

From: Environmental Health
Sent: 22 January 2025 11:29
To: Development Control
Cc: Christopher Harrison
Subject: PLANNING APP 4/24/2430/001 - LAND ADJACENT TO HENSINGHAM HOUSE, EGREMONT ROAD, WHITEHAVEN

Outline application for residential development of 27 dwellings with details of new access from Egremont Road and all other matters reserved.

Thank you for the above planning consultation.

There are no objections from Environmental Health in principle to this development and, in so far as its remit is concerned, Environmental Health would offer the following comments.

The Phase 3 Desk Study on possible land contamination follows on from similar work carried out on the adjoining sister developments.

This site does not show any past direct industrial use though much of the site falls within a potential pollution impact zone from made ground infill on land associated with construction of the re-routed A595 trunk road west of Hensingham in the early 1990s.

The likelihood of contamination from this source is considered low risk however and therefore a condition for unexpected contamination would be sufficient to cover this possibility.

The Preliminary Ecological Appraisal (2022) has revealed some limited growth of a Non-Native Invasive Plant Species (Japanese Rose) present on the site, and outlined proposed eradication and mitigation measures to deal with this. These are acceptable to Environmental Health and this document may either be conditioned as such, or a more detailed management plan requested if it is felt appropriate to do so.

The Proposed Drainage Layout document shows plans that incorporate two separate pumping stations for the separate discharge of surface water and foul effluent from the development. It should be noted that the surface water system is proposed to be pumped and discharged to the un-named stream north of the site. This stream is designated as a 'main river' by the Environment Agency and would therefore require their consent to discharge.

The ideal would be that both respective surface water and foul effluent systems are built to an approved standard and adopted by United Utilities. This would ensure statutory protection for the entire development if sewer blockages or faults were to occur in the future.

Otherwise the development drainage layout would remain private (at least to the point of connection with the foul public sewer) and be the responsibility of the residents / developer to maintain.

In such a case, Environmental Health would wish that both on-site private surface water and foul effluent drainage systems are built to a minimum standard of current Building Regulations, including the pumping stations, and their respective designs should be conditioned as such in any planning approval. A suitable arrangement for both system's future maintenance would also be required.

Noise and disturbance from any construction works may be mitigated with the imposition of standard construction working hours.

As such, the following conditions are therefore suggested:

- 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.

- Non-native Invasive Plant Species – Japanese Rose

As Japanese Rose is present on the site, reference should be made to the Preliminary Ecological Appraisal (2022) for its eradication and management of any associated waste material and soil. It is an offence to allow Japanese Rose to spread in the wild under the Wildlife and Countryside Act 1981 and all waste containing Japanese Rose should be disposed of by a licenced waste carrier to a properly licensed waste disposal facility.

Reason: To avoid the risk of spread during construction works of an invasive and prohibited plant species in the interests of avoiding harm to the environment.

- Drainage

Prior to the commencement of works details for the separate foul and surface water drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of any dwelling houses hereby approved.

Reason: To ensure a satisfactory standard of surface water and foul 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.

- 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.

Regards

Environmental Health

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