

Dealt with by: Environmental Health

Our Ref: SMD/2023/0607

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Date: 31st January 2024

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

**Park View Farm Stoney Lane
Cauldon**

PROPOSED DEVELOPMENT

Change of use for former agricultural maintenance and repair workshop to category B vehicle and repair workshop.

Potential Areas Of Environmental Concern.

1. Noise – Operation/ Delivery Times (Condition)
2. Plant and Machinery/ Operational Noise (Condition)
3. Artificial Lighting – (condition)
4. Site Waste – (condition)
5. Drainage (Interceptor) - Condition

Comments as per smd/2022/0206: This is an existing agricultural maintenance workshop with no record of complaint but the application if permitted may mean an intensification of operations and noise. There are a small number of neighbours in close proximity who may be adversely impacted. We would recommend the following conditions be applied to any permission granted. The timings can be negotiated but we would advise that mornings, evenings, night times and weekends are protected.

Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>

Nuisance: 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.

Recommendation:

The Environmental Health Department have no objections subject to the following conditions or similar being applied to any permission granted.

Artificial Lighting

1. Details of floodlighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. 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 (residential) when the light (s) is (are) in operation.

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

Plant and Machinery Noise

2. 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.

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

Outside Noise (Updated)

3. No power tools or machinery which are audible at the site boundary/ies shall be used outside the fabric of the proposed building. No power tools or machinery which are audible at the site boundary/ies shall be used outside the fabric of the building. All doors and windows to the premises shall be kept closed at all times except for the explicit purpose of entry to or exit from the premises or for loading and unloading purposes.

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

Operation/Delivery Times – (Negotiable)

4. No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 07.00 and 18:00 Mondays to Friday, 08:00 and 13:00 Saturdays and at no time on Sundays and Bank Holidays.

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

Workshop Operation Times – (Negotiable)

5. The use hereby permitted shall take place only between the hours of 7am to 6:00pm Monday to Friday, 8am to 1pm on Saturdays and at no time on Sundays or Bank Holidays.

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

Oil inceptor

6. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be

passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: *To prevent pollution of the water environment*

Construction Timings

7. 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.

Advisory Note/ Informative:

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

- A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>
- 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.
- 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>
- 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.

Regards,

Environmental Health