
From: Environmental Health
Sent: 14 November 2024 16:09
To: Development Control
Cc: Christie Burns
Subject: PLANNING APP 4/24/371/0F1 - LAND TO REAR OF CHURCH ROAD / MAIN STREET, DISTINGTON

Change of use from a private field to a community garden – this will include refurbishment of hardstanding (former car park) and development of allotments and community garden including the siting of two storage containers

Thank you for the above planning consultation.

Environmental Health are supportive of this application though offer the following advice and comments.

The extreme north east corner of the site is marked on Council GIS mapping as being just within a 500 metres zone of influence from historical infilling of the former Barfs Quarry (limestone and lime kilns).

However, there is not likely to be major groundworks necessary with this development and so contaminated land procedures are not required, though it would be prudent to be aware of any visual or olfactory evidence of ground / groundwater contamination uncovered by any groundworks.

It is noted that there are several compost bays proposed near this area, and it would be advisable to lay concrete hard standing for these.

Concrete hard standing compost bays would also help avoid potential vermin activity, burrowing under the compost heaps.

There may also be limited quantities of made ground under and around the footprint of the former British Legion Club; the re-use or disposal of which should be considered according to its content.

Looking at the rest of the site, historical OS maps show past use as allotment gardens as far back as 1923 and continued through to at least the 1960s.

In this respect, the proposed use of the site appears to fit in well with that of its past.

Use as a community garden, with subsequent community food provision, may require the trust to register with the local authority as a food provider, via the Food Standards Agency web link indicated below.

The proposed use of part of the car park for mobile camper homes may also require specific planning consent.

'Pop-up' camping is allowed for up to 60 days per calendar year without planning approval or a camping site licence.

Providing camping for more than this period will require planning approval as such, and a site licence from the local authority unless the camping site is registered with an exempted organisation such as The Camping & Caravanning Club.

No details are provided as to whether electrical mains supply hook up connections would be available to camper van users, and thought should be given as to whether foul effluent waste deposit at the site would be available for campers.

In any case, a small mobile camper van site would require a fire risk assessment under provisions of the Regulatory Reform (Fire Safety) Order 2005. The fire risk assessment should consider fire separation distances between camper vans and the spread of fire from vegetation and trees close to the camping area.

As such, Environmental Health offer no objection to this development subject to the following suggested conditions and informative:

- Land affected by contamination – 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 and where remediation is necessary a remediation scheme must be prepared, which should be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

- Noise from Construction Works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring occupiers during the construction of the development.

- Advices:

- (i) Use as a mobile camper van site will require a fire risk assessment under the Regulatory Reform (Fire Safety) Order 2005. Suitable public liability insurance cover will also be required.
- (ii) The site is within the Distington Smoke Control Area, designated under the Clean Air Act 1956, and residents and businesses must not emit smoke from a chimney and buy or sell unauthorised fuel for use unless it is used in an exempt appliance approved by DEFRA, see <https://uk-air.defra.gov.uk/sca/>
- (iii) Use as a community garden, with food provided to the wider community on a regular and organised basis, is likely to require registration as a food business, see <https://www.food.gov.uk/safety-hygiene/providing-food-at-community-and-charity-events>

Regards

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