



Uttesford District Council Environmental code of Development Practice

Issued by the Planning and Building Control Division
and the Environmental Protection Team
Uttesford District Council



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1.0 Introduction

- 1.1 This code is intended to give guidance to contractors on the measures that Uttlesford District Council expects them to take to minimise the environmental impacts of their work on the local community. The term “contractor” applies to all contractors and sub contractors.
- 1.2 The council has specific powers under the Control of Pollution Act 1974 and the Environmental Protection Act 1990 to deal with noise and environmental nuisance. The expectation under the legislation is that “best practicable means” (BPM) will be used to prevent nuisance occurring.
- 1.3 The council requires all contractors to apply BPM to their work programme and techniques, irrespective of the size of the demolition/construction work being undertaken.
- 1.4 Adherence to this code will demonstrate a commitment to BPM and will subsequently minimise the environmental disturbance to local residents, reducing the need for enforcement action.
- 1.5 The contractor is encouraged, in showing his commitment to BPM, to complete and return the form found in Appendix 1. This is of particular importance for large-scale developments.

2.0 General Principles

2.1 Hours of work

- 2.1.1 Where residential occupiers are likely to be affected by noise, the hours of work will normally be restricted to the following:

Monday - Friday	7.30am - 6pm
Saturday	7.30am - 1pm
Sunday and Bank Holidays	No work where noise is audible at the site boundary

- 2.1.2 All vehicles and plant arriving at and leaving the site shall comply with the same restrictions on hours. The main contractor shall be held responsible for ensuring these instructions are given to all drivers, including those delivering all site materials.
- 2.1.3 These times may be varied according to local circumstances. Any works outside of these hours will require prior approval from the council’s Environmental Health department. It should be noted that approval will only be granted under exceptional circumstances and will always be conditional on the contractor informing local residents in advance of the proposed activity.

2.2 Publicity

- 2.2.1 The council considers that liaison with local residents who may be affected by construction works is essential. The local residents should be informed of the nature of the works, proposed hours of work and their expected duration.
- 2.2.2 Communication to local residents should include publicity, including the name and telephone number of a main contact. This contact person should be able to give further information to the caller and deal with any complaints or emergencies that may arise at any time. A copy of the letter sent to the residents should be forwarded as soon as possible to the council's Environmental Protection Team.

2.3 Operation

- 2.3.1 Where noise, dust and air pollution are likely to affect local residents the contractor shall be held responsible for ensuring that before works commence the site workforce, including sub contractors, are fully briefed on the need to comply with this code.

2.4 Monitoring

- 2.4.1 Where local residents are likely to be affected all working methods that minimise noise, dust and air pollution impacts are to be used at all times. Measures included in this code are not exhaustive and additional measures can be used which will reduce environmental impacts further.
- 2.4.2 The effectiveness of all measures shall be monitored frequently by the main contractor, reviewed at least weekly and may be subject to inspection by Uttlesford District Council officers.

3.0 Noise and Vibration

3.1 Plant and Equipment

All activity should comply with BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites.

- 3.1.1 Noisy plant or equipment shall be sited as far away as is practicable from sensitive buildings. The use of barriers, such as soil mounds, site huts, acoustic sheds or partitions to deflect noise away from noise sensitive areas, is to be employed wherever practicable.
- 3.1.2 Wherever practicable all plant and equipment shall be powered by mains electricity in preference to locally powered sources such as diesel generators. Hand tools should also be electrically powered rather than petrol or diesel driven.
- 3.1.3 Vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated to minimise noise emissions. The contractor shall ensure that all plant complies with the relevant statutory and manufacturers' requirements.

- 3.1.4 Machines in intermittent use should be shut down in the intervening periods between work or throttled down to a minimum. Noise emitting equipment that is required to run continuously may have to be housed in suitable enclosures.
- 3.1.5 Compressors must be "sound reduced" models fitted with properly lined and sealed acoustic covers that must be kept closed whenever the machines are in use.
- 3.1.6 Equipment which breaks concrete, brickwork or masonry by bending or by bursting shall be used in preference to percussive tools as far as practicable.
- 3.1.7 Pneumatic percussive tools must be fitted with mufflers or silencers of the type recommended by the manufacturers.
- 3.1.8 Where practicable rotary drills and bursters actuated by hydraulic, chemical or electrical power shall be used for excavating hard or extrusive material.
- 3.1.9 Plant shall be maintained in good workmanlike condition so that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- 3.1.10 Care shall be taken when loading or unloading vehicles, dismantling scaffolding or moving materials etc to reduce impact noise.

