
From: Sarah Papaleo
Sent: 17 April 2024 15:46
To: Development Control
Subject: FW: PLANNING APP 4/24/2089/0F1 - LAND TO THE REAR OF WYNDHAM STREET, CLEATOR MOOR

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

Can I please have this on the website and MIS as a consultation response?

Please note that the advice in this email is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation which may be made to the Council or any formal decision by the Council.

Kind regards,

Sarah Papaleo MRTPI
Senior Planning Officer
Development Management
Cumberland Council
Tel:

From: Kevan Buck
Sent: Wednesday, April 17, 2024 3:45 PM
To: Sarah Papaleo
Subject: PLANNING APP 4/24/2089/0F1 - LAND TO THE REAR OF WYNDHAM STREET, CLEATOR MOOR

Community Activity Centre refurbishment and extension, and associated parking and landscaping

Further to the above planning application.

Environmental Health are supportive of this development though several matters of relevance are discussed further below.

Part of the site encompassed the former 19th century Aldby Quarry (limestone), which was later infilled with made materials, and this is the subject of the approved Phase II Ground Investigation Report.

Its findings include:

- That the site is within an elevated level Radon 1 km grid and so full Radon protection is required in to the build;
- Slightly increased levels of CO₂ and depleted O₂ levels were found during Ground Gas monitoring and, therefore, Ground Gas protection measures are required in the build (which may also provide full protection for Radon);
- An elevated PAH contamination 'hotspot' was identified that should either be covered or that further soil testing should be carried out to determine the extent of the hotspot and allow for the contaminated soil to be removed off site to landfill. There may also be the possibility of further contaminated hotspots being encountered during ground works.
- A small area of Japanese Knotweed was seen on the site, which needs to be eradicated.

The Noise Assessment establishes background noise levels for the area and, whilst not rating any proposed plant and equipment for the Community Activity Centre, lays the basis for a possible planning condition on noise levels from such equipment. Environmental Health do not expect that noise disturbance may be likely, however, though the noise condition below is suggested if required.

Standard construction working hours are requested to limit any disturbance during the construction phase.

It should be noted that the Ecological Survey and Assessment does not directly mention gulls on the site. Environmental Health have had past dealings regarding gull nuisance on this site and a recent site visit confirms that gulls are still present in limited numbers. Gull proofing to roofs and the buildings could be considered, as could litter / waste management measures to deter scavenging gulls.

The Light Assessment is approved and an optional condition on external lighting is suggested below.

The following planning conditions are therefore suggested:

- Land Affected by Contamination – Verification and Implementation of Approved Remediation Scheme

No development shall take place until all outstanding remediation measures laid out in the approved Phase II Ground Investigation Report are fully completed. Following completion of remediation measures, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing by the Local Planning Authority.

Such remediation measures shall be implemented as approved and should ensure that the land will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to use of the land after its remediation.

Reason: To ensure that risks from land contamination both during the construction phase and 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 off site receptors.

- 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 to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination both during the construction phase and 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 off site receptors.

- Land Affected by Japanese Knotweed

Prior to the commencement of development on site, a Management Plan for the control and management of the invasive species on the site must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved plan at all times thereafter.

Reasons: To protect the ecological interests evident on the site and in accordance with policies ENV3 and DM25 of the Copeland Local Plan.

- Restriction of noise from plant and equipment

The rating level of any noise generated by plant and equipment as part of the development shall not exceed the existing background noise level of 31 DB LA90 (07.00 – 23.00 hours daytime) and 23 DB LA90 (23.00 – 07.00 hours night time) at 1m from the façade of the nearest noise sensitive premises. Measurements and assessments shall be made in accordance with BS 4142:2014 and its subsequent amendments.

Reason: To safeguard the amenity of residents and the area generally.

- **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 surrounding occupiers during the construction of the development.

- **Artificial Lighting (External)**

Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E3 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021.

Reason: To safeguard the amenities of nearby residential occupiers.

Regards

Kevan Buck

Environmental Health Officer - Environmental Health
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