIONS.

The site is currently an overgrown area which appears to have been used as a garden in the past. Current land uses in the surrounding area include residential, a garage, open space and a burial ground. Previous uses at the site have included infilling or land raising activities and garages. Part of the site is located within the boundary of a former landfill known as Butterstile Lane Landfill (Reference: C082). This site was given planning permission for tipping in 1949 and is shown on the 1952, 1953, 1960 and 1970 historical maps as an area of filled or disturbed ground. A second landfill known as Rainsough Brow Landfill is located approximately 15m to the west. Based on the historic OS maps it is likely that a tributary of the River Irwell is culverted close to the northern boundary of the site. The site is situated on fluvio-glacial sand and gravel deposits over the Manchester Marls Secondary B Aquifer and Sherwood Sandstone Principle Aquifer. The site is located within an Air Quality Management Area.

A Desk Study report has been submitted – please find this Section's response attached.

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

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, this Section recommends the following condition to be placed on any grant of permission:

Air Quality Condition: Prior to occupation the applicant shall provide 1 Electric Vehicle 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.
16 December 2021.**