

Dealt with by: Environmental Health

Our Ref: smd/2021/0123

Your Ref: smd/2021/0123

Date: 13th May 2021

MEMORANDUM: PLANNING CONSULTATION
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LOCATION	Mill House Oak Street Cheadle
PROPOSED DEVELOPMENT	Conversion of existing store/workshop building to residential use

Potential Areas Of Environmental Concern.

1. Air Quality – Traffic
2. Construction Impacts (Condition)
3. Sound Insulation -External Noise (Condition)
4. Sound insulation between residential units (Building Regulations)
5. Artificial Lighting (Condition)
6. Asbestos (Advisory)

General Comments

Air Quality: There does not appear to have been any consideration of possible AQ issues with this proposal. There is no separation between the building and the busy one way road, (no pavement) which is a potential source of air pollutants.

https://www.google.com/maps/@52.9860743,-1.9898633,3a,33.7y,271.89h,93.62t/data=!3m9!1e1!3m7!1s596YB2si_krUbiWcslwJcQ!2e0!7i13312!8i6656!9m2!1b1!2i23

Currently, there are two large shutter doors facing the road: the D&A notes.

“it is proposed to introduce a gable glazing feature to replace the large timber doors enabling the lounge area to take advantage of the views towards the nearby St. Giles Church”

It is not clear from this, if these features are to be openable or vented. Neither would be advisable, without better information on the possible AQ at that location.

Therefore, the applicant needs to undertake an air quality assessment to determine whether the development will expose future occupiers to unacceptable levels of air pollution, defined as the exceedance of an air quality standard at the receptor location.

Noise:

The proposed site is positioned beside a busy town centre road, additionally there are also commercial units including night time venues in the vicinity of the development. These noise sources have the potential to cause adverse impacts to future residential amenity if not mitigated. It would be expected that prior to commencing that a site assessment is undertaken with a view to proposing effective sound insulation against road and commercial noise. This could be set out as a pre-agreed condition of development. A proposed condition is set out below, please see advisory.

The proposed construction phase of this development will inevitably cause short term disruption and noise issues for the nearby residents. A construction condition is set out below which should contribute to amenity protection for the nearby existing residential properties.

The consideration of transmission of sound between residential units should be dealt with under Building Regulations.

Asbestos: Buildings on site are likely to 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 phase and post construction to ensure site related activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties.

Recommendation and Conditions

The Environmental Health Section have no objection subject to condition.

Air Quality Protection Plan

1. Prior to the commencement of development an air quality assessment shall be carried out for the proposed development and a scheme for protecting the future residential occupiers of the buildings from the effects of nitrogen dioxide arising from road traffic has been submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed prior to the occupation of the buildings hereby approved, and thereafter maintained for the lifetime of the development.

Reason: *In order to safeguard the amenities of the occupiers of the proposed dwelling[s] in respect of atmospheric pollution.*

Noise

2. 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.

Construction/Demolition

3. Construction/Demolition: Method statement

The development, including demolition hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement should include the following details:-

- I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
- II. a scheme for recycling/disposal of waste resulting from the demolition/construction works,
- III. The arrangements for prior notification to the occupiers of potentially affected properties;
- IV. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- V. The parking of vehicles of site operatives and visitors;
- VI. The loading and unloading of plant and materials;
- VII. The storage of plant and materials used in constructing the development;
- VIII. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- IX. Details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works;
- X. 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;
- XI. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

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

Noise: Plant & Machinery and Sound insulation

4. Sound Insulation

No phase of the residential development hereby permitted shall take place until a site specific noise assessment and scheme for protecting the proposed residential units for that phase of the site from external and internal commercial noise has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:2014 (Sound insulation and noise reduction for buildings) and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms (23:00 to 07:00), 35dB LAeq in bedrooms 07:00 to 23:00) and less than 40 dBLAeq in living areas. Pre-completion tests shall be carried out to verify compliance with this condition. A report shall be produced containing all raw data and showing how calculations have been made. No dwelling within that phase hereby permitted shall be occupied until the approved works to that dwelling have been completed in accordance with the approved details.

Artificial Lighting

5. Artificial Lighting

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

Reason: *To protect the local amenities of the local residents by reason of excess of illuminance.*

Waste Storage

6. Bin Storage

Prior to the occupation of approved buildings suitable and sufficient waste storage facilities shall be provided for the safe and secure on-site storage of waste derived from the business/flats to ensure that no detriment to amenity from smell, flies or vermin arises. A scheme detailing the provisions to be made for the safe storage of waste must be submitted to and approved in writing and not altered without the prior written approval of the local planning authority and shall be maintained for the life of the approved development.

Reason: *To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy.*

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), BS4142:2014 Methods for rating and assessing industrial or commercial sound, ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development 2017 and/or 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 should 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)
- If required, Contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
 - 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 an “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, D.Colgan