

Dealt with by: Environmental Health

Our Ref: SMD/2021/0307

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Date: 29th July 2021

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

Knypersley Mill Farm Judgefield Lane
Brown Edge

PROPOSED DEVELOPMENT

Retrospective Full Planning Permission for the change of use of Agricultural Barn building to a indoor 'Storage' (B8) building for Storage of modern and historic Caravans and the change of use of an 'Existing Menage' which was created in 2015 (4+ years) to become 'Open Air Storage' (B8) for privately owned Caravans by members of the public who use the campsite facilities

Potential Areas Of Environmental Concern.

1. Noise/ Vibration (Construction)
2. Plant and Machinery and Tool Noise (Generators)
3. Lighting
4. Importation of fill material

General Comments

Noise: No plant or machinery is proposed in the planning application though it may be prudent to impose a noise restricting condition to ensure any generators used on site are suitably attenuated. There is no record of nuisance complaint against the current operation. Any outdoor use of maintenance power tools etc. should ideally be conditioned.

Lighting: Condition advice contained in application that light will not impact on local amenity.

Access path/road and hard standing: Any material imported onto site to use as hard standing or for the access path should not compromise local environmental quality or risk soil contamination. Condition advised.

No objections in principle.

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. Plant / Machinery Noise (Generators etc.)

(i) 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.

(ii) No power tools or machinery which are audible at the site boundary/ies shall be used outside the fabric of the buildings.

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

4. Importation of Soil/Material

No top soil or fill material including for the hard standing and access track is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors*

5. Lighting Condition

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.*

Advisory Note/ Informative:

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

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: 2014 Sound insulation and noise reduction for buildings (Guidance Document), BS4142 Methods for rating and assessing industrial and commercial sound and 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 an "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

Environmental Health