Dealt with by: Environmental Health

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Date: 20th February 2020

MEMORANDUM: PLANNING CONSULTATION

PROPOSED DEVELOPMENT: Proposed glazed pavilion with retractable roof over existing outdoor area.

LOCATION: The Stafford Arms, The Green, Bagnall, Staffordshire, ST9 9JR

Potential Areas of Environmental Concern

1. Noise from Construction
2. Noise from Sound Amplification (Condition)
3. Lighting (condition)
4. Timings
5. Retractable Roof (Manual/mechanical)

Comments

There is no record of complaint against this premises, the outside drinking area has permission since December 2016. Environmental Health would advise that conditions set out in SMD/2016/0687 might be replicated in any permission granted on this application. There is no advice on the type of retractable roof to be installed, if this roof is mechanical it maybe advisable to place a condition on its operation not to exceed background noise levels in order that disturbance is not caused especially at night.

Recommendation

Environmental Health have no objections in principle subject to the following conditions be placed on any permission granted -

1. Noise: 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. Amplified Sound

No means for the amplification of voice or music whatsoever shall be installed in or used outside the building.

Reason: *The protection of the amenities of the surrounding area and the occupiers of nearby residential properties. To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.*

3. Operational Timings

Unless prior permission has been obtained in writing from the Local Planning Authority, the external seating area hereby approved shall only be open for customers between the hours of 12:00 and 22:00 on any day.

Reason: *The protection of the amenities of the surrounding area and the occupiers of nearby residential properties. To avoid the risk of disturbance to neighbouring dwellings during unsocial hours*.

4. Any artificial lighting (including floodlighting)

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation.

Reason: *To protect the local amenities of the local residents by reason of excess of illuminance.*

5. Plant and Machinery (Retractable Roof)

Details including the specification and location of any machinery shall be submitted to and approved by the Local Planning Authority.

All machinery and equipment to be used by the reason of the granting of this permission shall be so installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

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

Informative/Other Matters

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

- Guidance for control of dust and emissions for construction can be found: in
  - 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)

- 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

- 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.

- 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.

  Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)

Regards,
Environmental Health