STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Dealt with by: Environmental Health

Our Ref: smd/2022/0164

Direct Dial: 01538 395400

Your Ref*: as above*

Email:

Date: 11th July 2022

MEMORANDUM: PLANNING CONSULTATION

LOCATION **46 Natwest High Street Cheadle**

PROPOSED DEVELOPMENT **First floor extension at rear of gym and wellbeing centre.**

Potential Areas of Environmental Concern

1. Construction and renovation impacts (Condition)
2. Operational noise: Vibrations, plant, music, shouting etc (Condition and advisory)
3. Timings (condition)
4. Unexpected Contamination (Condition)
5. Asbestos (advisory)
6. Lighting (Condition)

Comments

Noise: The current gym which operates at the premises has not caused complaint to the Environmental Health Department, this is a second storey extension which has the potential to impact 2nd floor residents on High Street and residents at the rear of the premises . Noise from gyms such as proposed is generally caused by structure borne noise from weights/ lifting equipment, as weights drop they cause a vibration through the building/foundations impacting any properties linked to the structure. Other noise sources include air conditioning units, amplified music and loud coaching. If these are addressed during the development and operational phase then there is a low risk of adverse impacts to neighbouring amenity. Most of the structurally connected neighbouring properties are commercial but there are potential impacted residential units in the vicinity. We would recommend anti-vibration matting/flooring is installed in the areas where weights, weight machines and bench presses are used. Conditions are recommended to address the other potential impacts to amenity.

Lighting: Care should be taken in the selection of lighting both externally and internally to prevent adverse light impacts such as glare and increased luminance being caused to neighbouring properties.

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Recommendation

The Environmental Health Department have no objection subject to condition.

1. Construction & Demolition works: Time of operations

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.*

2. Construction Impacts

I. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary;
II. 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. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
III. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

Reason: *To protect the amenities of the area during construction*

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3. Plant and Machinery

The rating level of sound emitted from [any fixed plant and/or machinery associated with the development and the industrial activities at the use hereby approved shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

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

4. Soundproofing

All weightlifting activities, weight lifting machines and bench press equipment should take place or be mounted on anti-vibration matting or flooring in a way which will minimise transmission of structure-borne sound and vibration.

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

5. Amplified Music/Speech

No amplified sound 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: *To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution*

6. Doors and Windows Kept Closed

All doors and windows to the premises shall be kept closed at all times except for the explicit purpose of access to or exit from the building.

Reason: *To avoid unnecessary noise form open doors and windows, in order to protect the amenity of the locality.*

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7. Operating Times (retain current opening times)

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

8. Unexpected Contamination

In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found is any time when carrying out the approved development are is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason *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.*

9. Lighting

Details of all external of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. 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 (residential) when the light (s) is (are) in operation.

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

Advisory Note/ Informative:

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

- The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

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- 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/

- 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 Ageny 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 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