STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Dealt with by: Environmental Health **Our Ref:** SMD/2021/0532

Direct Dial: (01538) 395400 **Your Ref:** SMD/2021/0532

Date: 7th October 2021

MEMORANDUM: PLANNING CONSULTATION

LOCATION	**Royal Oak, Macclesfield Road,Rushton Spencer**
PROPOSED DEVELOPMENT	**Replace and relocate oil tank to comply with new regulations. Provide 1600mm high fence with lockable gate to screen area and store refuse bins. Additionally, provide side door to existing garage to provide area for community donations to foodbank and "swap" area for excess produce, seedlings etc**

Potential Areas Of Environmental Concern.

1. Construction / conversion impacts (Condition)
2. Lighting (Condition)
3. Oil Tank - Building regulations and Advisory (Condition proposed)
4. Foodbank and food swap area (advisory)

General Comments

Oil Tank - The installation of the oil tank will be subject Building regulation approved document J Combustion Appliances and Fuel Storage Systems see link.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/468872/ADJ_LOCKED.pdf

Advisory - Bunding of Oil Tanks
In order to prevent the potential of a leak into the environment, any oil or chemical storage tanks should be surrounded by an impervious oil/watertight bund. The volume of the bund should be at least 10% greater than the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses should be located within the bund. The drainage system to the bund should be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Swap Area/Foodbank – Any foods should be kept in sealed containers raised off the ground to prevent scavenging by pests. The origin of any food would be a concern, how will this be checked, tracked or recorded. This should be considered by the operator prior to first use. The Food Team will inspect this area during any future inspections.

Recommendation and Conditions

The Environmental Health department have no objections in principle subject to the following conditions being applied to any permission granted.

Construction & Demolition works: Time of operations

1. 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.

Lighting

2. 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*

Bunding of Oil Tank

3. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be a least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. If there are multiple tankages, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: *To prevent pollution of the water environment.*

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 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

- 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 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 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,

Environmental Health