3.2 Piling

- 3.2.1 In assessing the impact of any piling operations, the contractor will comply with the recommendations set out in the relevant current British Standard BS5228 Part 4 "Code of practice for noise and vibration control applicable to piling operations".
- 3.2.2 Where practicable pile driving shall be by jacking. The use of conventional impact hammers should, wherever possible, be avoided. Any pile driving is to be carried out by plant equipped with a recognised noise reducing system.
- 3.2.3 In some circumstances the Environmental Protection Team may limit the hours of piling further than those quoted in 2.1.1.

3.3 Demolition

- 3.3.1 Prior to any demolition notice to the Council of intended demolition under Section 80 of the Building Act 1984. Building Control will need to consider this submission and are responsible for monitoring and specifying any special conditions which will need to be complied with as part of the demolition process.
- 3.3.2 The transportation and loading of demolition waste into skips and vehicles shall be carried out to minimise the impact noise.

4.0 Dust and Air Pollution

4.1 Dust

- 4.1.1 Watering down of the area, including haulage roads, should be carried out where necessary to prevent the dust transfer into neighbouring premises. Where site conditions make this impractical temporary roadways shall be constructed of hardcore or similar.
- 4.1.2 Stockpiles of material shall be damped down or otherwise suitably treated to prevent the emission of dust from the site. Stockpiles should be planned and sited to minimise the potential for dust generation. The handling of material should be kept to a minimum and when deposited onto a stockpile it should be from the minimum possible height.
- 4.1.3 Dust pollution shall be minimised during demolition by:
- The complete screening, if practicable, of the building or structure to be demolished with debris screens or sheets.
 - Control of cutting or grinding of materials on the site.
 - Mixing of large quantities of concrete or bentonite slurries in enclosed/shielded areas.
- 4.1.4 Skips and removal vehicles shall be properly covered when leaving the site. Materials should be handled in such a way so that it does not give rise to excessive dust. Watering of rubble chutes shall be undertaken where necessary to prevent dust emission.
- 4.1.5 The contractor shall ensure that the area around the site, including the public highway, is regularly and adequately swept to prevent any accumulation of dust and dirt. The use of wheel cleaning facilities and road sweeping equipment may be required.
- 4.1.6 Any plant used for the crushing of materials must be permitted by a local authority under the Environmental Permitting (England and Wales) Regulations 2010. All works shall be carried out in accordance with the conditions of such a permit. The process operator should notify the local authority prior to the movement of the plant on to the site.

4.1.7 Sandblasting

- The work area shall be close-sheeted to reduce dust nuisance from grit. Routine checking is required to ensure that the sheeting remains sound or sealed during the operation. Particular attention shall also be given to the working platform to ensure that it is properly sheeted or sealed to contain dust.
- Non-siliceous grit shall be used to avoid long term irreversible lung damage from silica dust.
- Proper protection shall be provided for any structure painted with lead based paint.
- In cases where water is used for large scale cleaning and blasting, the requirements of the Environment Agency should be followed.
- All grit must be prevented from falling into water courses.

4.2 Air Pollution

- 4.2.1 Burning of materials on the site will **NOT** be permitted.
- 4.2.2 The contractor shall take all necessary precautions to prevent the occurrence of smoke emissions or fumes from the site plant or stored fuel oils for safety reasons and to prevent such emissions or fumes drifting into residential areas. In particular, plant should be well maintained and measures taken to ensure that it is shut down in the intervening periods between work or throttled down to a minimum.
- 4.2.3 Emphasis should be placed on the following to minimise the risk of air pollution:
- Use processes that do not generate hazardous fumes and/or hazardous dust.
 - Ensuring that airborne hazards do not escape from the site to affect members of the public and surrounding environment.

5.0 Asbestos

- 5.1 Special precautions shall be taken if materials containing asbestos are encountered. The contractor shall comply with the Control of Asbestos at Work Regulations. The contractor shall observe the exposure limits and measurement methods for asbestos that are set out in the relevant and current Health and Safety Executive Guidance Notes. The contractor shall consult with the Health and Safety Executive concerning precautions required when removing asbestos material.
- 5.2 Please note that all asbestos removal **MUST** be carried out by a Licensed Contractor.

6.0 Contaminated Land

- 6.1 Attention is drawn to the Essex Contaminated Land Consortium's Technical Guidance for Applicants and Developers, Second Edition.

This is available on the council's website – go to www.uttlesford.gov.uk/environment and click on Contaminated Land.

- 6.2 If during site works contamination is encountered on site, which has not previously been identified, no further development shall take place until a site investigation has been carried out. The investigation will survey and assess the extent of contamination and the risk to land and controlled water. Recommendations for remediation shall be submitted to and approved in writing by the council's Environmental Protection Team or Environment Agency as appropriate before further works can proceed.
- 6.3 The contractor shall consult with the Health and Safety Executive when working on land which is contaminated to ensure the protection of those working on the site.

