

I N T E R	MEMO	North Lincolnshire Council www.northlincs.gov.uk
O F F I C E		

To: Tanya Coggon, Development Management

From: Matthew Rogerson, Environmental Protection Team

Your Ref: PA/2023/1034

Our Ref: PLU 007890

Subject: Outline planning permission for a change of use of existing vacant brownfield commercial land to residential housing land and erect up to 34 dwellings and associated roads, driveways, gardens, landscaping and boundary treatments with all matters reserved for subsequent consideration - AMENDED DOCUMENTS - Submission of a Noise Assessment, Updated Viability Assessment, new indicative layout, indicative floor plans, indicative elevations, indicative street scenes and amended description of the development

Location: 51-55 Waterside Road (Former Osgerby Haulage and Warehousing) Waterside Road, Barton Upon Humber, DN18 5BH

Date: 30 July 2024

Further to our previous memo dated 03 June 2024, additional information has been received.

Noise

I can confirm this department has received and reviewed the following report:

- E2 Consultants Limited, Noise Impact Assessment of 51 – 55 Waterside Road, Barton upon Humber, DN18 5BG, Dated: June 3, 2024.

The report has been updated and addresses the comments made by this department.

Section 3.1.4 confirms that a total of 5hrs 52mins was removed from the data due to poor weather conditions and not the two days as suggested within the previous version of the report. Additionally further clarification on the source of the noise noted during the monitoring undertaken on 12 March 2024 has been provided, this includes photographs of the source of the noise.

The report confirms that noise mitigation will be required, this includes, a range of double-glazing configurations, a 2.1m acoustic fence between the industrial estate and plots 15 to 23 and switching the parking and garden areas to the western properties.

Given the above information this department would recommend the inclusion of the following conditions:

- 1. Prior to the occupation of the development, the scheme of mitigation measures as detailed in technical document 'E2 Consultants Limited, Noise Impact Assessment of 51 – 55 Waterside Road, Barton Upon Humber, DN18 5BG, Dated June 3, 2024' or equivalent as agreed by the Local Planning Authority, shall be installed in full and maintained thereafter.**
- 2. Following installation of the mitigation measures detailed within condition X, a verification report that demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: For the protection of residential amenity

In addition the above, further conditions recommended from this departments previous memo dated 12 February 2024 still stand and are copied below for ease.

Contaminated Land

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 parts 1 to 4 below 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 part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the Local Planning Authority for approval prior to proceeding to further site investigation.

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, archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance July 2023.

Part 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.

Part 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.

Part 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 Part 1, and where remediation is necessary a remediation scheme must be prepared

in accordance with the requirements of Part 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 Part 3.

Reason for pre-commencement condition: To ensure the site is safe for future users and construction workers.

Construction

1. Construction, demolition and site clearance operations shall be limited to the following days and hours:
 - 08:00 to 18:00hrs Monday to Friday.
 - 08:00 to 13:00hrs Saturday.
 - No construction, demolition or site clearance operations on Sundays or public holidays.
 - HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the Local Planning Authority.
 - Installation of equipment on site shall not be permitted outside these hours without prior written approval from the Local Planning Authority.

Reason: To protect residential amenity

2. No stage of the development hereby permitted shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

Noise and vibration: The CEMP shall set out the particulars of –

- a) the works, and the method by which they are to be carried out;
- b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures

Light: The CEMP shall set out the particulars of –

- a) Specified locations for contractors' compounds and materials storage areas,
- b) Areas where lighting will be required for health and safety purposes,
- c) Location of potential temporary floodlights,
- d) Identification of sensitive receptors likely to be impacted upon by light nuisance,
- e) Proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of –

- a) Site dust monitoring, recording and complaint investigation procedures

- b) Identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied
- c) Provision of water to the site
- d) Dust mitigation techniques at all stages of development
- e) Prevention of dust trackout
- f) Communication with residents and other receptors
- g) A commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority
- h) A no burning of waste policy