

CONTAMINATED LAND – CONDITIONS.

The site currently comprises a residential dwelling and garage with associated gardens. Historically the site was a lodge on the Butt Hill estate and the dwelling appears to have been built post 1970s. The site is not within 250m of a known landfill site or affected by radon. The surrounding area is residential.

The application has been supported by a Desk Study and Preliminary Risk Assessment, *Earth Environmental & Geotechnical Ltd, Report No. A6372/24/BDS, dated November 2024*. This provides a satisfactory assessment of the application site and an appropriate preliminary risk assessment has been undertaken. The report concludes that there is low risk of contamination at the site and as such recommends no further works. Whilst we are in agreement with this, due to the sensitivity of the proposed land use, it is recommended that a watching brief be undertaken during all ground works for adverse ground conditions (unexpected contamination). Should this be encountered, this Section should be contacted for advice. Furthermore, should any soil be imported for garden use it should be tested to demonstrate that it is free of contaminants and suitable for use.

As such, 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:

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 1990 of the National Planning Policy Framework (December 2024).

AIR QUALITY – CONDITION

The site is located in close proximity to an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development will have off-street parking and it is noted that the proposals include an *EV charging point at the entrance to the garage*. 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.

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).

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.
27/01/2025