

Dealt with by: Environmental Health

Our Ref: smd/2022/0175

Direct Dial:

Your Ref: smd/2022/0175

Email:

Date: 6th December 2022

MEMORANDUM: PLANNING CONSULTATION
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LOCATION	Woodhead Garage, Froghall Road, Cheadle, Staffordshire, ST10 2DN
PROPOSED DEVELOPMENT	Proposed extension to existing yard area to provide additional vehicle parking and associated landscaping works

Potential Areas of Environmental Concern.

1. Construction Impacts (Condition)
2. Land Contamination (Condition)
3. Artificial Lighting (Condition)
4. Noise Impacts (Condition Assessment)

General Comments

EV infrastructure (building Control): The applicant is reminded that they will be required to install EV / EV infrastructure in accordance with [Approved Document S: infrastructure for charging electric vehicles](#)

Contamination: The site is in an area of a former Coal depot with associated tram lines and in a high risk coal authority development area, however, it is going to a low risk end use (carpark).

We would echo the comments of the coal authority and recommend that their advisory is included in the consent. In addition we would recommend the unexpected contamination condition, to cover any potential unexpected contamination from the development

Noise: To assess potential noise impacts of the development the applicant has submitted a noise assessment (Martec 20220804 9283) and technical note (Martec Ref. 20221107 9283) on the request of Environmental Health. The assessment predicted no significant change in the local noise. The technical note has considered some modifications to the layout and a 2m high acoustic barrier. This has altered the acoustician's predictions to cause reductions in noise impacts. We would recommend all mitigation as set out in the noise assessment and technical note are completed in full.

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.

Lighting: The applicant has submitted a plan setting out predicted spillage levels (Ansell: QUO-61717-T8T4J8) which indicates negligible light spillage beyond the site boundary. In order to ensure compliance with this plan we would recommend the condition below is imposed on any permission granted. All proposed mitigation should be installed prior to first use.

Interceptor: We would recommend all vehicle parking and moving areas drain into an interceptor. Condition advised.

Site Construction Nuisance: The proposed development is close to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties. All construction activities should pay due care to the advice set out in BS 5228:1 and 2 in order that noise and vibration impacts are minimised during site preparation and construction phases.

Provisional Recommended Conditions

Environmental Health Department recommend the following conditions be applied to any permission granted.

1. Construction and Environmental Management Plan:

No phase of the development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the method and duration of any pile driving operations (including expected starting date and completion date);
- III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. the arrangements for prior notification to the occupiers of potentially affected properties;
- V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. a scheme to minimise dust emissions arising from construction activities on the site.
- VII. a scheme for recycling/disposal of waste resulting from the construction works;
- VIII. the parking of vehicles of site operatives and visitors;
- IX. the loading and unloading of plant and materials;
- X. the storage of plant and materials used in constructing the development;
- XI. the erection and maintenance of security hoarding including decorative displays and

facilities for public viewing, where appropriate;

- XII. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,
- XIII. 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,
- XIV. the details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,
- XV. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: *To protect the amenities of the area.*

amenity of local residents and that of the surrounding area from noise disturbance.

2. Importation of topsoil

No 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 validatory evidence submitted to and approved in writing to by the Local Planning Authority.

3. Unexpected Contamination

In the event that contamination, including coal measures, 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 exist 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 (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 Condition

Prior to first use of any artificial lighting at the site a scheme showing details of all lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority. The submitted scheme should show the artificial lighting incorporated into this site in connection to this application does not increase the pre-existing illuminance or cause glare 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 illuminance.*

5. Noise

The development should be completed in compliance with the submitted and approved Noise Assessment (Martec Ref. 20220804 9283) and Technical Note (Martec Ref. 20221107 9283).

Reason: *To protect occupiers from noise and safeguard their residential amenities.*

6. Forklift Trucks

Any forklift trucks used on the application site shall be fitted with noise attenuated reversing alarms. All such alarms are to be kept in working condition and operable wherever a forklift truck is used on the site.

Reason: To protect the amenity of the locality, especially for people living and working nearby

7. Interceptor

All surface water run-off from outside storage, parking or vehicle wash-down areas shall pass through a properly constructed oil/petrol interceptor or such other alternative system as may be agreed with the local planning authority, before discharge to the public sewer or other drainage system.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby

Advisory Note/ Informative:

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

• **Lighting scheme**

The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

Illuminated area m ²	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10.00	100	600	800	1000
Over 10.00	n/a	300	600	600

Environmental Zones			
Zone	Surrounding	Lighting Environment	Examples

E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc.
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone.

- 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