7.0 Urban Ecology

7.1 Wildlife and Countryside Act

- 7.1.1 The contractor shall comply with the provisions of the current Wildlife and Countryside Act, with the requirements of the Local Plan and any conditions attached to planning permissions. The first priority is to maintain habitats intact and undisturbed and, if possible, to make improvements to enhance natural habitats.

7.2 Trees

- 7.2.1 Where there are trees on the site, the contractor shall satisfy themselves that they are complying with any legislative protection or planning conditions that may relate to them.
- 7.2.2 Where there is no statutory tree protection the contractor shall not fell, prune or remove them or work within the crown spreads without written consent and prior consultation with the council's Planning department.

7.3 Problem Plants

- 7.3.1 A number of plants, commonly found on development sites, are the cause of environmental problems and some pose a risk to people and or livestock and are collectively known as invasive or injurious weeds. Some are covered by legislation¹ that prohibits the planting or "cause to grow in the wild" of the plants placing a responsibility on developers to control and dispose of them safely in accordance with waste regulations.
- 7.3.2 Developers should be aware of their responsibilities and follow Environment Agency current code of practice for the management, destruction and disposal of all such nuisance weeds the most common of which are listed below.
- 7.3.3 *Japanese Knotweed* - A large vigorous weed that can grow in most habitats and is regarded as troublesome because of its ability to colonise rapidly and dominate habitats to the exclusion of other plants. It can regenerate from just 0.8 grams of root and causes damage to paths, roads, buildings and riverbanks. Effective control takes time and specialist knowledge. Consequently Japanese Knotweed is regarded as controlled waste and has to be disposed of at a licensed site or by burning on site.
- 7.3.4 *Giant Hogweed* - Similar in appearance to Cow Parsley and Hogweed, Giant Hogweed is distinguished by its mature size of 3m to 5m. In addition to its ability to destroy native habitat through its exceptional vigour its sap contains a substance that makes skin sensitive to ultra violet light which can result in severe burns, swelling and painful blistering. The Giant Hogweed produces approx 1500 seed per flower head and these seeds can remain inactive in the soil for several years germinating when the soil is disturbed. Consequently any Giant Hogweed polluted soil or plant material is regarded as controlled waste and has to be disposed of at a licensed site or by burning on site.
- 7.3.5 *Himalayan Balsam* - An innocuous looking but pretty garden escape that rapidly colonises riverbanks and damp areas suppressing native flora and causing problems of erosion. Can be controlled by mechanical or chemical means or in some locations by grazing.

¹Wildlife and Countryside Act 1981

7.3.6 *Common Ragwort* - Common Ragwort is one of five Injurious Weeds specified in the Weeds Act 1959: Spear thistle (*Cirsium vulgare*); Creeping or field thistle (*Cirsium arvense*); Curled dock (*Rumex crispus*); Broad-leaved dock (*Rumex obtusifolius*); Common ragwort (*Senecio jacobaea*). This Act empowers the respective Agricultural Ministers (in Scotland, the Secretary of State) to serve notice requiring an occupier of land on which ragwort is growing to take action to prevent the weed from spreading. Ragwort is singled out as it contains toxins which when digested by livestock can result in illness or possibly even death. The Ragwort Control Act 2003 (an amendment the Weeds Act 1959) allowed for the production of a Code of Practice (CoP) on how to prevent the spread of Common Ragwort to land used for horses, livestock and feed and forage production. The CoP can be obtained free of charge from Defra Publications by phoning them on 08459 556000 or downloading the CoP from the Defra website.

7.4 Statutory protection of plants and animals

- 7.4.1 Many species of animals and plants and their habitat are afforded special protection in law, contravention of which may result in fines or imprisonment. The level of protection varies according to legislation covering a particular species but in all cases the presence of a protected species is a material consideration in determining planning applications. There is also a statutory duty on the council to have regard to the preservation and enhancement of biodiversity in all its actions including planning decisions.
- 7.4.2 Consideration of protected species and biodiversity commonly results in detailed ecological surveys, mitigation measures and in the imposition of conditions on new developments to ensure species and habitats are protected during development and enhancement measures secured.
- 7.4.3 However, the presence of protected species or habitat may not become apparent until some time during the development in which case the developer will need to have regard to relevant wildlife legislation and current good practice.
- 7.4.4 Developers will be expected to comply with any conditions imposed, comply with current wildlife legislation, report the presence of any protected species to Natural England and seek advice and to take the following measures to minimize impact on wildlife:
- Cutting and removing of vegetation should be between September and February to avoid disturbing nesting birds.
 - All trees to be felled or buildings to be demolished should be assessed for potential as bat roosts by a licensed bat worker and surveyed in detail where appropriate.
 - If bats are found during construction, even when a survey has been carried out, works should stop immediately and Natural England contacted for further advice.
 - Natural habitats (eg woodland, streams and ponds) should be protected from disturbance and damage during construction using robust fencing (eg BS5837 2005 figure 2) and where necessary hoarding to prevent accidental harm, unnecessary incursions, dust and noise.

