Dealt with by: Dr. D. McCrory / D. Colgan **Our Ref:** PC_2017_145

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MEMORANDUM: PLANNING CONSULTATION

PROPOSED DEVELOPMENT: Retention of biomass building

LOCATION: Land South East Of Lodge Farmhouse BASFORD
HALL ROAD
BASFORD
LEEK

Potential Areas Of Environmental Concern.

1. Noise (demolition/Construction)
2. Biomass Boiler
3. Unexpected Contamination
4. Dust (Advisory)

General Comments.

Contamination: no issues.

Biomass Boiler: Air Quality

In common with other types of combustion appliances, biomass boilers and other biomass plant are known sources of air pollution. Pollutants associated with biomass combustion include particulate matter (PM_{10}/$PM_{2.5}$) and nitrogen oxides (NO_x) emissions, though dependant on the nature of biomass feedstock, there is also potential for various hydrocarbon species some of which can be associated with malodours. These pollution emissions can have an impact on local air quality and affect human health and as a consequence it is essential that any new biomass installation meets certain emission control requirements in order to safeguard local air quality.

The above noted, is unlikely that in this instance the operation of a biomass boiler would cause any associated issues with local Air quality issues, providing that it is an appropriate unit, sited in the correct location and operated in accordance with manufactures instructions. Therefore, the applicant should supply details of the biomass boiler, including proposed location and operation, as outlined in the biomass information request sheet prior to installation and operation. An appropriate condition is therefore recommended.

Biomass Boiler Noise: It is advised that a standard plant and machinery condition is applied to any permission which maybe granted. This is to ensure that operation of the plant does not cause adverse impacts to the amenity of the nearest noise sensitive properties.

Nuisance: The proposed development is near 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 objections to the proposed development subject to the following conditions. If consent is granted the following conditions are recommended:

Noise

1. Construction & Demolition works: Time of operations

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

Unless prior permission has been obtained in writing from the Local Planning Authority, the biomass boiler shall not be installed and operated until details full details of the proposed boiler, as required by the Staffordshire Moorlands Boiler Information Request Form, have been submitted and approved in writing by the Local Planning Authority.

Reason: *To ensure that the reasonable residential amenities of adjoining properties are adequately protected from air quality pollution.*

3. Report of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until 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 has been prepared, and is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification 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.

***Reason*:** To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and

wider environment are known and where necessary dealt with via remediation and or management of those risks.

4. 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.*

Advisory Note/ Informative:

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

- You may find the Carbon Trust publication 'Biomass heating: a practical guide for potential users' a useful companion when completing this form the biomass information request form. The publication can be downloaded from http://www.carbontrust.co.uk/publications/publicationdetail?productid=CTG012 (free registration required)

- 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), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

- Advice on controlling flies and light can be found in: Statutory Nuisance from Insects and Artificial Light (defra 2005) available as a free download http://archive.defra.gov.uk/environment/quality/local/legislation/cnea/documents/statnuisance.pdf

- During any demolition and construction activities (including landscaping) the contractor shall 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)

- 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.