

Dealt with by: Environmental Health

Our Ref: smd/2024/0568

Direct Dial: (01538) 395400

Email: n/a

Date: 29th October 2025

MEMORANDUM: PLANNING CONSULTATION

LOCATION	New House Farm , Luzlow Lane , Bagnall , Staffordshire , ST9 9JZ
PROPOSED DEVELOPMENT	Battery Energy Storage System (BESS) and associated infrastructure (EIA development).

Potential Areas of Environmental Concern

1. Construction Impacts (Condition)
2. Unexpected Contamination (Condition)
3. Artificial Lighting (Condition)
4. Plant and Machinery Noise (Objection)
5. Battery Leakage (condition)

General Comments –

Noise:

1. This area has already been subject to a significant number of BESS planning applications; some have been granted permission. It would be preferable these permitted developments begin operating so real situation knowledge on their noise emissions and any cumulative impact they might cause is understood before further sites are granted permission.

2. A noise revised noise impact assessment has been submitted to support the application. It was undertaken by Miller Goodall Report No: Report Number: 103147 V3 2025 27th June 2025. It proposes 30dbA as an appropriate representative background sound level for all potentially impacted properties though background levels as low as 16dB were observed and sub 30dBA (ref appendix 4) as common. These low levels are typical of a rural area. There is evidence set out in Appendix 4 showing sub 30dBA as relatively normal in this location.

3. The assessment has considered the impact of the development under BS4142:2014+A1:2019 without mitigation. It is noted the acoustic correction is only +2dB to account for tonal noise. The assessment predicts without mitigation the rating level of noise will cause an exceedance +14db over the proposed background sound levels at the nearest noise sensitive premises (NSR1 – Little Armshead Farm).

This remains a significant exceedance and would be predicted to cause significant adverse

impacts to the amenity of local residents and specifically Little Armshead Farm. The proximity of this non-involved property is a concern which this exceedance confirms. It could also be argued given the exceedance then the acoustic correction should be increased, intermittency should be considered given the difference in noise levels as units turn on and off. This would further increase the exceedance in our opinion causing at least +17dB. The sound environment at Little Armshead Farm would change from rural to industrial.

Other properties potentially impacted include 325, 327, 329, 331 Armshead Road and Luzlow Farm.

4. The use of BS8233:2014 Guidance on Sound insulation for Buildings is relevant to the noise environment for new residential buildings. It should not be used to justify introducing a significant noise source such as this into a quiet area and compromising existing residential amenity. As the residents currently enjoy quiet rural sound levels these should be reasonably protected, the predicted excessive exceedance would compromise that.

5. The assessment also proposes revised impact levels subject to 'indicative mitigation' (Section 9) but it is not clear what these mitigation proposals are exactly other than there is 'new BESS technology is evolving quickly'. It is noted there are no acoustic barriers and/or bunds proposed as there are in similar application NIAs. This indicative BS4142 assessment finds no exceedance over the background level. This would comply with our normal condition. It includes a +2dB. But this is a hypothetical proposal based on an assumed improvement in noise from developing technology.

6. A cumulative impact assessment is included, based on the indicative assessment. This predicts a minor to negligible impact to local residential properties, but it is based on future unknown technology developments.

7. Low frequency noise (LFN) has been raised as a potential issue with these developments; no advice has been provided to address these concerns, a tonal correction +2dB has been applied in the BS4142 assessment. LFN has been assessed using the indicative assessment so in our opinion does not address concerns.

Other comments – Light spillage and glare from security or other floodlighting lighting should be considered so that there is no increase in pre-existing luminance or glare at the nearest residential properties. This is a rural area with low luminance levels which should be protected in line with guidance set out in advisory.

Recommendation – Environmental Health recommend refusal to the application. The indicative assessment is based on assumptions about technological developments which the applicant expects to be realised. There is no certainty this will happen. We make our recommendation based on the predictions set out in section 8 of the assessment which demonstrate predicted noise at Little Armshead Farm to be significantly detrimental to the amenity of those residents. Other neighbouring properties are also likely to be impacted given the excessive levels at the nearest property..

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.

- 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.
 - The control of dust and emissions from construction and demolition Best Practice Guidance, produced by the greater London councils
 - Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456)
- 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 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