

From: Jones, Rebecca (Environmental Protection) **On Behalf Of** envsection
Sent: Thursday, January 18, 2024 3:17 PM
To: Booth, Claire
Subject: FW: Initial Consultation on Planning Application - 406 Tottington Road, Bury, BL8 1TU, 70188 - Contaminated Land, Air Quality and COPA

Claire,

Please find my comments below.

CONTAMINATED LAND – CONDITION.

The site is currently in use as garden. Surrounding land uses include residential properties. Previous land uses at the site have included agricultural land, with the site used as a garden by 1910. Previous land uses in the surrounding area have included agricultural land and infilled ponds, Leemans Hill Mill, a laundry, a railway line and Woolfold Station. The site is located within 250 metres of a registered landfill site and is located approximately 265m to the southwest of the Kirklees Brook.

The site is situated on the Lower Coal Measures Secondary A aquifer, which is overlain by glacial till deposits. The site is not situated within a Radon Affected Area.

The development comprises the construction of 1 no. bungalow with car parking and garden areas. A desk study and preliminary risk assessment report is required as a minimum.

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 – EV 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 (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.
18 January 2024.**

Regards,

Rebecca.

Rebecca Jones

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