Memo

Cheshire East Council

To	Cheshire East Planning	**Copy to**	Philippa Radia
From	Environmental Protection		
Date	6th December 2016	**Your ref**	**16/5502C**
		Our ref	EL7/050083

Subject

PLANNING CONSULTATION WITH ENVIRONMENTAL PROTECTION

Location: Manor View, Twemlow Lane, Cranage, Cheshire East, CW4 8EX

Proposal: Demolition of stables and construction of new residential development (Resubmission of planning application reference 15/4313C)

This Service has considered the above planning application and wishes to make the following comments / recommendations.

The following recommendations DO NOT constitute planning conditions, however are intended to provide sufficient information to guide planning officers to adequately word conditions which are enforceable, justified and proportionate, in line with their own guidelines.

Where a planning officer considers that the recommended condition should be substantially altered, or not included on any final decision notice it is strongly recommended contact be made with the relevant officer. Where the application is outline, this service reserves the right to make additional comments on future reserved matters applications.

It should be noted that the granting of planning permission does not convey any exemption from or compliance with other legislation such as the Environmental Protection Act (Statutory Nuisance), Licencing Act or the Environmental Permitting Regulations.

REGULATORY SERVICES AND HEALTH COMMENTS
Stephanie Bierwas Tel: 01625 383693

DEMOLITION AND CONSTRUCTION PHASE OF DEVELOPMENT

PILE FOUNDATIONS

- **Should piling be required as part of the development, prior to the commencement** of development the applicant shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement:

The method statement shall include the following details:

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Informative
In general, the following times are acceptable for piling operations, and justification will need to be given in the above method statement for any times outside those below:

Monday – Friday	09:00 – 17:30 hrs
Saturday	09:00 – 13:00 hrs
Sunday and Public Holidays	Nil

In addition to the above, prior to the commencement of development the applicant shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement:

Reason: In the interests of residential amenity

Site Specific Dust Management Plan (DMP)
In order to minimise dust emissions arising during the development, including: site preparations / demolition/ construction activities at the site.

A copy of a 'site specific DMP' shall be retained at the development site; and made available for inspection upon request by Cheshire East Borough Council Officers.

The site specific DMP shall identify the fugitive dust sources at the development site and describe in detail the dust mitigation measures to be employed.

The DMP shall include details:

- of all dust suppression measures
- the methods to monitor emissions of dust arising for the duration of the project

The demolition / construction phase of the development, shall be completed in full compliance with the site specific DMP.

The dust suppression measures shall be maintained and fully operational for the duration of the demolition / construction phase of the development.

The Dust Management Plan shall contain the records of inspections and visual assessments. Records shall be:

- kept on site **and**
- made available for examination upon request by a Cheshire East Borough Council Officer.

Where visible airborne emissions are brought to the attention of the contractor by:

- pro-active dust monitoring of the site or
- upon receipt of a dust complaint from a member of the public

The contractor shall:

- identify the cause and extent of the dust emission
- detail the remedial dust corrective course of action
- inform Cheshire East Borough Council, Environmental Protection Department of the corrective action and proposed monitoring to assess compliance and prevent a recurrence. For this purpose contact:
    - Ø 0300 123 5015
    - Ø environmentalprotection@cheshireeast.gov.uk
- Any corrective action shall be recorded in the site log/ DMP retained on site.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and for the preservation of residential amenity.

CONSTRUCTION HOURS OF OPERATION – Noise Generative Works

It is recommended that the hours of noise generative* demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil

**For information "Noise Generative" is defined as any works of a construction / demolition nature (including ancillary works such as deliveries) which are likely to generate noise beyond the boundary of the site.*

AIR QUALITY COMMENTS

Phil Mason	**Tel: 01625 (3)83815**
Rebecca Shorrock	**Tel: 01625 (3)83818**
Martin Brown	**Tel: 01270 (6)86009**

No Comments

CONTAMINATED LAND COMMENTS

Sally Shaw	**Tel: 01625 (3)83816**

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site.
- It is noted that it is recommended by the submitted report, Demeter Environmental, October 2015, reference 15-10-07, that made ground be removed from garden areas. Consideration should also be made of a more sustainable approach to test it to see if it is suitable for use and if so the material can remain on site.

As such, and in accordance with the NPPF, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:

CONDITION 1

- No development shall commence until:
  a) A scope of works for the addressing of risks posed by land contamination is submitted to, and approved in writing, by the Local Planning Authority (LPA) AND;
  b) The approved scope of works shall be completed and the results submitted to, and approved in writing, by the LPA AND;
  c) Should the approved scope of works indicate that remediation is necessary, a Remediation Strategy shall be submitted to, and approved in writing by the LPA. The remedial scheme in the approved Remediation Strategy shall then be carried out.

Prior to first occupation:

d) A Verification Report prepared in accordance with the approved Remediation Strategy shall be submitted to, and approved in writing by, the LPA.

CONDITION 2

(a) Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping shall be tested for contamination and suitability for use prior to importation to site.

(b) Prior to occupation, evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the LPA.

CONDITION 3

If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

REASON RCLC1

To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development and having regard to policies GR1, GR6, GR7 and GR8 of the Congleton Borough Council Local Plan.

INFORMATIVE NCLC1

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

This section has used all reasonable endeavours to recommend the most appropriate measures regarding potential contamination risks. However, this recommendation should not be taken to imply that the land is safe or otherwise suitable for this or any other development.

If you have any queries, please contact the relevant Officer.