

CONTAMINATED LAND – CONDITION.

The site is currently partially occupied by hard standing and commercial units (including a hand car wash and a takeaway) in the south, with the remainder of the site comprising open land with scrub vegetation. Current uses in the surrounding area include residential and the adjacent Bealey Industrial Estate. Previous land uses at the site have included a paper works with associated reservoirs/settling tanks which were subject to infill and land raising. Previous uses in the surrounding area have included bleach and chemical works. The site is situated above the sandstone and middle coal measures Secondary Aquifer, overlain by alluvium superficial geology. It is not within a Radon Affected Area.

A report comprising a desk study, Preliminary Risk Assessment and site investigation has been submitted to support the application. Please see our attached appraisal, reference CL1099.200125.1. We have recommended additional assessment and investigation and as such the full condition for CL01 is 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

CL02 - REMEDIATION STRATEGY & VERIFICATION

CL03- REMEDIATION & VERIFICATION

CL04 - UNEXPECTED CONTAMINATION

CL05 - IMPORTED SOIL

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

The site is not located within an Air Quality Management Area. An air quality assessment has been submitted to support the application (see attached appraisal CL1099.AQ.200125.1), which concluded that the that the development would not create an increase of more than 500 AADT (annual average daily traffic). However, in order to mitigate the potential dust risk during the construction phase a Dust Management Plan is 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

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.
- Cable routes to be provided for all parking spaces which do not have access to an electric vehicle charging point.

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).

AQ02: DUST MANAGEMENT DURING CONSTRUCTION

No development shall commence unless and until a scheme to minimise dust emissions has been submitted to the Local Planning Authority for approval.

The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason: *To reduce the impacts of dust disturbance from the site on the local air quality and the environment in accordance with paragraph 187e of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).*

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.
20th January 2025