Dealt with by: Mr D. Colgan		**Our Ref:**	FLEX/2016/0001
Direct Dial:	(01538) 395400	**Your Ref*:***	FLEX/2016/0001
Email:		**Date:**	22nd November 2016

MEMORANDUM: PLANNING CONSULTATION

PROPOSED DEVELOPMENT:	Change of use of agricultural building into a B1 light industrial use.
LOCATION:	Megcroft Farm, Onecote Lane, Ipstones, Staffordshire

Potential Areas Of Environmental Concern.

1. Noise (demolition/Construction)
2. Contamination Unexpected Contamination
3. Operational Woodwork Noise (sawing, planing etc)
4. Plant and Machinery (Sawdust Extraction)
5. Dust
6. Site Waste

Noise: The machinery involved in this type of operation can generate significant noise so it would be important that all reasonable noise reduction measures are used in the construction and operation of the premises. There are conditions requiring noise control measures to be used in the operation of the permission.

Nuisance: The proposed development is close to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties.

Recommendation – The Environmental Health Department have no objection subject to the following conditions being applied to any permission being granted.

1. Time of building/renovation operations (Noise)

Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy

construction and demolition activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: *To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.*

2. Plant and Machinery Noise

The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission should be submitted to and approved of in writing by the Local Planning Authority.

Reason:- *To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.*

3. Sound Insulation (commercial and industrial units)

The design and construction criteria for development of the relevant buildings/premises shall have regard BS 8233:2014 (British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings). The design criteria shall achieve sufficient noise reduction to ensure that the noise from the activities generated inside the fabric of the relevant buildings/premises shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.

Reason: *To protect the local amenities from noise.*

4. Reversing Bleepers

No mobile plant vehicles shall be operated on the site other than those with a ‘white noise' type of reversing warning alarm system, or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall not apply to vehicles delivering waste to the site.

Reason: *To protect the local amenities from noise.*

5. Timings and Use – Provisional tba

The premises shall only be used for the permitted purpose between 08:00 hours and 18:00 hours Mondays to Fridays, 08:00 and 13:00 Saturdays and at no time on Sundays and Bank Holidays.

Reason: *To protect the local amenities from noise.*

Advisory Note/ Informative:

Please be aware that the responsibility for safe development and secure occupancy of the site rests with the developer.

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: http://www.hse.gov.uk/

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice) and the Building Regulations 2010 Document E or other appropriate guidance.

- During any demolition and construction activities (including landscaping) the contractor should take all reasonable steps to prevent dust formation and prevent any dust formed from leaving the site boundary.

    - The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils http://www.london.gov.uk/sites/default/files/BPGcontrolofdustandemissions.pdf

    - Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
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- If required, contamination risk assessments shall be carried out in accordance with UK policy and with the procedural guidance relating to the contaminated land regime, and should be in accordance with Planning Policy Statement 23 and the CLR Report Series 1-12.

    - Submission of reports should also be made to the Environment Agency for comment with regard to their remit to protect ground and surface waters from pollution and their obligations relating to contaminated land.

    - The Local Planning Authority will determine the acceptability of reports on the basis of the information made available to it. Please be aware that should a risk of harm from contamination remain post development, where the applicant had prior knowledge of the contamination, the applicant is likely to be liable under Part II (a) of the Environmental Protection Act 1990 and as such become and "appropriate person". In this event the applicant will be lawfully responsible to remove the risk posed by the contamination.

    - Equally if during any site works a pathway for any contaminant on site is created and humans, waters, property or ecological systems are exposed to this, the applicant or those acting on behalf of the applicant will be liable under part II (a) of the Environmental Protection Act 1990 if the risks are not adequately addressed during the site redevelopment.

    - During investigation and remediation works the applicant and those acting on behalf of the applicant must ensure that site workers, public property and the environment are protected against noise, dust, odour and fumes

- The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site, the Environment Agency must be consulted, as these activities may need to be licensed or permitted. Contaminated materials identified for removal off site must be disposed of in an appropriately licensed landfill site.

- Staffordshire Moorlands District Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded to the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. The Environmental Protection Department is also prepared to review draft copies of reports prior to final submission to the Planning Department in order to ensure that works undertaken are sufficient to discharge the contaminated land conditions.

Regards,
D. Colgan BA (Hons), MSc, AMIOA