

69326 – Apartment block on site of former Waterside, Kay Street, Summerseat

CONTAMINATED LAND – CONDITION

The site was previously in use as terraced housing followed by a car park for the Waterside Public House, situated adjacent to Kay Bridge and the River Irwell. A cotton mill was situated to the north of the river. By 1978 the site had been cleared and was in use as public open space. The pub collapsed in a flood in December 2015. The site is situated within 250m of a registered landfill site. The site is underlain by Millstone Grit Secondary A Aquifer which is overlain by Alluvium. The site is not located within a Radon Affected Area.

A copy of the following report has been submitted:

- Former Waterside Pub, Summerseat, Desk Study and Preliminary Risk Assessment, Ground and Project Consultants Ltd, Ref: 40275 Rev 1, December 2018.
- Phase II Contaminated Land Interpretative Report, Former Waterside Pub, Summerseat, Bury, UA Antia Ltd, Reference: OD-DS-PII-E3013-v1, March 2022.

These reports have previously been reviewed see attached letter CL912.250522.1.

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 – COMMENTS

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.

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 new 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:

Residential (mix of dedicated and unallocated parking) or Mixed Use:

Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking) or a minimum 20% EV chargepoints (minimum 7kW*) (for unallocated 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.

Based on the specification sheets submitted with the application, it is understood that Project EV EVA-075-SE single chargers (7.3kW, 32a single phase, Type 2 socket) will be installed

A copy of plan indicating that 16 no. EV single chargers will be installed has been provided (Reference: 2492.2.12 REV C, dated 30 November 2023). The agreed make and model of charger should be installed. Photographic evidence that the 16 no. EV chargers have been installed will be required.

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.

Department of Operations – Environment Section.

3 January 2024.