

CONTAMINATED LAND – CONDITION

The site is currently used as a barn which has occupied the site since prior to 1964. Current land uses in the surrounding area include residential and open land. Previous land uses at the site have include open land associated with Loe Farm and an infilled pond. The site is not located within 250m of a known landfill site but is situated approximately 170m from a tributary of the Kirklees Brook. The site is situated on glacial till over the Millstone Grit Secondary A Aquifer.

The following reports have previously been submitted and reviewed (under application 64520):

- Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy, The Byre, Redisher Lane, Bury, LK Consult, Reference: CL-602-LKC 20 1281-02 Rev 2, 3 November 2022.
- Asbestos Management Survey, The Byre, Redisher Lane, Hawkshaw, Bury, Lancashire, BL8 4HX, SGS United Kingdom Ltd, Reference: J095763, 13 Jan 2022.
- Screenshot from Visqueen website - Typical Edge Detail - Suspended Slab Option 1, Visqueen, Drawing Reference: GB-01, March 2022.

The following remedial actions were recommended and agreed by this Section LK Consult, Reference: CL-602-LKC 20 1281-02 Rev 2, 3 November 2022):

- **Characteristic Situation 2 gas protection measures** which should achieve a minimum BS8485:2015 solution score of 3.5, to include:
 - Visqueen Gas Barrier membrane (appropriately lapped and sealed and continuous across the cavity wall) will be used in conjunction with a Visqueen Ultimate Gas DPC and Visqueen Gas Resistant Foil Tape.
 - A well-ventilated subfloor void with periscopic vents to air bricks.
 - All service penetrations to be sealed (preformed top hats should be used).

Full validation will be undertaken.

- **Potable water pipes risk assessment** will be undertaken. It is understood that the developer proposes to use barrier pipe.
- **Validation testing of any imported or site won topsoil/subsoil/recycled stone** at a rate of 1 per 50m³ (topsoil), 1 per 150m³ (subsoil) and 1 per 500m³ (physical break layer - recycled stone/6F2) with a minimum of 3 samples per source. Samples will be tested for a suite of analysis that includes metals, speciated PAH and asbestos as a minimum, with brownfield, recycled or unknown sources also tested for TPH CWG, BTEX and MTBE.
- **Disposal of unsuitable soil material** to a suitably licenced waste disposal facility, copies of waste disposal documentation will be obtained.
- **Watching brief** to identify and deal with any previously unforeseen contamination.
- **Appropriate waste management protocols** for re-use of material under the CL:aire Definition of Waste Code of Practice (Materials Management Plan), or use of exemptions and/or permits.

A verification report will be required. The pre-demolition asbestos survey did not identify any asbestos containing materials in the barn.

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:

CLA2 - Contaminated Land implementation of Remediation Strategy and Site Verification Report.

Reference agreed remediation strategy - Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy, The Byre, Redisher Lane, Bury, LK Consult, Reference: CL-602-LKC 20 1281-02 Rev 2, 3 November 2022.

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 - Planning and Pollution Control.

AIR QUALITY – EV Condition

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. 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:

Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking). Photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

****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 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.

C&W – Environment Section.
21 December 2023.