

Dealt with by: Environmental Health

Our Ref: SMD/2022/0502 and
DOC/2022/0056

Direct Dial:

Your Ref: SMD/2022/0502
and DOC/22/0056

Email:

Date: 18th October 2022

MEMORANDUM: PLANNING CONSULTATION
--

LOCATION	Land At Deadmans Green Uttoxeter Road Checkley
PROPOSED DEVELOPMENT	Application for Approval of Reserved Matters following Outline Approval in relation to SMD/2021/0100
PROPOSED DEVELOPMENT	DOC/2022/0056 Approval of Details Reserved by Conditions 1-14 of SMD/2021/0100

Potential Areas Of Environmental Concern.

1. Construction Impacts
2. Land Contamination
3. Lighting
4. Drainage
5. Asbestos (Advisory)

General Comments: There are pre-commencement environmental health conditions set out in the outline permission which should be addressed and discharged prior to development starting/first use on this site. Most of these have been discharged but condition 10 remains outstanding and further information is required as recognised by the applicant.

Recommendation and Conditions

The Environmental Health Department have no objection subject to the retention of the Environmental Health conditions being applied to any permission granted.

Condition 7: Construction works timings should remain on any permission granted.

Condition 8: This information can be accepted to discharge the construction management plan requirement, all works should be completed in compliance with the approved plan.

Condition 9: No information required unless contamination found during development, condition should remain on any permission granted.

Condition 10: This condition remains outstanding and should be discharged prior to first use. This condition should remain on any permission granted

Condition11: Lighting proposed is low levels and not significant but we recommend retention of first part of condition.

Condition12: Layout and proposed unit is accepted subject to building control approval.

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
- 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>
- 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 Health Department and agreed in principle prior to site investigation works being undertaken. The Environmental Health 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