

Dealt with by: Environmental Health

Our Ref: smd/2021/0547

Direct Dial: (01538) 395400

Your Ref: smd/2021/0547

Email: EHealth.Consultation@highpeak.gov.uk

Date: 17th June 2022

MEMORANDUM: PLANNING CONSULTATION
--

LOCATION

**Land Off Rue Hill Road
Cauldon Low**

PROPOSED DEVELOPMENT

**Outline Permission for the erection of a farmhouse
dwelling with all matters reserved**

Potential Areas Of Environmental Concern.

1. Pre-existing noise from quarry and camping activity
2. Impact to existing camping business
3. Ground Gas / Possible high metal levels in soil (Condition
4. Construction Impacts (Condition
5. 4. Lighting (Condition)

Recommendation

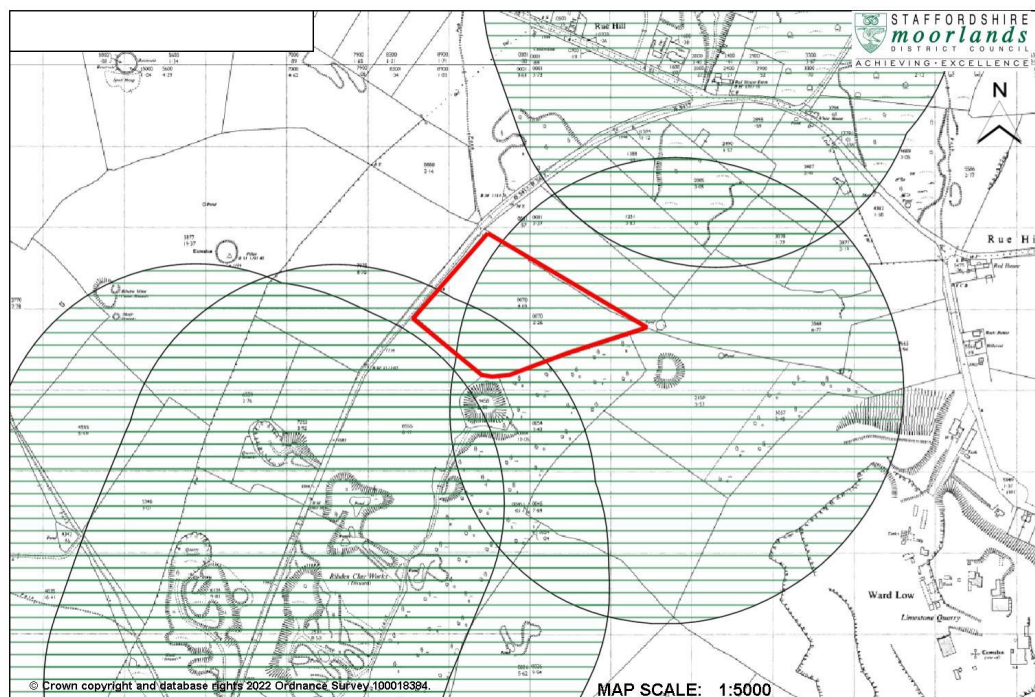
There is insufficient advice contained within the application for Environmental Health to properly consider the impact of the proposal on the camping and quarrying activities in close proximity and correspondingly the amenity of future occupiers of the site. At this stage Environmental Health recommend refusal.

Comments

1. A noise assessment should be conducted by a suitably qualified acoustician to determine the current noise impacts at this site and where necessary a sound insulation scheme should also be submitted. It should consider the current noise levels caused by campers and quarrying activities. We would expect the assessment is conducted in compliance with

BS4142:2014 and BS8233:2014.

2. Consultation should be made by the Planning Department with the County Council and quarry owners to ensure this development does not compromise future quarrying activities.
3. The proposal to construct a road access adjacent to the camp site might be likely to impact that business. We would recommend an alternative access is provided to the development if permission is granted.
4. The site is within the potential zone of influence of two known historic landfills, as well as other excavations nearby excavations that could have been filled and be additional sources of ground gas. E.g.



The area (Ribden mine) has also been mined in the past for lead (copper & zinc), therefore there is potential for both natural high soil lead / metal levels and/ or possible received spoil from the surrounding excavations. A contaminated land assessment would therefore be recommended /anticipated.

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/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,
Environmental Health

Regards,
Environmental Health