

From: Jones, Rebecca (Environmental Protection)

Sent: Friday, March 8, 2024 2:59 PM

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

Subject: FW: Initial Consultation on Planning Application - 1 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS, Planning Application: 70368 – Contaminated Land, Air Quality and COPA

Please find my comments below.

CONTAMINATED LAND – CONDITIONS

The site is currently occupied by part of Ferngrove House and an associated garage and garden. Current uses in the surrounding area include residential, retail premises, an electricity sub-station, public open space and the M66 motorway. Previous uses at the site have Ferngrove House, which has been present in the site since prior to 1848. Previous uses in the surrounding area have included Fern Grove Woollen Mill (later a weaving mill and cotton mill) and reservoirs, Moss Field Woollen Mills and reservoirs, terraced properties, and allotment gardens. The site is not situated within 250m of any registered landfill sites. A stream runs close to the east of which is culverted to the north and south. The site is situated above the Lower Coal Measures Secondary A Aquifer which is overlain by Glacial Till. The site is not within a Radon Affected Area.

A desk study and preliminary risk assessment have been submitted which concluded that an intrusive investigation is not required, see attached letter CL1076.080324.1.

In line with the National Planning Policy Framework, the site is proposed for a sensitive end use and there is potential for contamination on this site, we recommend that the following contaminated land conditions are placed on any grant of permission:

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 – CONDITIONS

Part of the site is located within an Air Quality Management Area. Due to the scale of the development, it is considered that the development would create an increase of more than 100 AADT (annual average daily traffic). Therefore, in line with the Planning Practice Guidance-Air Quality and 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 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:

- **Electric Vehicle Charge Point Condition:** 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.

A copy of plan showing the proposed location of 1 no. EV charger has been provided. Details of the charger make and model to be installed (including the specification sheet/document) are required. Photographic evidence that the chargers have been installed will be required.

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.
8 March 2024**

Rebecca.

Rebecca Jones
Bury Council
3 Knowsley Place
Duke Street
Bury
BL0 0EJ