



Environmental Health – Planning Consultation

Date: 11 April 2017

My Ref: HPK20160610

Dealt with by: Matthew Rhodes

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To: planning@highpeak.gov.uk **CC:**

APPLICATION NUMBER: HPK/2016/0610

LOCATION: Hargate Hill Equestrian Centre, Hargate Hill, Glossop, Derbyshire, SK13 6JL

PROPOSED DEVELOPMENT: Change of use of land (location B) for the siting of commercial grade

CONSULTATION DATE: 4 Apr 2017

RECOMMENDATION

The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted.

Comments

The proposed development has the potential to bring about a significant loss of amenity to nearby residential premises. To protect this amenity and the health of the public and the wider environment the following conditions 1 to 7 are recommended.

Conditions 5 and 6 are also recommended to protect public safety.

Conditions

1) Noise Survey

No sound-amplifying equipment, loudspeaker, public address system shall be installed/operated or live or recorded music played, as part of the development hereby approved until a full acoustic survey has been undertaken to determine both nighttime and daytime background noise levels at all nearby noise sensitive properties (including Hargate Hill Farm House, Bar Cottage etc.). This survey shall be submitted to the LPA as soon as it is available, for written approval. The survey shall be undertaken inline with BS4141:2014.

Noise generated at the site shall not exceed the determined background level, measured as a 1 hour LAeq for daytime measurements, and a 5 minute LAeq for nighttime measurements, at any noise sensitive property. Measurements should be undertaken in accordance with the procedures outlined in BS4142: 2014

2) NS13 RESTRICT SOUND / AMPLIFYING EQUIPMENT

No sound-amplifying equipment, loudspeaker, public address system shall be installed/operated or live or recorded music played within the premises hereby approved or its curtilage between the hours of:

- a) **23:00** and **14:00** from Mondays to Fridays,
- b) **23:30** and **14:00** on Saturdays, Sundays and Bank or Public Holidays.

3) LG02 LIGHTING DETAILS SUBMITTED BEFORE WORK COMMENCES (DETAILED)

No development shall commence until a scheme detailing all external lighting equipment is submitted to and approved by the Local Planning Authority. The scheme shall include *full details of the hours of operation, location, size, design of luminaries and fittings, type/output of light sources with lux levels, together with isolux drawings to demonstrate the levels of illumination within the site and the amount of overspill of lighting beyond the site boundaries, location and design of associated equipment and for the avoidance of doubt shall include any existing lighting.*

The scheme shall demonstrate compliance with the specification recommended by the Institution of Lighting Engineers (within Environmental Zone EZ 2) in their Technical Report No.5 (Third Edition-2001).

The approved external lighting scheme shall be implemented in accordance with the approved details and thereafter retained. No other external lighting equipment may then be used within the development other than as approved by the Local Planning Authority.

4) Fireworks

Fireworks shall not be discharged from the development site, or any adjacent land under the control of the developer, other than:

- a) between 23:50 on 31st December and 00:10 on the 1st January.
- b) on a single Saturday each year, no more than 4 days before or after 5th November.

5) Access – Limited to Specified Road or Prohibition

Means of vehicular access to and egress from the development hereby permitted shall be derived from and to **Glossop Road, Charlesworth**, only. The applicant shall submit for written approval, the steps they intend to undertake to ensure that the Green Lane, Simmondley access is not utilized by staff, customers or for deliveries. The use hereby permitted shall not commence until written approval from the LPA is given.

6) Scheme of Occupancy

The development hereby approved shall not be brought into use until a Scheme of Occupancy is submitted to and approved in writing by the LPA. The scheme shall limit the attendance at the premises at any one time, and shall demonstrate how the applicant intends to enforce this limit.

The scheme shall have regard to the following:

- a) Sanitary provision for guests/customers, demonstrating compliance with *British Standard 6465-1:2006 Sanitary Installations*
- b) Separate sanitary provision for food handlers.
- c) Parking provision.
- d) Safe access to and from the site.
- e) Provision of water for drinking and sanitation and other domestic needs.
- f) Fire fighting equipment and means of escape.

7) Generators

Unless agreed in writing by the LPA electric power to the development shall be provided by a fixed installation connected to the mains electricity supply, to appropriate recognized standards. Portable power generation shall not be utilized at the development.

Advisory Note/ Informative:

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

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: 2014 Sound insulation and noise reduction for buildings (Guidance Document), BS4142 Methods for rating and assessing industrial and commercial sound 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>
- 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/>

- 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 and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.
 - 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.
 - High Peak Borough 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,

Matthew Rhodes

EHO (Pollution Specialist)