

**RESPONSE FORM – ENVIRONMENTAL HEALTH**

**Planning Department  
Planning Helpdesk  
St Edmundsbury Borough Council  
West Suffolk House  
Western Way  
Bury St Edmunds  
IP33 3YU**

Case Officer: Rona Hopkinson  
Email: rona.hopkinson@stedsbcc.gov.uk  
Direct Line: 01284 757380

Application No: SE/09/1283

Consultation Period 21<sup>st</sup> October 2010  
Expires:

**Environmental Health Officer (Name): Karen Cattle  
Senior Environmental Health Officer**

**Environmental Health Reference Number: WK/201004750**

**TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

**PROPOSAL** 1. Planning Application - (i) construction of relief road and associated works (ii) landscape buffer 2. Outline Planning Application - (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works. Further information submitted.

**LOCATION** Land At North West Haverhill

**APPLICANT** NW Haverhill Consortium of Landowners

**AGENT** Bidwells

**Section (Please tick):**

**Contaminated Land**  **Domestic & Pollution**  **Commercial & Food**

**DO ENVIRONMENTAL HEALTH OBJECT TO THIS APPLICATION: NO**

**Comments to explain why EH object/support the application:**

I refer to your email of the 30<sup>th</sup> September 2010 regarding the submission of further information in respect of the above planning application. On looking at the additional information, particularly in respect of noise and vibration and air quality, it would appear that no changes have taken place to the content of the application which would affect the findings of the previous assessment of impacts as detailed within Chapters 12 and 13 respectively of the 2009 Environmental Statement. As such, no amendments have been made within the Supplementary Environmental Statement dated September 2010. Our comments and recommended conditions, as stated in our memorandum of the 25<sup>th</sup> November 2009 are, therefore, still valid.

With regard to land contamination, I understand that James Lemon, Land Contamination Officer, forwarded his comments on 26<sup>th</sup> October 2009 in respect of this application. It would appear that no further information has been submitted with regard to land contamination and Mr Lemon's comments and proposed conditions are therefore still valid.

Our recommended conditions, as previously forwarded, are detailed below:-

12 OCT 2010

12 OCT 2010

### **Suggested conditions or amendments:**

1. Prior to the residential development commencing, the applicant shall identify those residential properties that fall within the Noise Exposure Categories B and C as defined within Planning Policy Guidance PPG24. For those properties identified, the applicant shall submit and agree in writing with the Local Planning Authority the measures required to mitigate noise so as to ensure that the internal noise levels achieve the "Good" standard for bedrooms and living accommodation as specified in BS 8233:1999 "Sound Insulation and Noise Reduction for Buildings – Code of Practice", or such standards revoking or re-enabling the specified British Standard. All of the measures included in the approved scheme shall be carried out prior to any of the residential properties identified being first occupied. The measures shall be retained thereafter in their approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation.
2. Before any development or any demolition work hereby permitted is commenced, a comprehensive construction and site management programme shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include the following details:-
  - (a) hours of construction operations including times for deliveries and the removal of excavated materials and waste;
  - (b) site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
  - (c) noise method statements and noise levels for each construction activity including any piling and excavation operations;
  - (d) dust, dirt and vibration method statements and arrangements;
  - (e) site lighting.
3. No plant or equipment associated with the primary school, any commercial / retail units or community use buildings on the site is to be installed unless details have first been agreed in writing with the Local Planning Authority. The details shall include design, location and screening. The plant or equipment shall be installed in complete accordance with the approved details and shall thereafter be retained in the approved form unless the prior written agreement of the Local Planning Authority is given for the variation of any of the approved details or specifications.
4. All fixed plant or machinery, including air handling plant, fans and compressors, used in conjunction with any of the units or buildings within the development, including the community use building and school, shall be installed in accordance with a scheme to be agreed in writing with the Local Planning Authority. The scheme shall demonstrate that the measures taken will ensure that noise, including vibration, is attenuated to such a degree that internal noise levels in residential properties meets the "good" standard for bedrooms and living accommodation as specified in British Standard 8233:1999 "Sound Insulation and Noise Reduction for Buildings – Code of Practice", or such standards revoking or re-enabling the specified British Standard. Any sound attenuation measures shall be provided in accordance with approved details prior to the plant or machinery first being brought into use and shall be retained thereafter in the approved form, unless the prior written agreement of the Local Planning Authority is obtained for any variation to the approved details.
5. The school, commercial/retail units and community use building shall not be brought into use until a scheme has been agreed in writing with the Local Planning Authority which specifies the provision to be taken to control noise arising from the service deliveries and the loading and unloading operations to the premises. The scheme shall specify both physical and management measures that may be incorporated. The scheme shall demonstrate that the measures incorporated will meet the requirements of the above condition in so far as the internal noise levels are concerned. All of the physical measures contained in the approved scheme shall be provided before the school, commercial/retail and community use buildings are first brought into use. All of the agreed management measures shall be introduced once the premises are brought into use. Thereafter all of the measures within the scheme shall be retained and continue to operate in their approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation.

6. Before the school, community use building or any commercial/retail units are first brought into use, provision shall be made both for the control of noise emanating from the buildings, including any additional air handling plant that may be provided, and for the control of any odours from any cooking processes, in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter all measures shall be retained in the approved form unless the prior written agreement of the Local Planning Authority is obtained for any variation to the approved details.

With regard to air quality, the Environmental Statement demonstrates that the Government's Air Quality Objectives will not be breached as a result of increased traffic levels. The air quality assessment shows that the development will generally improve the air quality in Haverhill by directing traffic away from the town centre. However, there will be an adverse effect, due to an increase in traffic levels, near the existing residential dwellings located adjacent to the Withersfield Road roundabout and along Haverhill Road and Ann Suckling Road, although the maximum predicted concentrations of the relevant pollutants at these locations are below the national Air Quality Objective values.

With regard to land contamination, based on the Phase 1 Geo-environmental Assessment by Bidwells, dated October 2009, this Service is satisfied that the document complies with PPS23 and agrees with the recommendations and conclusions.

Based on these recommendation and conclusions, the following condition should be attached to the permission, if granted:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 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 4 has been complied with in relation to that contamination.

### **1. Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## **2. 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.

## **3. 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 (referred to in PPS23 as a validation 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.

## **4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 3.

**Reason (common to all):** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

### **Observations on non planning issues:**

**Will any other comments be made by EH**

**NO**

**DATE:** 12<sup>th</sup> October 2010