STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Dealt with by: Environmental Health	**Our Ref:** SMD/2023/0284
Direct Dial:	**Your Ref:** smd/2023/0284
Email:	**Date:** 19th July 2023

MEMORANDUM: PLANNING CONSULTATION

LOCATION	**Launders Bank Farm Eaves Lane Armshead**
PROPOSED DEVELOPMENT	**Single storey side extension to be used as plant room for ground source heating system**

Potential Areas Of Environmental Concern.

1. Construction Timings (Condition)
2. Unexpected Contamination(Condition)
3. Plant/Machinery Noise (Condition)

General Comments

There is not much information provided aside from the plant will be housed in a purpose built room. The property appears on our maps to be remote so there does not appear to be a risk to neighbourhood amenity. We would advise the plant room is designed to attenuate noise transfer to the rest of the building and maybe recommend the imposing of a standard plant noise condition on the permission.

Recommendation and Condition

Environmental Health have no objections in principle to the application subject to condition.

1. Construction & Demolition Timings

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. 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.*

3. Plant Noise Condition

The rating level of sound emitted from [any fixed plant and/or machinery associated with the development] [industrial activities at the use hereby approved] shall not exceed background sound levels by more than 5 dB(A) between the hours of 07.00–23.00 (taken as a 15 minute LA90 at the nearest sound-sensitive premises) and shall not exceed the background sound level between 23.00–07.00 (taken as a 15 minute LA90 at the nearest/any sound-sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014 + A1:2019) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with 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.

- Any approved noise scheme and measurements should pay due regard to the Professional Guidance on Planning and Noise (ProPG): New Residential Development, British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014+A1:2019 Methods for rating and assessing industrial or commercial sound, BS5228-1:2009+A1:2014 Code of Practice for noise and vibration on construction and open sites, Building Regulations 2010 Document E or other appropriate guidance.

- If required, contamination risk assessments shall be carried out in accordance with UK policy the Land contamination risk management framework (LCRM), published by the Environment Agency
https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm

    - 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 Health Department and agreed in principle prior to site investigation works being undertaken. The Environmental Health 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