

From: envsection

Sent: Tuesday, April 2, 2024 12:57 PM

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

Subject: FW: Initial Consultation on Planning Application 70542 - Contaminated Land, Air Quality and COPA

Hi Dean,

We have previously considered this application under 69546 and no contaminated land information has been submitted to date; as such I'll reiterate our [comments](#).

CONTAMINATED LAND – CONDITION.

The site is currently vacant. Current uses in the surrounding areas include residential and commercial premises. Previous uses at the site have included a terraced property, which appears to have been demolished by 1930, the site was then occupied by a number of small buildings of unknown use. Based on aerial photographs the site appears to have used for storage. In the surrounding area previous uses have included bleach works, dye works, rope walk, sand pits, cotton mills, a colliery and infilled reservoirs. The site is not located within 250m of a known landfill site and is not in close proximity to any major surface watercourses. The site situated on Glaciofluvial Sand and Gravel over the Middle Coal Measures Secondary A Aquifer.

No contaminated land assessment has been submitted with the application.

As the site has been previously developed there is likely to be deposits of made ground at the site. Due to the sensitivity of the proposed land use, as a minimum, a Desk Study and Preliminary Risk Assessment will be required.

Consequently, 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.

Reason: 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 – 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.

Operations – Environment Section. 02 March 2024

Sally Shaw
Environmental Protection
Bury Council