

70284 – East Lancs Paper Mill & Tower Farm, Church Street East, Cross Lane, Cock Clod Street & Brook Street, Radcliffe

The application does not propose any changes to the contaminated land or air quality conditions attached to application 67597. Therefore, it is recommended that the same conditions are attached to 70284 (see below). However, would it be possible to update the wording of electric vehicle chargepoint condition?

No new contaminated land reports have been submitted and I have attached a copy of our last response to contaminated land contaminated land information (CL235.260718.1).

It is recommended that the Environment Agency is concluded regarding the risks to controlled waters.

An Air Quality Statement of Conformity (Tetra Tech, Reference: 784-B038963, 24 November 2023). The statement concludes that the changes to the proposed site layout are not considered significant enough to alter the conclusions of the original Air Quality Assessment (Air Quality Assessment, East Lancashire Paper Mill, Radcliffe, Bury, White Young Green, Reference: A090070-193, June 2018). Consequently, our conclusions remain unchanged (see letter CL235.200718.2) and an updated Air Quality Report is not required.

Contaminated Land Conditions

CLA1 - No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

CLA2 - Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Gas Vent Trench - A comprehensive construction design for a gas vent trench shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the development to prevent the ingress of landfill gas or ground gas into the residential development area to be approved by the Local Planning Authority before work commences for the construction of the dwellings. Subject to the above, a Site Verification Report detailing the design and installation of the gas vent trench, including substantiating evidence, shall be submitted to and approved by the Local Planning Authority with approved timescales. It shall be implemented and validated prior to first occupation of the development hereby approved.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

Gas Remediation/Protection Validation - Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

Air Quality Conditions

Would it be possible to update the wording of electric vehicle charge point condition?

From:

Existing Electric Vehicle Chargepoints wording - Prior to occupation the applicant shall provide a scheme for electric vehicle charging points for the residential units. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list. Reason. To safeguard residential amenity, public health and quality of life and to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable, in accordance with paragraph 35 and 124 of the NPPF.

To:

Updated Electric Vehicle Chargepoints wording – 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). 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.

Operations – Environment Section.
8 February 2024.