

Dealt with by: Environmental Health

Our Ref: smd/2021/0713

Direct Dial: (01538) 395400

Your Ref: smd/2021/0713

Email: EHealth.Consultation@highpeak.gov.uk

Date: 23rd December 2021

MEMORANDUM: PLANNING CONSULTATION
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LOCATION	Unit 3d Brown Lees Road Industrial Estate Forge Way Knypersley
PROPOSED DEVELOPMENT	Change of use from B8 (Storage and Distribution) to mixed use of B8 (Storage and Distribution) and Nano- Brewery (B2)

Potential Areas of Environmental Concern

1. Noise from plant and machinery (Condition)
2. Brewing Smells (Condition)
3. Music and customer noise (Licence)

Comments

As previous - the nano brewery element appears relatively small based on the advice provided but it maybe prudent to impose the following conditions to ensure nearby residential properties are protected from smells and noise.

The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

The premises licence restricts music and customer noise emissions and requires monitoring and control by the operator.

Recommendation

If permission is granted it is recommended the following conditions are imposed on any permission granted.

1. Construction / refitting works: Time of operations Operation

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

3. 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.*

4. Brewing Smells (Fume extraction details)

Prior to the commencement of development, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from brewing operations, including any external ducting and flues, shall be submitted to and approved in writing by the local planning authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when brewing is being carried out unless otherwise agreed beforehand in writing with the local planning authority.

Reason: *To protect the amenities of nearby residents and comply with policy.*

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