

Dealt with by: Environmental Health

Our Ref: smd/2021/0672

Direct Dial: (01538) 395400

Your Ref: smd/2021/0672

Email: EHealth.Consultation@highpeak.gov.uk

Date: 3rd February 2022

MEMORANDUM: PLANNING CONSULTATION
--

LOCATION

**The Caravan Cheadle Road
Alton**

PROPOSED DEVELOPMENT

Retrospective application for the change of use of land to provide for 14 Touring Caravans pitches with separate camping / open space; facilities building and reception and associated works.

Potential Areas of Environmental Concern

1. Noise from campers – voice and music
2. Floodlighting
3. Construction Noise
4. Land contamination/imported soil
5. Surface water / sewage
6. Health and safety (occupier)

Comments

General: 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.

Contaminated Land: It has been brought to the attention of the Environmental Health Department that waste from an unknown source has been imported and deposited on to the land subject to this application. It would be expected that a site specific contaminated land assessment is undertaken to determine the suitability of the site for this development and any appropriate land remediation which would be required.

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:

1. The demolition and construction works hereby approved shall be carried out between 8am-6pm Monday to Friday and between 8am-1pm Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

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

2. Contamination

Development shall not commence 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.

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. Importation of Soil/Material

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 validity evidence submitted to and approved in writing 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. 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.*

5. 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.*

Informative/Other Matters

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

- All lighting details should be provided with predicted LUX levels at the cartilage of the nearest residential receptors. This should be undertaken in line with the Institute of Lighting Engineers Guidance on intrusive lighting.
- 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 BS8233:2014 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/stat_nuisance.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,
Environmental Health



Regards,

Environmental Health