

MEMORANDUM



From: Toni Slater Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2016/0352

Date: 04-05-2016

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2016/0352, DEMOLITION OF EXISTING BUILDING ATTACHED TO NO 20 MARKET STREET AND CONSTRUCTION OF NEW BUILDING FOR GENERAL STORAGE PURPOSES

Environmental Protection

ZP04 - AIR HANDLING / EXTRACTION PLANT BS4142 ASSESSMENT

The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

ZP06 - PROTECTION OF AMENITY FROM NUISANCE

All works in relation to the implementation of this permission, including deliveries to and/or leaving the site, shall be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.

A21N - EPA 1990 NOISE NUISANCE ADVICE

The applicant is advised that compliance with condition no. @@ does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

A23N - BURNING OF WASTE ADVICE

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a

nuisance to neighbouring properties. Failure to comply with the requirements of such a notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing, Public Protection and Environment Department on 01978 298989 for further advice and information.

A25N - DUST MANAGEMENT ADVICE (SCHEME NOT REQUIRED BY CONDITION)

TheApplicant is advised that under the EnvironmentalProtection Act 1990, dust from construction and/or demolition activitiescan be judged to be causing a statutory nuisance to neighbouringproperties. A legal notice can be servedrequiring that any dust nuisance is abated and failure to comply with therequirements of the notice can result in prosecution. The applicant should contact the Council'sHousing, Public Protection and Environment Department on 01978 298989 forfurther advice and information.

A22N - Construction Noise

The applicant is advised that the Council has the option to control construction noise byserving a **Control of Pollution Act 1974**,Section 60, Notice where deemed necessary. Failure to comply with such a Noticecan result in prosecution. For furtherinformation and advice regarding construction noise please contact theCouncil's Housing, Public Protection and Environment Department on 01978 298989.

Contaminated Land

No Comments

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Head of Planning and Environment