

## **CONTAMINATED LAND – Conditions**

The site is currently occupied by a congregational chapel and graveyard. Current uses within the surrounding area include residential, agricultural land and a public house. Previous uses at the site have included an independent chapel, the current chapel building dates from between 1893 and 1910. Previous uses within the surrounding area have included sandstone quarries, ponds, farms and agricultural land. The site is not located within 250m of a registered landfill and is not in close proximity to any major surface watercourses, but there are a number of ponds in the surrounding area. The site is situated over the Lower Coal Measures and Helpet Edge Rock Secondary A Aquifers. Drift deposits are thought to be absent. The site is located within a Class 3 Radon Affected Area.

A Preliminary Risk Assessment has been provided, which concluded that there is a low risk to human health and the environment from soil contamination and ground gas at the site. Consequently, the consultant has concluded that an intrusive investigation is not required. However, as the site is located within a Class 3 Radon Affected Area, basic radon protection measures have been recommended. A remediation strategy and validation plan is required to provide further details of the proposed protection measures including a foundation drawing illustrating the measures to be installed, a copy of the manufacturer's specification sheet for the chosen radon resistant membrane, and details of how the installation of radon protection measures will be validated.

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.**

Additionally, an asbestos survey will be required before any demolition or refurbishment of existing buildings is carried out.

## **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:

- **Commercial with 10 or more parking spaces:** Prior to occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV chargepoints shall be 7kW\* as a minimum. Photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

\*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 (Appeals) 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.  
27 November 2023.**