

**From:** [Matthew Rhodes](#)  
**To:** [Planning Comments \(HPBC\)](#)  
**Cc:** [James Stannard](#)  
**Subject:** HPK/2024/0143 - Environmental Health Consultation#  
**Date:** 16 September 2024 11:42:39

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Hi James

|                           |                                                                                                      |                         |                                                                                                                                                      |
|---------------------------|------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application number</b> | HPK/2024/0143                                                                                        | <b>Application type</b> | Full - MINOR                                                                                                                                         |
| <b>Site address</b>       | Derbyshire County Council Works Department, Ashbourne Lane, Chapel-En-Le-Frith, Derbyshire, SK23 0PA | <b>Proposal</b>         | Demolition of existing workshops and retaining walls and erection of 3no. new workshops with new retaining structures, landscaping, and car parking. |

#### COMMENTS:

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

#### Sensitive Use

The submitted phase 1 contaminated land desk study report submitted in support of the application may be accepted.

- ARC Environmental, "Phase 1: Desk Top Study Report, The Former Depot – Joiners Shop" (ref 23-873), dated 26 October 2023

This recommends that the contaminated land assessment progress to a phase 2 intrusive investigation. As the proposed end use of the development is particularly sensitive to the presence of land contamination, conditions 1 is recommended.

#### Amenity – Noise

Condition 2 is recommended to protect nearby residential premises for noise from the site.

#### 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.

#### INF12 – DEMOLITION/REFURBISHMENT: ASBESTOS INFORMATIVE

A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation 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/>

#### CONDITIONS:

##### 1. CL02 - CONTAMINATED LAND (DCLG CONDITION)

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. NSD09 - ACOUSTIC SURVEY**

No development shall take place until a full acoustic survey has been undertaken to determine both nighttime and daytime background noise levels at the site. This survey shall be submitted to the LPA as soon as it is available, for approval.

The rating level of sound emitted from any fixed plant and/or machinery associated with the development, or industrial activities at the use hereby approved, shall not exceed the determined daytime or night-time (as appropriate) background sound when measured at nearest/any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS 4142:2014+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.

## **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.

Regards

Matthew Rhodes

Environmental Health Officer (Pollution and Environment)

High Peak Borough Council and Staffordshire Moorlands District Council

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