

Formal response of:	Environmental Health
Our ref. 59998	
Application ref. DMPA/2021/1378	
Application Details Erection of food store (Use Class E), with car parking, landscaping, and associated works at Site Location Land north of Drift Road, Castle Gresley, Swadlincote, DE11 9FW	
Recommendation: ☐ No objection ☒ No objection subject to conditions ☐ No objection subject to conditions and/or a planning obligation ☐ Objection	
Reasons for recommendation: Thank you for the recent consultation on this planning application. I have considered this application in relation to the potential air quality, noise, odour, land contamination, environmental lighting and waste water disposal impact. I have also read the relevant technical reports submitted in support of the application. In my opinion, the key potential environmental impacts of the development are; 1. The potential exposure of existing sensitive receptors to new sources of noise / air quality / odour / light associated with the development; 2. The potential exposure of existing receptors associated with the development to existing sources of land contamination; 3. The impact of the proposed development on local air quality: I am satisfied that the impacts of the proposed development will be acceptable in planning policy terms provided that the following conditions be attached;	
Recommendations <u>Noise</u> Fixed External Plant Noise Specification The rating level of sound emitted from any fixed external plant associated with the development shall not exceed 35dBA when measured at the façade of any of the surrounding noise sensitive properties between the hours of 0700-2300 (taken as a 15 minute LAeq) and shall not exceed 25dBA when measured at the façade of any of the surrounding noise sensitive properties between the hours of 23:00 – 07:00. All measurements shall be made in accordance with the methodology of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible or it is impractical to get an accurate measurement at the nearest sound sensitive property, measurements shall be undertaken	

at an appropriate location and corrected or calculated to establish the noise exposure levels at the nearest sound sensitive property.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy SD1.

Delivery Noise

I have no significant concerns about the impact of delivery noise generated from the delivery bay given the inherent noise barrier protection provided by the fabric of the store.

I do however have significant concerns about the proposed delivery times of 06:00 to 23:00 Monday to Saturday and 08:00 to 20:00 on Sundays.

I appreciate the need of the business to remain as flexible as possible, however these delivery hours extend well into what are generally accepted as highly noise sensitive night-time and resting hours.

The very movement of HGV along Drift Road and therefore close to the frontage of noise sensitive residential properties is likely to result in peak noise exposure from sources such as air brakes, body slam and engine noise within these properties which could cause sleep disturbance and other significant observed adverse effects.

I would recommend that the delivery hours of the development be reduced to show more empathy with the surrounding land use and agreed by way of condition.

Air Quality

Recharge points for electric vehicles shall be provided within the development to comply with the following criteria:

Residential	Commercial / Retail	Industrial
1 charging point shall be provided per unit (house with dedicated parking)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)	1 charging point for every 10 parking spaces (this may be phased with 5% provision initially and a further 5% trigger)
1 charging point per 10 spaces where the individual units have no allocated parking		
To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the local authority.		

Residential charging points shall be provided with an IP65 rated domestic socket 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. This socket should be located where it can later be changed to a 32amp EVCP. Non-residential charging points shall be supplied by an independent 32 amp radial circuit and equipped with a type 2, mode 3, 7-pin socket conforming to IEC62196-2. Alternative provision to this specification must be approved in writing, by the local planning authority

The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

Reason: In order to safeguard the amenities of the occupiers of the proposed development in respect of atmospheric pollution in compliance with the South Derbyshire Design SPD & policy BNE1.

Land Quality

If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with local planning policy SD4.

External Lighting

The lighting scheme for the new development shall be designed and operated to ensure that light intrusion into neighbouring residential windows shall not exceed 5 Ev (lux) measured as vertical luminance.

The lighting scheme floodlighting shall be designed and operated to have full horizontal cut-off such that the Upward Waste Light Ratio does not exceed 2.5%.

Reason: To safeguard the amenities of neighbouring dwellings. To comply with the provisions of local planning policy BNE1.

Construction Phase

None

Reason(s) for any requested conditions being pre-commencement conditions:

Recommended advisories (if relevant, including how to overcome any objection):

Date of response:	19 November 2021
Contact name/details:	Matthew Holford, Head of Environmental Services