

CONTAMINATED LAND – CONDITION

The current site use as train maintenance depot for the East Lancashire Railway. Current uses in the surrounding area include residential properties and a number of schools. The site has historically been in use as Coal Sidings, Railway Engine Shed, Railway Carriage Shed and Railway lines. Surrounding historical land uses have included Timber Yards, Rope Walks, Iron Foundry, Saw Mills, school playing fields, allotment gardens, farm land, residential. The site is located within 250m of two former landfill sites and approximately 210m from the River Irwell. The site is situated on River Terrace Deposits and Glacial Till over the Lower Coal Measures and Trencher Bone Rock Secondary A Aquifers.

The following desk study and site investigation report has been submitted with the application:

- Interim Ground Investigation and Risk Assessment Report, Buckley Wells Locomotive Works, Baron Street, Bury, Leyden Kirby Associates Ltd, Reference: JB578 Issue 1, 25 October 2006.

A copy of this report has previously been received by this Section in support of previous applications at the site. Deep ashy made ground up to 9.5m deep was identified along with potentially elevated concentrations of PAHs (benzo(a)pyrene) and phytotoxic metals. Elevated levels methane (6.6%v/v) and carbon dioxide (5.5%v/v) were recorded but flow rates were low. Remedial action including a clean cover system in certain areas, gas protection where there are confined spaces in buildings and a potable water pipe risk assessment were recommended. Risks from potential past shallow coal mining were highlighted, and a recent coal mining risk assessment has been provided. Planning permission was previously granted to import inert fill material to the site, however, based on our records it appears that this was not carried out.

The LK site investigation report dates from 2006 and some of the data used in the controlled waters assessment dates from a previous investigation carried out by Campbell Reith Hill in 1999. An updated risk assessment based on up to date assessment criteria and the current proposals is required. The potential risks to controlled waters should be considered. Additionally, as the development includes the refurbishment of an existing building, an asbestos survey will be required. Invasive species including Japanese Knotweed have previously been identified on site and an updated invasive species survey and eradication plan will be required.

In line with the National Planning Policy Framework, there is the potential for contamination on this site therefore 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.

Asbestos Condition - Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.

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

The site is not located within an Air Quality Management Area. Due to the nature of the development which includes 80 car parking spaces, it is considered unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, an air quality assessment is not required.

However, 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 one dual head fast capability electric vehicle (EV) charging point.

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.

Please note that any construction takes place before 13 May 2021, would be subject to COVID-19 Extended Hours:

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

**Operations – Environment Section.
9 April 2021.**

Environmental Protection Officer
Department of Operations