

Dealt with by: Environmental Health

Our Ref: SMD/2024/0330

Direct Dial: (01538) 395400

Your Ref:

Email: n/a

Date: 2nd October 2024

MEMORANDUM: PLANNING CONSULTATION
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LOCATION

Wayfields Farm, Rownall Road, wetley Rocks

PROPOSED DEVELOPMENT

Retrospective change of use of an agricultural building into mixed use comprising storage with associated office

Potential Areas Of Environmental Concern.

1. Construction Impacts (Condition)
2. Unexpected Contamination (Condition)
3. Artificial Lighting (Condition)
4. Plant and Machinery Noise (Condition)
5. Forklift Noise (Condition)

General Comments

Noise: A noise assessment has been submitted to support this application (Philip Dunbavin Acoustics Ltd ref. no. J004939-7903-TD-02 10th July 2024). The report determines the background noise level at the site during normal operational hours is La90 37dBA, the rating level for the purposes of compliance with the existing planning condition should be 39dBA. These levels are relatively low for this type of site and the previous use as an agricultural yard. The report determines this development should not adversely affect residential neighbours.

But during a visit made by Environmental Health to assess the application it was observed that a tree surgery/gardening company was operating a wood pulping/log splitting machine in the outside yard adjacent to units 6 and 7 (Figure 2). The noise rating levels being emitted and impacting residential neighbours would have clearly exceeded background sound levels. This compromises our consideration of the noise assessment as being representative of normal operational noise levels at the site.

The proposal to intensify commercial/light industrial use at the site is a concern given the existing use will already be causing adverse impacts to residential amenity. We would advise prior to any further permission being granted at this site that clarification is obtained on the current operations on the site and their impact to neighbouring properties i.e confirm external storage and noisy operations. If the gardening company is a permanent occupier and will be conducting external noisy workings in the existing units and external areas then a revised noise assessment should be conducted.

Lighting: Condition advised as per smd/2021/0483.

Recommendation

The Environmental Health Department recommend refusal due to concerns about the noise assessment being unrepresentative of current noise conditions at the site.

If permission is granted Environmental Health advise the application of condition 6, 7, 8 and 9 of permission SMD/2021/0483 be applied to this permission to ensure consistency across the site. We have advised specific limits are set out in the plant and machinery noise condition as advised by the acoustician.

1. Artificial Lighting

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.*

2. Plant and Machinery Noise

The rating level of sound emitted from the commercial and industrial activities at the use hereby approved shall not exceed 39dB(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 39db (A) (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 protect the amenities of nearby residents*

3. Outside Workings

No outside storage, manufacturing, repair or maintenance processes shall be carried on outside the buildings hereby approved for use under this permission. All doors and windows shall be kept closed except for access and egress.

Reason: *To protect the amenities of nearby residents*

4. Timings

The premises shall not be used except between 08:00 and 18:00 hours Mondays to Fridays, 08:00 to 13:00 on Saturdays and at no time on Sundays and Bank Holidays.

No vehicles may arrive, depart, be loaded or unloaded within the general site except between the hours of 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 hours on Saturday. And at no time Sundays and Bank Holidays.

Reason: *To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy.*

5. Forklift Noise

Any forklift trucks used on the application site shall be fitted with noise-attenuated reversing alarms. All such alarms are to be kept in working condition and operable wherever a forklift truck is used on the site.

Reason: *To protect the amenity of the locality, especially for people living and working nearby*

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
- 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