

From: EHealth Consultation
Sent: 15 July 2026 14:14
To: Planning (HPBC)
Cc: Jane Colley
Subject: HPK/2026/0228 - Environmental Health Consultation#

Hi Planning

FAO – Bob Phillips

Application number	HPK/2026/0228	Application type	Full Planning - Large scale MAJOR apps
Site address	Spring Shopping Centre & Land , South of Station Road , Buxton , Derbyshire ,	Proposal	Full Planning Permission for the repurposing of part of the existing Spring Gardens Shopping Centre, including partial demolition, and new development to create a series of development blocks to deliver residential units (Use Class C3) and commercial floorspace (to include flexibility for Use Classes E - commercial, F1 - learning and non-residential institutions, and Sui Generis - drinking establishments, cinema), new public realm and landscaping to include public squares and residential courtyards, new car parking and associated works.

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.

This statement is contingent on all recommended conditions being adopted in any approval. Should the planning office wish to disregard any recommended conditions they should speak to the Environmental Health Team, to determine if this changes the consultation advice.

Sensitive Use – Land Contamination

The geo-environmental site investigation submitted in support of the application may be accepted

- LK Consult, “*Phase 2 Geo-Environmental Investigation, Risk Assessment and Outline Remediation Strategy*” (ref: LKC251087-B1-GI-Buxton Town Centre Regeneration R2 FINAL), dated 26 February 2026

This is an exploratory/preliminary investigation and demonstrates that the proposed development is feasible. Additional site investigation is required to fully characterise the site and inform remediation, as the proposed end use of the development is sensitive to the presence of land contamination, conditions 1 to 4 are recommended.

NOTE: The report identifies potential risks to controlled waters, and the Environment Agency should be consulted for their input.

Noise

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

- Hann Tucker Associates, “*Environmental Noise Survey and Noise Impact Assessment Report*” (ref: 32138/NIA/Rev3), dated 25 February 2026

Traffic noise is the principal source predicted to affect the proposed development, along with delivery noise (for the shopping centre loading bay) and plant noise (air conditioning etc). The NIA report determines background sound levels for the existing site, however these are likely to change as proposed buildings etc shield the site from traffic sound propagation. When comparing the impact of plant noise, the rating level is compared to the background level that may otherwise mask mechanically induced sound, if the background is lower in the future (in places) this may affect the assessment. Conditions 5 and 6 are recommended to allow this to be revisited as the development progresses.

Given increasingly warm weather is anticipated in the future, a full overheating mitigation strategy is recommended where window are required to be shut to achieve the desired noise attenuation within premises.

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 7 to 12 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. Contaminated land: Characterisation and risk assessment

No development hereby permitted (except demolition and site clearance) within any approved phase shall commence until the following land contamination documents have been submitted to and approved in writing by the Local Planning Authority:

- I. Preliminary Risk Assessment (PRA).
Submission of this document is the minimum requirement.
- II. Generic Quantitative Risk Assessment (GQRA).
Submission of this document if PRA requires it.
- III. Detailed Quantitative Risk Assessment (DQRA).
Submission of this document if GQRA requires it.

The documents referred to above shall characterise potential risk to sensitive receptors, giving consideration to human health, controlled waters and the wider environment and be prepared in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters, and to prevent pollution of the environment in accordance with the aims and paragraphs 187(e), 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

2. Contaminated land: Remediation strategy and verification plan

No development hereby permitted (except demolition and site clearance) within any approved phase shall commence until the following land contamination documents have been submitted to and approved in writing by the Local Planning Authority:

- I. Remedial options appraisal. Submission of this document if approved 'characterisation and risk assessment' requires it.
- II. Remediation strategy. Submission of this document if approved 'characterisation and risk assessment' requires it.
- III. Verification plan.

The documents referred to above shall be informed by the findings of the approved 'characterisation and risk assessment' and prepared in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and paragraphs 187(e), 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

3. Contaminated land: Remediation and verification

The development hereby permitted within any approved phase shall not be occupied or brought into use until the following land contamination works are completed:

- I. Any required remediation works have been completed in accordance with the approved remediation strategy and;
- II. A verification report has been submitted to and approved in writing by the Local Planning Authority.

The verification report must include information validating all remediation works carried out within any approved phase; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and paragraphs 187(e), 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. CL05 - Unexpected contamination

The development hereby permitted within any approved phase shall not be occupied or brought into use until written confirmation is provided to the Local Planning Authority in relation to the following land contamination considerations:

- Unexpected or previously-unidentified contamination was not encountered during the course of development works or;
- Any such contamination that was encountered has been appropriately addressed.

If, during development, unexpected or previously-unidentified contamination is found to be present, no further works shall be carried out at the affected location until the following documents have been submitted to and approved in writing by the Local Planning Authority:

- I. Risk assessment (GQRA or DQRA);

II. Remediation strategy and verification plan;

Where remediation is required, it shall be carried out in accordance with an approved remediation strategy and verification plan. Upon completion of remediation works, a verification report shall be submitted to the Local Planning Authority for approval.

The actions required above shall be completed in accordance with the following guidance: Land Contamination Risk Management (LCRM).

Reason: *To prevent unacceptable risk to human health and controlled waters and to prevent pollution of the environment in accordance with the aims and paragraphs 187(e), 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).*

5. Noise insulation: Domestic

Prior to the occupation of any residential unit, a scheme of sound insulation shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that the following internal noise measurements 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)Lamax (no more than 10 times per night).

An overheating mitigation strategy to provide an alternative method to removing heat from all plots other than relying on windows remaining open during the nighttime period shall be required. The strategy document shall include a TM59 – fixed temperature test (completed at ‘passed’).

6. Limit to L90

BS4142 limit on external noise levels produced by fixed external plant

The rating level of sound emitted from any fixed plant and/or machinery associated with the development hereby approved, shall not exceed background sound levels (for daytime or night time) when measured or determined at 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.

Appropriate background sound levels for both day time and night time, shall be agreed in writing with the LPA prior to the development hereby approved being brought into use.

7. 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

8. 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.

9. 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.

10. 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 industry guidance (Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. CL:AIRE, 2025) 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.

11. 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.

12. 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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