

From: [EHealth Consultation](#)
To: [Planning \(HPBC\)](#)
Cc: [Rosie Dinnen](#)
Subject: HPK/2024/0333 - Environmental Health Consultation#
Date: 17 January 2025 09:40:11

Dear Planning

Application number	HPK/2024/0333	Application type	Full - MINOR
Site address	Reliance Garage Glossop Ltd , Turnlee Road , Simmondley , Glossop , Derbyshire , SK13 6PW	Proposal	Proposed demolition of existing buildings and erection of 9 No. four bedroomed detached dwellings with associated access, landscaping and detached garages

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.

CONDITIONS:

Contamination

The site investigation (contamination) reports submitted in support of the investigation may be accepted. The proposed end use of the development is particularly sensitive to the presence of land contamination, for this reason the following conditions 1 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 2 to 7 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) 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

Development shall not take place without the developer having appropriate reliance upon an intrusive site investigation report. Such report shall be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance and shall be approved in writing by the LPA.

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. CDD01B - CONSTRUCTION AND DEMOLITION – DUST

No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect 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

3. 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.

4. 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.

5. 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.

6. 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.

7. CDD14 - ON SITE RADIO

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

Advisory Note/ Informative:

0. Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.
1. 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/>
2. 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 + A1: 2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance
3. 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.
4. 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.
- 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



Environmental Health Officer (Pollution and Environment)

High Peak Borough Council and Staffordshire Moorlands District Council

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