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Our Ref: PC_2016_0799

Your Ref: SMD/2016/0799

Date: February 7th 2016

MEMORANDUM: PLANNING CONSULTATION

PROPOSED DEVELOPMENT: Proposed conversion/change of use of redundant barn/shippon to form dwelling and alterations to elevations (resubmission of SMD/2016/0497)

LOCATION: Huntley House Farm 51 Huntley Lane Huntley Cheadle Staffordshire ST10 1UA Stoke On Trent

Potential Areas Of Environmental Concern.

1. Noise (construction)
2. Contamination
3. Dust during construction /demolition
4. Waste
5. Asbestos (advisory)

General Comments.

*Comments made with regard to the previous submission (*SMD/2016/0497)*are still considered applicable and are reproduced below:*

No Objection

Contamination: The areas proposed for soft landscaping appear to be used as road ways and parking for sometime and therefore may be subject to some residual hydrocarbon contamination e.g. 2011



A simple contamination condition is included as a precaution conta

Asbestos: Any redundant on site that may well have asbestos containing materials (ACM) in their fabric (e.g. asbestos roof) To ensure no future asbestos contamination, as a result of demolition a "Demolition or refurbishment asbestos survey" and risk assessment should be carried out prior to the demolition of these buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/. This is included as an advisory.

Nuisance:
The proposed development is close to existing properties so care needs to be taken during construction / demolition phase to ensure site related activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties.

Recommended Conditions

The Environmental Health Department has no objections to this proposed development though it would be advised the following conditions might be placed on any permission granted

Noise

1. Construction and demolition works: Time of operations

Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- **08:00 - 18:00 hours (Monday to Friday);**
- **08:00 - 13:00 hours (Saturday)**
- **No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: *To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.*

2. Contamination

No development, with the exception of site clearance and demolition, shall take place until an intrusive site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

If the site risk assessment indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

3. Imported Soil

No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason (common to 2-3): To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

4. Construction: Dust

During any demolition and construction activities (including landscaping) the contractor shall pay due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456), and take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

Reason: *To protect the amenities of the area from dust*

5. Waste

Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: *To protect the amenities of the area.*

Advisory Note/ Informative:

Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download

http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

- During any demolition and construction activities (including landscaping) the contractor shall take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

- The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

- Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

- In accordance the Site Waste Management Plans Regulations 2008 any construction project with an estimated cost greater than £300,000 must, before work begins, prepare a Site Waste Management Plan in accordance with the requirement of these regulations.

- If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.
- Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.
- The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.
- Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.
- During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes
- The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.
- Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Regards,



Daniel McCrory, Denis Colgan