

From: Jones, Rebecca **On Behalf Of** envsection

Sent: 04 January 2023 15:36

To: Booth, Claire

Subject: FW: Initial Consultation on Planning Application - 11 Malvern Close, Prestwich, Manchester, M25 1PH, 69104 - Contaminated Land, Air Quality and COPA

Claire,

I write regarding the above application.

CONTAMINATED LAND – CONDITIONS

The site is currently vacant following the demolition of a single semi-detached house. Current land uses in the surrounding area include residential. Previous uses at the site and in the surrounding area have included open land and residential. The site does not lie within 250 metres of any known landfill sites and is not in close proximity to any major surface watercourses. The site lies above Glaciofluvial Sand and Gravel Deposits over the Middle Coal Measures Secondary A Aquifer. There is anecdotal evidence of subsidence in the wider area including visual evidence of leaning trees and uneven roads. It is understood that there have been previous claims for subsidence from historical mining in the area.

The proposed development comprises the construction of a replacement semi-detached dwelling with a front and rear garden. It is understood that the previous property was demolished to slab level following the discovery of subsidence issues during works to extend the property. Based on the information submitted it is unclear whether the new property will be constructed directly on top of the existing slab, or if the subsidence encountered will require the excavation of new foundations and the soils at the site will be exposed. Additionally, given the age of the previous property, asbestos may have been present within the building. It is unclear whether an asbestos survey was carried out and any asbestos containing materials removed prior to demolition. If this did not happen, the demolition could have led to the site becoming contaminated with asbestos.

Although the site has not had any known contaminating land use, as the site has been previously developed and demolition has taken place, there is the potential for deposits of made ground to exist 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.

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.

No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

CLA2 - Contaminated Land implementation of Remediation Strategy and Site Verification Report.

Following the provisions of Condition xx of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and a Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

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 applicant provides proposals for Electric Vehicle charge points to be installed in the parking areas. We would expect one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking) as a minimum.

*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 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

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.
4 January 2023.

Rebecca Jones
Environmental Protection Officer