

From: Jones, Rebecca (Environmental Protection) **On Behalf Of** envsection

Sent: Wednesday, July 26, 2023 4:34 PM

To: Booth, Claire

Subject: FW: Initial Consultation on Planning Application - Unit 5, Derby Works, Manchester Road, Bury, BL9 9NY, 69692

Claire,

Please find my comments below.

CONTAMINATED LAND – Comments

The site is currently in use as a storage unit. The unit is located within Derby Works which has had a long industrial history and previous uses have included a building material works, Redvales Tannery, sludge beds and tanks, possible waste disposal, a rubber works, a plastics works (Melba Swintex who manufacture traffic cones and road signage since the 1970s until the mid-2010s). Within the surrounding area previous uses have included a timber yard and possible area of waste disposal. The site was formerly a permitted process due to the use of solvent based paints. The site does not lie within 250 metres of any known landfill sites. The River Irwell lies approximately 260m to the west. The site is situated above the Trencherbone Rock Secondary A Aquifer, overlain by River Terrace Deposits and Glacial Till.

It is understood that the proposed development comprises the change of use from a storage unit to a canine hydrotherapy centre.

There are known existing issues with contamination at the site. Hydrocarbon contamination from a fuel spillage on the adjacent petrol filling station and phthalates from the Swintex site have previously been identified. Further remediation was carried out in the petrol filling station in 2011 and 2012 and the monitoring results indicate that all free phase LNAPL has been removed and the concentrations of the Contaminants of Concern within the groundwater have been significantly reduced. A more recent investigation carried out by Solmek in December 2016/January 2017 identified residual phthalate and hydrocarbon contamination on the Swintex site.

However, the proposed development does not include any external alterations to the building, new build or any soft landscaping. Therefore, as long as the ground is not disturbed and the site remains in commercial use, the risks to future site users from potential soil contamination at the site is considered low. Therefore, on this occasion further investigation of the contaminated risks at the site are not required.

AIR QUALITY – Comments

The site is not 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 500 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. However, the proposed development does not have more than 10 parking spaces and therefore, an electric vehicle charge point condition has not been recommended. The applicant should follow any requirements for electric charge points in the new building regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles).

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.
26 July 2023.**

Regards,

Rebecca.

Rebecca Jones
Environmental Protection Officer
Department of Operations