

CONTAMINATED LAND – CONDITIONS.

The site currently comprises a retail park. This section has previously considered contaminated land at the site under application [49672](#), the construction of the retail park. Site investigations identified some issues at the site and a diesel underground storage tank was removed. No further remedial actions were required, but clean soil was imported to site for landscaping. As such, given the industrial history (cotton mills, a plastic works, a light engineering works and a munitions works), a watching brief should be conducted during development for unexpected contamination. There does not appear to be any landscaping associated with the proposal, so a condition for imported soil is not warranted.

In line with the National Planning Policy Framework, we recommend that the following contaminated land condition be placed on any grant of permission:

CL04 - UNEXPECTED CONTAMINATION

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

The site is not located within 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, however it is noted that the proposal will reduce the number of parking spaces. As such it is not proportionate to recommend a condition for EV charging points, however if an opportunity arises to include EV charging we would strongly encourage it.

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.

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