STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Dealt with by: Environmental health

Direct Dial: **Email:** n/a

Our Ref: smd/2023/0317

Your Ref*:* as above

Date: 26th July 2023

MEMORANDUM: PLANNING CONSULTATION

LOCATION	**Little Lymford Farm Tunstall Road Bosley**
PROPOSED DEVELOPMENT	**Erection of holiday lodge to replace former timber holiday cabin together with associated access, parking and infrastructure.**

Potential Areas of Environmental Concern

1. Floodlighting/Artificial Lighting (Condition)
2. Plant and machinery (Generators, air source heat pumps etc) (Condition)
3. Construction Timings (Condition)
4. Unexpected contamination/imported soil, fill material (Condition)
5. Drainage (Building Regulation)
6. Caravan Licence Required (Advisory)

Comments

The primary amenity and environmental concerns can be addressed through condition, good site management and the obligations of the operator under the licensing regime (Caravan Sites and Control of Development Act 1960, Section 5). Application should be made to the Local Authority for the licence prior to first use. The proposal is to use ASHP for heating and Solar Power for electricity, but there is reasonable expectation that a generator maybe required so we would advise a plant and machinery condition is placed on the condition to ensure local neighbourhood amenity is protected from adverse noise.

Recommendation

Environmental Health have no objection subject to condition.

Construction and Demolition:

1. The demolition and construction works hereby approved shall be carried out between 9am-6pm Monday to Friday and between 9am-1pm Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: *To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.*

2. 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.

3. Importation of Soil/Material

No top soil or fill material 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 validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason (common to 2-3): **-** *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. Lighting

The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance or cause glare at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all lighting to be installed should be submitted for approval by the Local Planning Authority.

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

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

.

5. Plant and Machinery

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+A1:2019. 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.

- Application should be made to the LA Environmental Health Department for a caravan license to operate if permission is granted.

- 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+A1:2019 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

- Any approved foul drainage system should meet the British Standard 6297:2007+A1:2008: Code of practice for the design and installation of drainage fields for use in wastewater treatment http://www.bsigroup.com

- The lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011(or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

Illuminated area m^2	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10.00	100	600	800	1000
Over 10.00	n/a	300	600	600

Environmental Zones			
Zone	**Surrounding**	**Lighting Environment**	**Examples**
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc.
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

The guidance advises that, where an area to be lit lies on the boundary of two zones or can be observed from another zone, the limits used should be those applicable to the most rigorous zone.

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

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING • EXCELLENCE

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