
From: Environmental Health
Sent: 25 April 2025 15:31
To: Development Control
Cc: Christopher Harrison
Subject: PLANNING APP 4/25/2110/0F1 - LAND OFF PARKSIDE ROAD, CLEATOR MOOR

Erection of 95 dwellings with associated infrastructure

Thank you for the above planning consultation.

From an Environmental Health perspective, there are no grounds for refusal of this development though the following comments should be noted.

The application is supported by a Phase 1 Desk Top Study Report (contaminated land) and Mining Risk Assessment.

These documents, and Council GIS mapping, shows that the site does not have a past industrial use and the site is therefore not considered to be potentially contaminated land with regards to Part 2A Environmental Protection Act 1990.

The Phase 1 Desk Top Study recommends further invasive ground testing to confirm the underlying ground conditions for dwellings foundations, highways and drainage testing and for groundwater, though at the discretion of the developer.

Environmental Health are aware of recent problems with elevated ground water levels and localised under-floor flooding to dwellings at Red Beck Park adjacent to the site.

It would therefore seem prudent for the developer to carry out further ground testing in these circumstances.

The presence of ground contaminants is unlikely given the site's history, so a condition for unexpected contamination is suggested as an alternative to a formal request for phase 2 testing.

It is noted that Natural England have requested that a Construction Environmental Management Plan is provided, and Environmental Health would support this request and further ask that measures for the control of noise, vibration and dust emission during site works are added to the CEMP.

As regards site drainage, Environmental Health note that it is proposed to discharge foul effluent off the site by means of a pumping station and rising foul main sewer. This infrastructure should be built to a standard that meets current Building Regulations and, ideally, be adoptable by United Utilities as part of the public sewer system.

It is further proposed to dispose of surface water from the site via a SUDS system and attenuation pond. Environmental Health would request that the attenuation pond is provided with closing valves that would contain an accidental release of contaminants into the surface water system. (Such an accidental contamination incident has recently occurred elsewhere in the district and may require the attenuation pond to be emptied by tanker).

If the development is approved, Environmental Health would request that construction working hours are limited, and that the site lighting scheme is appropriate to the setting, bordering the Lake District National Park.

The following conditions are therefore suggested:

- Site Specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration and dust during the construction phase.

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

- Drainage

Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- (a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a residents' management organisation; and
- (b) Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by limited life assets or any other arrangements to secure the operation of the drainage system throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, and there are funding and maintenance mechanisms for the lifetime of the development.

- 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 and be submitted and approved in writing by 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.

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 off site receptors.

- Artificial Lighting (external)

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E2 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light.

Reason: In order to safeguard the amenities of nearby residential occupiers.

- 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 Holiday.

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.

- Informative:

Radon Map UK shows the site to be within a 1 km grid square in which some parts are of elevated radon potential. The maximum radon potential is 10 – 30%. Full radon protection measures throughout the site is recommended.

Regards

Environmental Health

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