

Dealt with by: Environmental Health

Our Ref: SMD/2021/0406

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Date: 29th September 2021

MEMORANDUM: PLANNING CONSULTATION
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LOCATION	The Crown Inn Tean Road Cheadle
PROPOSED DEVELOPMENT	Erection of 5no dwellings

Potential Areas Of Environmental Concern.

1. Construction Impacts (Condition)
2. Sound Insulation (Condition)
3. Contamination
4. Lighting (Condition)
5. Asbestos (advisory)

General Comments.

Previous submission resubmission of [SMD/2014/0652](#) , [SMD/2015/0150](#) and smd/2016/0344 The following comments were made previously and are still considered applicable.

Noise : This development due to its location does cause some noise concerns specifically in regard to future occupants of the area. The site is close to a main road and commercial/industrial units, it would be advised that a comprehensive site specific assessment is provided prior to any development commencing. This assessment should include existing baseline noise levels and a scheme for the protection of future residents from noise intrusion and pollution. It would be expected that this noise assessments takes account of the condition advised below and all relevant standards and noise regulations. This application has not provided any information relating to noise or sound insulation but it is considered that a good assessment and scheme for mitigation can adequately overcome noise concerns.

The developer should pay due regard and comply with the requirements of the Building Regulations 2010, Part E (Resistance to Sound).

Contamination: The submission is supported by Phase 1 & 2 contaminated land investigations and a remediation strategy, produced by GIP. These have previously been reviewed / developed in connection with a smd/2016/0344 and DOC/2018/0052.

The requirements outlined in the following report "Remedial Strategy and Verification Plan For A Proposed Residential Scheme At The Former Crown Public House, Mobberley, Cheadle, Staffordshire REF: ML/30361; are considered appropriate to ensure a safe development.

The requirement to adhere to this remedial strategy is therefore conditioned.

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 phase and post construction 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

1. Construction and Environmental Management Plan:

No phase of the development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site 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 method and duration of any pile driving operations (including expected starting date and completion date);
- III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. the arrangements for prior notification to the occupiers of potentially affected properties;
- V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression and mitigation measures;
- VII. a scheme for recycling/disposal of waste resulting from the construction works;
- VIII. the parking of vehicles of site operatives and visitors;
- IX. the loading and unloading of plant and materials;
- X. the storage of plant and materials used in constructing the development;

- XI. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- XII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,
- XIII. 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;
- XIV. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

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.*

2. Sound Insulation

Development shall not commence until a site specific noise assessment and a scheme for protecting the proposed residential units from external 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 PROPG: New Residential Development. It should be designed to achieve noise levels of less than 30 dB LAeq in bedrooms (23:00-07:00), less than 40 dBLAeq in living areas (0700-23:00) and less than 55 dB LAeq in outdoor 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. A copy of such report shall be submitted to the Local Planning Authority for its approval.

Reason: *To protect occupiers from noise and safeguard their residential amenities.*

3. Contamination

- I. The agreed remediation strategy; Remedial Strategy and Verification Plan For A Proposed Residential Scheme At The Former Crown Public House, Mobberley, Cheadle, Staffordshire REF: ML/30361, shall be adhered to throughout the development.
- II. 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.
- III. 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, 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.

4. 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 3-4): 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. 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.*

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 the Professional Guidance on Planning and Noise (ProPG), 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
- 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)
- 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

Environmental Health