

Subject: HPK/2024/0475 - Environmental Health Consultation#
Date: 21 January 2025 15:35:22

Hi Rachael

Application number	HPK/2024/0475	Application type	Full Planning - Small-scale MAJOR apps
Site address	Land Off , Graphite Way , Hadfield , Glossop , Derbyshire ,	Proposal	Construction of 4no Units (Units 1-4) for B8 Warehouse & Distribution and 3no Units (Units 5-7) for B2 general light industrial uses, including associated Parking Areas and landscaping.

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.

COMMENTS:

NOISE

THE NOISE IMPACT ASSESSMENT SUBMITTED IN SUPPORT OF THE APPLICATION MAY BE ACCEPTED

- **NOVA ACOUSTICS, “NOISE IMPACT ASSESSMENT” (REF: NP-008931 REV01), 22 JANUARY 2023**

NOISE MITIGATION CONSISTENT WITH (AND NO LESS PROTECTIVE THAN) THAT OUTLINED IN THE APPROVED REPORT SHOULD BE ADOPTED, FOR THIS REASON CONDITIONS 1 TO 4 ARE SUGGESTED.

SENSITIVE USE

The proposed end use of the development is particularly sensitive to the presence of land contamination, for this reason the following conditions 5 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 6 TO 11 ARE SUGGESTED

CONDITIONS:

1. COM01 NO OUTDOOR MACHINERY or PLANT

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015) no plant or machinery shall be installed outside any such building on the site on the approved plans.

2. NSD04B.- Noise Vehicle: HGV movement

No loading/unloading of Heavy Goods Vehicles (HGV's) including HGV movements entering or exiting the site shall take place outside of 07:00 hours and 23:00 hours on any day.

3. NSD01 – Noise levels produced by fixed external plant

The cumulative rating level of sound emitted from all fixed plant and/or machinery associated with the development, or industrial activities at the use hereby approved shall the following

- Daytime (0700-2300) - 35 dBA;
- Night time (2300-0700) – 33 dBA,

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, at the nearest sound sensitive premises..

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.

4. Sound Insulation

Prior to the occupation of any building hereby approved, they shall be constructed so as to provide sound insulation consistent with (and no less protective than) that outlined in the approved NIA (Nova Acoustics, "Noise Impact Assessment" (ref: NP-008931 rev01), 22 January 2023).

5. CL05 CONTAMINATED LAND – IF FOUND DURING DEVELOPMENT

If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit a written scheme to identify and control that contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals, and shall be submitted to the Local Planning Authority without delay. The approved remediation scheme shall be implemented to the satisfaction of the Local Planning Authority.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

- o 07:30 - 18:00 hours (Monday to Friday);
- o 08:30 - 14:00 hours (Saturday)
- o 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.

11. 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>
 - o 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.
 - o 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.
 - o 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.
 - o 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
 - o 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.
 - o 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.

Matthew Rhodes
Environmental Health Officer (Pollution and Environment)
High Peak Borough Council and Staffordshire Moorlands District Council

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