

Dealt with by: Environmental

Our Ref: smd/2021/0399

health Direct Dial: Email: n/a

Your Ref: smd/2021/0399

Date: 28th September 2021

MEMORANDUM: PLANNING CONSULTATION

LOCATION

Park House Farm Biddulph Common Road
Biddulph

PROPOSED DEVELOPMENT

Application for use of land for stationing mobile home
for holiday use

Potential Areas of Environmental Concern

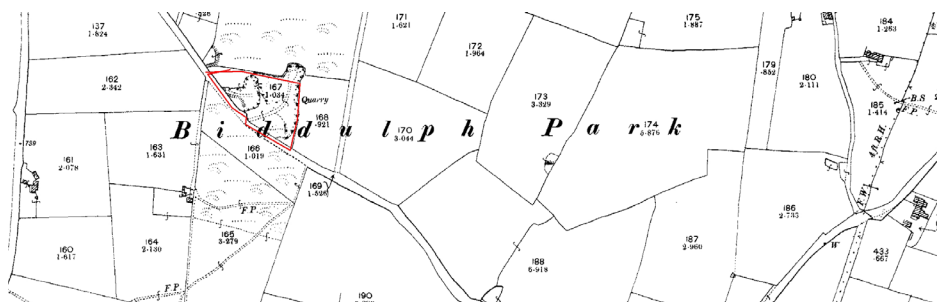
1. Amplified Sound (Condition)
2. Artificial Lighting (Condition)
3. Plant and machinery – Generator (Condition)
4. Possible Contamination (Condition)
5. Sewage (Condition)
6. Health and safety (occupier) Advisory
7. Asbestos (See advisory)

Comments

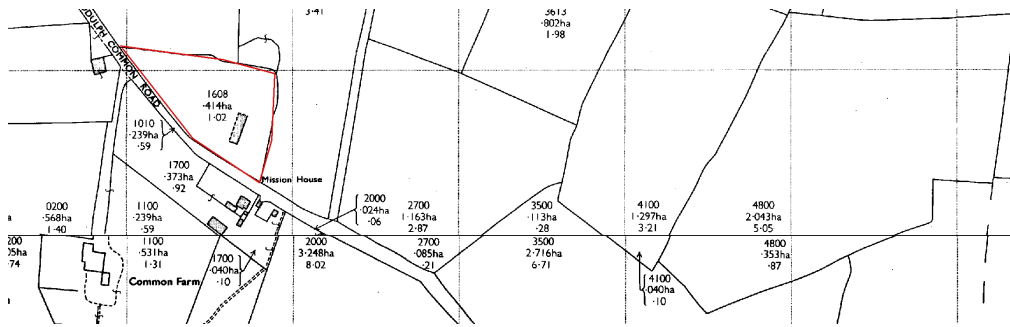
The primary concerns as set out above can be addressed through the conditions set out below, the licensing regime under Caravan Sites and Control of Development Act 1960, Section 5. and duty of the operator not to cause a nuisance through the activity. Application should be made to the LA Environmental Health Department for a license to operate if permission is granted.

Contamination: The site was a former quarry that appeared to be active until roughly 1925. The site appears to remain vacant until around 1970 where some infilling with unknown materials appeared to have occurred and building erected.

e.g 1900



1971



Whilst it is not considered that any potential unknown material/contamination present is likely to be prohibitive to the proposed development, this needs to be confirmed by the applicant. Therefore it is recommended that a contaminated land risk assessment be undertaken to ensure that any risks identified are remediated to ensure the site is suitable for the proposed use.

Asbestos/Demolition: The age of the buildings on site (1971) would suggest that they are likely to contain asbestos so care should be taken during demolition. Asbestos advice included in advisory If consent is granted the following conditions are recommended:

Recommendation

Environmental Health has no object in principle to this application but would advise the following or similar controlling conditions are placed on any permission granted.

Construction and demolition works: Environmental Method Statement

1. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-
 - I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
 - II. the arrangements for prior notification to the occupiers of potentially affected properties;
 - III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
 - IV. a scheme to minimise dust emissions arising from 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. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
 - V. a scheme for recycling/disposal of waste resulting from the construction works;
 - VI. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary;

- VII. No waste material associated with the demolition or construction hereby permitted shall be burnt on site but shall be kept securely for removal to prevent escape into the environment.

All works shall be carried out in accordance with the approved details. 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.*

Contamination

2.

- i. No development, with the exception of site clearance and demolition, shall take place until a 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.
- ii. If the site risk assessment (i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.
- iii. The agreed remediation strategy (ii) shall be adhered to throughout the development.
- iv. Following completion of the site remediation and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.

Unexpected Contamination

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (2) , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of that condition, which is subject to the approval in writing of 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.

Soil Importation

4. No 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 validity evidence submitted to and approved in writing by the Local Planning Authority.

Reason (common to 2-4):- 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.

5. 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.

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

6. Amplified Sound

No means for the amplification of voice or music whatsoever shall be used outside the ancillary buildings. No amplified sound/ and or music shall be audible within or at the boundary of any noise sensitive (occupied) premises either attached to or in the vicinity of the premises to which this application refers.

Reason: *The protection of the amenities of the surrounding area and the occupiers of nearby residential properties.*

7. Plant and Machinery

The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission should be submitted to and approved of in writing by the Local Planning Authority.

Reason:- *To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.*

8. Foul Drainage

Before the use hereby permitted commences, the foul drainage from the development shall be discharged to a septic tank and soakaway system which meets the requirements of British Standard BS 6297:2007+A1:2008 and which complies with the following requirements:

- There is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse
- Porosity tests are carried out to the satisfaction of the local planning authority to demonstrate that suitable subsoil and adequate land area is available.

Reason: To protect the amenity of the locality and for people living and/or working nearby

Advisory Note/ Informative:

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

- Application should be made to the LA Environmental Health Department for a license to operate if permission is granted.
- 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 and/or the Building Regulations 2010 Document E or other appropriate guidance.
- Information on Coal Mining Risk Assessment can be found on the UK government Website:

<https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>
- Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment <http://www.bsigroup.com>
- 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)

- 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,

Environmental Health