

Updated EH response

CONTAMINATED LAND

The Environment Section has assessed the application and has concluded that it has a sensitive enduse and the site may be potentially affected by land contamination. The submitted information does not indicate that a contaminated land assessment is warranted. Given the end-use precautionary conditions for unexpected contamination and imported soil may be recommended, however, the nature of the application means that such an approach is not permitted. As such an informative is recommended and the applicant is advised to undertake a watching brief for the potential of land contamination during the development. This Section can be contacted for advice should any suspected contamination be encountered. Should the applicant be considering to import soil, advice on testing can be found in Bury Council's [Developers Guide](#).

INFORMATIVE: The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application should be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

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 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

Further information regarding Land Contamination and the planning process can be found in and on the [Planning Portal](#).

AIR QUALITY

Permitted Development Rights Class Q permits the conversion of barns and agricultural buildings to residential use subject to prior approval covering transport and highways, contamination, flood risk, impacts of noise of the development, natural light to all habitable rooms and the location and design of the building. As such the Council is unable to assess and apply where necessary air quality mitigation measures to this type of permitted change of use.