
From: Planning Comments (SMDC)
Sent: 08 June 2023 16:29
To: Planning Comments (HPBC)
Subject: FW: HPK/2023/0192 Environmental Health Consultation#

Categories:

From: Rhodes, Matthew

Sent: Tuesday, June 6, 2023 5:05 PM
To: Planning (HPBC)
Cc: Colley, Jane
Subject: HPK/2023/0192 Environmental Health Consultation#

Dear Planning

Application number	HPK/2023/0192	Application type	Full Planning - Large scale MAJOR apps
Site address	Land at Hoghaw, Fairfield, Buxton, Derbyshire,	Proposal	Construction of 116 dwellings

ADVICE TO LPA:

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

Land Contamination

The contaminated land assessment and remediation strategy submitted for this development may be accepted, for this application.

- Soil Technics, *“Ground Investigation Report: Proposed residential development, Land off Nunsfield Road, Buxton”* (ref: STQ4642 M-G01 Rev3), dated April 2023

The report does not cover the full RLB of this application, and the area of the proposed rainwater attenuation pond is marked as “excluded from the developable site”. An updated contamination assessment should be submitted, specific to these development plans. Consideration should be given towards additional testing of waters in Nun Brook as previous assessment highlighted elevated metals, hydrocarbons and ammoniacal nitrogen, the submitted report is based upon samples taken from a single date. Water samples are required over multiple dates, with varying flow and infiltration rates. Should attenuation of waters be required, provision of space for a reedbed treatment system (within the wider blue line boundary) should be made. This should be incorporated into any ecology assessment, and made in consultation with Derbyshire Wildlife Trust.

The site is within a radon area, and full radon protection measures are required. This should be borne in mind when assessing the development for landfill gas.

Condition 1 is recommended to protect human health and the wider environment.

Noise

The noise impact assessment submitted in support of the application may be accepted.

- E3P, “Noise Impact Assessment: Hogshaw Farm, Buxton” (ref: 50-697-R1-3 version 4), dated 31 March 2023

The report determines that standard glazing is adequate to mitigate against noise. However, for thermal comfort mechanical ventilation is required as noise criteria within buildings will be exceeded with windows open. For this reason condition 2 is recommended.

Construction

The construction/demolition stage of the development could lead to an increase of noise and dust etc. Experienced at sensitive premises and subsequent loss of amenity, for this reason conditions 3 to 8 are suggested.

Air Quality and Climate Change

Should you require comments regarding AQ & CC please contact Chris Humphreys - Christopher.Humphreys@highpeak.gov.uk

CONDITIONS:

1. CL02 CONTAMINATED LAND (DCLG CONDITION) FOR COMPLEX APPLICATIONS

No development shall take place, with the exception of site investigation and remediation works until conditions **1a** to **1d** have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition **1d** has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance.

b) Submission of Remediation Scheme

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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition **1a**, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition **1b**, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition **1c**.

2. NS04B - NOISE INSULATION: DOMESTIC

Prior to the occupation of any residential unit, noise mitigation consistent with (and no less protective) than that detailed within the approved noise report (Soil Technics, "*Ground Investigation Report: Proposed residential development, Land off Nunsfield Road, Buxton*" (ref: STQ4642 M-G01 Rev3), dated April 2023) shall be implemented for that unit. Mitigation shall ensure that the following noise criteria are met.

- a) An internal noise level for habitable rooms during the day (0700-2300hrs) of 35dB(A)LAeq,16hrs
- b) An internal noise level for bedrooms during the night (2300-0700hrs) of 30dB(A)LAeq,8hrs and 45dB(A)LAm_{ax}
- c) Noise levels within external living areas such as balconies, terraces and gardens during the day (0700-2300hrs) of 50dB(A)LAeq,16hrs

Noise mitigation includes ventilation/overheating requirements where windows are required to be shut to achieve these criteria.

3. CDD01B - CONSTRUCTION AND DEMOLITION – DUST

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

4. CDD02 - CONSTRUCTION & DEMOLITION: WASTE DISPOSAL

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.

There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

5. NSD12 - BEST PRACTICAL MEANS

The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.

6. NSD02B - NOISE CONSTRUCTION: PILING 2

If piling is necessary, a written piling options assessment shall be submitted to the Local Planning Authority, to demonstrate noise and vibration mitigation measures consistent with best practical means.

The assessment shall consider Environment Agency guidance (*Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73*) where land contamination is suspected or proven. No piling shall take place until the piling options assessment has been approved.

No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

7. NS02A - CONSTRUCTION & DEMOLITION WORKS: TIME OF OPERATIONS

Unless prior permission has been obtained in writing from the Local Planning Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:30 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating 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.

8. CDD14 - ON SITE RADIO

During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

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