- Open excavations shall be maintained with boards that provide for mammals to escape in the event of accidentally becoming trapped.

The council wants to see all new development making a positive contribution to biodiversity and encourages developers to:

- Incorporate measures for birds and bats in new buildings in the form of detailed design and external bird and bat boxes.
- Plant native plants where possible.
- Create areas on site for wildlife.
- Adopt sensitive management regimes to encourage wildlife.

8.0 Ancillary Site Activities

- 8.1** Access to the site shall be located to ensure the minimum of disturbance from vehicles entering or leaving the site to persons in nearby noise sensitive buildings.
- 8.2** Lorries shall enter and exit the site in a forward direction except where space restrictions do not allow this. These conditions will be subject to prior discussions with the Highway Authority and the Police before implementation.
- 8.3** Wherever practicable all loading and unloading of vehicles will take place on site.
- 8.4** Lorries that cannot immediately enter or leave the site must switch off their engines.
- 8.5** The contractor will be responsible for all lorries delivering to or exiting from the work site and shall comply with the time restrictions in 2.1.1.
- 8.6** Mud on roads is regarded as one of the main environmental nuisance problems arising from construction sites. Uttlesford District Council will expect the contractor to take strict measures to minimise the problem.
- 8.7** Any run-off of surface water from the site onto neighbouring property should not be allowed. Flows in any watercourses, culverts and drains across the site should be maintained at all times.
- 8.8** Site run-off and vehicle washings should not be allowed to enter the drainage network or road gullies without passing through a regularly emptied silt trap.
- 8.9** Rubbish shall be removed at frequent intervals and the site kept clean and tidy.
- 8.10** Fly-tipping will not be permitted. Loads must only be deposited at authorised tips or into designated barges. Deposition shall be in accordance with the requirements of the Environment Agency, the current Environmental Legislation and Special Waste Regulations.
- 8.11** Hoardings shall be frequently inspected, repaired and repainted as necessary.

- 8.12** Site lighting shall be positioned and directed so as not to intrude unnecessarily on adjacent buildings and land uses. It must not cause distraction or confusion to passing drivers on adjoining public highways.
- 8.13** Toilet and washing facilities will be provided, be kept clean and properly maintained.
- 8.14** All waste materials shall be managed of in accordance with a waste disposal plan.
- 8.15** The use of radios on site is a common source of complaint and while we have no desire to prohibit their use we would ask that care be taken to limit volume to a level where it does not cause disturbance to any residents nearby.
- 8.16** The escape of litter either directly from the site or from skips which are not adequately secured can be a source of complaint. Any site litter should be stored securely and regular litter picks undertaken to ensure that litter does not cause a nuisance to neighbouring properties or to highway land.
- 8.17** All materials, particularly those likely to cause injury to people or the environment, should be stored in safe and secure locations. All relevant guidance, such as that on the Environment Agency website, should be observed and any spillages reported.
- 8.18** A pest control prevention programme shall be implemented to minimise the impact of rodents and other pests on the site and to protect adjoining premises and land.

Appendix 1

Best Practicable Means - A statement of intent

When completed please send and/or fax to Uttlesford District Council, Environmental Protection Team. Tel: 01799 510510 Fax: 01799 510567, together with any supporting documents. Use separate sheets if required.

Company Name:.....

Registered Office:

Telephone: Fax:

Address for Correspondence:

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Email:

On Site Contact

Name: Tel:

Location and Outlined description of works:

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Proposed start date

Estimated duration of works

Programme of works, giving details of method of demolition and construction, plant and equipment:

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Detail measures being used to demonstrate the use of Best Practicable Means when choosing machinery and methods of demolition and construction:

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Detail of publicity proposed and procedure for dealing with complaints:

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Appendix 2

List of Contacts

Uttlesford District Council

Environmental Protection

Tel: 01799 510510

Fax: 01799 510550

Email: [environmentalhealth@uttles-](mailto:environmentalhealth@uttlesford.gov.uk)

ford.gov.uk

Building Control

Tel: 01799 510541

Fax: 01799 510550

Email: building@uttlesford.gov.uk

Planning

Tel: 01799 510657

Fax: 01799 510550

Email: planning@uttlesford.gov.uk

Out of hours emergency

Tel: 01233 849755

Essex County Council

Traffic and Transport

Tel: 0845 603 7631

Email: contact@essex.gov.uk

Health and Safety Executive

Tel: 0845 345 0055

Environment Agency

Tel: 0800 807060 (Emergency)

Tel: 08708 506506

Email: [enquiries@environment-](mailto:enquiries@environment-agency.gov.uk)

agency.gov.uk

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alternative format and/or language please
contact us on 01799 510510.**

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