

From: Scott, Judith
Sent: Tuesday, June 6, 2023 2:26 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: RE: Initial Consultation on Planning Application 69572

Hi Dean

Please find my response attached and below.

CONTAMINATED LAND – CONDITION.

The site has historically been in use as a public house, a pump, a yard, surrounded by sawmills, a timber yard, cotton mills, and residential. Currently the site consists of a three-story building and a disused concrete surfaced yard, the yard is overgrown, contains rubbish, wooden pallets and gas cannisters. The site is surrounded by commercial premises and car parking areas.

The site is within 250m of a registered landfill site and is situated above the Lower Coal Measures Secondary A Aquifer which is overlain by Glacial Till.

The proposal is for the part demolition, conversion, and extension of existing building to provide 10 no. supported living units; and the construction of a detached building to the rear containing a further 3 no. supported living units.

A Desk Study Report has been received, and an intrusive investigation is required. The Environment Section's response is attached.

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.

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.

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:

- **Residential (mix of dedicated and unallocated parking) or Mixed Use:** Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking) or a minimum 20% EV chargepoints (minimum 7kW*) (for unallocated parking).

*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.

Thank you

**Operations – Environment Section.
6 June 2023**