

Consultee Comments for Planning Application

DC/23/1390/FUL

Application Summary

Application Number: DC/23/1390/FUL

Address: 16 Piperell Way Haverhill Suffolk CB9 8PH

Proposal: Planning application - warehouse and covered storage building

Case Officer: Amy Murray

Consultee Details

Name: Mr Dom Stagg

Address: West Suffolk House, Western Way, Bury St Edmunds, Suffolk IP33 3YU

Email: Not Available

On Behalf Of: Private Sector Housing And Environmental Health

Comments

I have reviewed the above application and on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team can confirm I would have NO OBJECTIONS to the proposed development for the following reason:

- I have noted from the revised Planning Statement that, "The site already operates under the Control of Major Accident Hazards (COMAH) Regulations and as such the proposed modifications have been discussed with the UK Health and Safety Executive (HSE) and Environment Agency (EA) working together as the COMAH Competent Authority...".

I am also aware that the premises / process has an Environmental Permit issued under the Environmental Permitting Regulations. In this situation the Environment Agency (EA) would normally take precedence in investigating any alleged nuisance from the premises because the Environmental Protection Act 1990 (the legislation local authorities use to investigate / enforce statutory nuisances) states under section 79(10):

"A local authority shall not without the consent of the Secretary of State institute summary proceedings under this Part in respect of a nuisance falling within paragraph (b), (d), (e), (fb) or (g) and, in relation to Scotland, paragraph (ga), of subsection (1) above if proceedings in respect thereof might be instituted under Part I of the Alkali &c. Works Regulation Act 1906 or section 5 of the Health and Safety at Work etc. Act 1974. or under regulations under section 2 of the Pollution Prevention and Control Act 1999".

Consequently, I would defer to the EA to ensure no nuisance arises from the premises / process, as such no further comment on these matters, normally within my remit, is necessary in this instance.

ENDS

Kindest regards,

Dom

Dom Stagg

Environmental Health Officer (PSH & EH)