

Dealt with by: Environmental Health

Our Ref: SMD/2024/0067

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Date: 21st May 2024

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

The Tawny Hotel Consall Lane
Consall

PROPOSED DEVELOPMENT

Installation of new 300kW solar photovoltaic array
inclusive associated infrastructure (Total 887 PV modules)
including additional screen planting to rear of site.

Potential Areas Of Environmental Concern.

1. Construction Impacts (Condition)
2. Unexpected Contamination (Condition)
3. Artificial Lighting (Condition)
4. Plant and Machinery Noise (Condition)
5. Maintenance of plant and equipment (Condition)
6. Glare

General Comments -

Construction Impacts: Condition.

Unexpected Contamination: Condition.

Lighting: Condition.

Glare: The solar screens should be sufficiently screened so as not to cause glare to any nearby neighbouring properties. It would be advisable that a condition is placed on the permission to ensure where there is potential for glare to impact on neighbouring properties that mitigation steps are taken in the form of screening to prevent this problem.

Noise: A noise assessment undertaken by SLR Consulting Limited (proj no. 403.065467.00001 dated 26/4/24) has been submitted to determine the impacts of the development on the nearest noise sensitive properties. The report finds that predicted noise levels would be acceptable at all residential locations and there are no grounds for refusal on noise grounds. The predicted levels of noise (rating level) are significantly below existing background sound levels. The predictions set out in the assessment indicate the standard noise impact condition advised by the Environmental Health Department would be complied with. The advice and mitigation set out in the assessment should be completed in full.

Recommendation

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

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. Construction & Demolition: Pollution Control

- I. During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary;
- II. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;
- III. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

Reason: *To protect the amenities of the area during construction*

3. 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 exist 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.

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.

4. Artificial Lighting

Details of any floodlighting or security lighting on 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.*

5. Plant and Machinery Noise

The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed the background sound level 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 upon in writing with the local planning authority.

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

6. Maintenance of Equipment

All equipment and infrastructure associated with this development must be constructed and maintained throughout the life of the development so as to prevent any discharges or spillage that may cause pollution of the surrounding land, underground strata or watercourses .

Reason: *To prevent pollution of the Environment*

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), 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 <https://webarchive.nationalarchives.gov.uk/ukgwa/20130402141656/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 <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance-and-spgs/control-dust-and>
- Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
- 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.

- 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.

- 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 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