

From: Jones, Rebecca <Rebecca.Jones@bury.gov.uk> **On Behalf Of** envsection

Sent: 01 November 2022 15:00

To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>

Subject: FW: Initial Consultation on Planning Application - Land between 2 Ferngrove House, Rochdale Old Road & Woodgate Hill Road, Bury, BL9 7LS, 68884 - Contaminated Land, Air Quality and COPA

Dean,

Please find my comments below.

CONTAMINATED LAND – CONDITION

The site is currently occupied by unmaintained grassland with mature trees. Current uses in the surrounding area include residential, retail premises, public open space and the M66 motorway. Previous uses at the site have included a greenhouse and gardens associated with Fern Grove House and three terraced properties. Previous uses in the surrounding area have included Fern Grove House, Fern Grove Woollen Mill (later a weaving mill and cotton mill) with associated reservoirs, three terraced properties immediately to the north and allotment gardens. The site is not situated within 250m of any registered landfill sites. A stream runs through the site which is culverted to the north and south. The site is situated above the Lower Coal Measures Secondary A Aquifer which is overlain by Glacial Till.

A desk study and preliminary risk assessment has been provided which recommends that an intrusive investigation be carried out (see attached letter for full comments CL1026.011122.1).

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.

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 – COMMENTS

The site is 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 100 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, this Section recommends the applicant provides proposals for Electric Vehicle charge points to be installed in the parking areas.

We would expect one electric vehicle (EV) charging point (minimum 7kW*) per unit 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 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

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.

**Operations – Environment Section.
1 November 2022.**

Regards,

Rebecca Jones
Environmental Protection Officer
Department of Operations