

CONTAMINATED LAND – CONDITIONS

The site is currently occupied by a fire station. Current uses in the surrounding area include residential properties, commercial and retail buildings, a petrol station and Elms Recreation Ground. The site has previously been occupied by terraced houses, allotment gardens and a fire station. Previous uses in the surrounding area have included a fustian mill, cotton mills, a smithy, a confectionery works, a cabinet makers factory, an upholstery works, a petrol filling station and infilled reservoirs. The site is not located within 250m of a known landfill site and is not in close proximity to any major surface watercourses. The site is situated on glaciofluvial sand and gravel deposits over the Collyhurst Sandstone Principal Aquifer and the Manchester Marl Secondary B Aquifer. A Private Water Supply is present 60m to the south of the site. A fault trending northwest to southeast is present 75m to the southwest of the site. It is likely that deposits of made ground exist at the site. The site is not located within a Radon Affected Area.

A preliminary risk assessment report has been submitted, which has recommended that an intrusive investigation be undertaken (see attached letter CL1062.200923.1).

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.

Reason: 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 – 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 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 new 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.

*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.

A copy of plan showing the proposed location of 2 no. dual headed EV chargers has been provided. Details of the charger make and model to be installed (including the specification sheet/document) are required. Photographic evidence that the chargers have been installed will be required.

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.
20 September 2023.**