

From: envsection

Sent: 04 December 2024 12:05

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

Subject: RE: Initial Consultation on Planning Application. Land at Pyramid Park, Market Street, Bury, BL9 0BG, 70903 - Contaminated Land, Air Quality & COPA

Please find my comments below.

CONTAMINATED LAND – CONDITION.

The site currently comprises a public open space, having been reclaimed in the 1970s from its previous use as a Railway Goods Yard and sidings. Current uses in the surrounding area include residential, commercial and educational. It is within 250 metres of several registered landfill sites, but is not in close proximity to any major surface watercourse. The site is situated above the lower coal measures Secondary Aquifer, overlain by glaciofluvial deposits and is not situated within a Radon Affected Area.

It is understood that the proposed development comprises land remediation works, construction of vehicular access road and footway from Market Street with associated infrastructure and structural works. The final end use/layout is shown in the [Biodiversity Enhancement Planting Plan](#). Numerous reports have been submitted with the application and we are satisfied that sufficient assessment has been undertaken for the proposed development and an appropriate Remedial Strategy has been put forward; as such pre-commencement conditions are not warranted. It is noted that the strategy includes for unexpected contamination and the import of material also. A review of these reports and recommendations for actions to be undertaken during the land remediation works will be issued as soon as practicable. In the meanwhile, in line with the National Planning Policy Framework, we recommend that the following contaminated land condition is placed on any grant of permission:

CLO3- REMEDIATION & VERIFICATION

The development hereby permitted within any approved phase shall not be brought into use until the works relating to land contamination detailed below are fully completed:

Where remediation is required, it shall be carried out in accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works within any approved phase. The Verification Report must include information validating all remediation works carried out; details of imported materials

(source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).

It is noted that part of the site will subsequently be bought forward for residential development. Conditions relating to this end use will be considered on that application as appropriate.

AIR QUALITY – No comment

INFORMATIVE - The Control of Noise Regulations 1974, 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 1974.

Operations – Environment Section.
4th December 2024

Regards,

Sally Shaw
Environmental Protection
Bury Council