

Dealt with by: Environmental Health

Our Ref: SMD/2025/0354

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Your Ref: *as above*

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Date: 26th November 2025

MEMORANDUM: PLANNING CONSULTATION
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LOCATION	Land off , Leek Road , Werrington , Staffordshire , ST9 0DQ
PROPOSED DEVELOPMENT	Erection of a 300 MW Battery Energy Storage System (BESS)

Potential Areas Of Environmental Concern.

1. Construction Impacts (Condition)
2. Unexpected Contamination (Condition)
3. Artificial Lighting (Condition)
4. Plant and Machinery Noise (Condition NIA)
5. Battery Leakage (Condition)
6. Coal Mining Area (Low Risk)
7. Fire Risk (Consult Staffordshire Fire Services)

General Comments

Noise:

Operational Noise: A noise assessment has been submitted to support the application and assess the predicted noise impacts of the development (Inacoustics project no. 24-471 dated 24/07/2025). This will be referred to in conditions advised below.

The background levels LA90 for the nearest NSRs as set out in section 4.4 table 6 can be accepted as representative of this area. The NSRs set out figure 1 are selected as representative of residential properties in all geographical directions. Monitoring points MP1-3 in figure 1 are accepted as appropriate monitoring locations to represent NSRs 1-7.

A specific noise impact and BS4142 assessment has been undertaken to determine the impacts of the proposed development and propose any mitigation required to protect residential amenity.

The predicted specific sound level summary set out table 8 indicates relatively low noise impacts to all representative residential properties NSR 1-7. We would advise the predicted specific sound level at the boundary is made a condition of development for straightforward monitoring purposes.

The BS4142 assessment considers the specific noise impact and corrects for noise characteristics e.g tonality, impulsivity and intermittency to predict a **noise rating level**. This

assessment does not place any acoustic correction on the noise. An explanation for this is provided in table 9. We might have expected a precautionary tonal or intermittency penalty to be imposed as in similar developments.

Uncertainty is predicted to have no significant impact to actual noise impacts (ref. tables 10 and 11).

The predicted noise rating levels and excess over background at each receptor are set out in tables 12 and 13. These predicted noise rating levels should

Daytime rating levels are not predicted to exceed existing background levels (table 12).

Night time rating levels (table 13) show minor exceedances over background at NSRs 1, 3, 4 and 5. But NSRs 6 and 7 are predicted to experience +5dB meaning the rating levels are 29dB. This would mean our standard requirement that background levels are not exceeded would not be complied with but these levels are relatively low and should not adversely impact the amenity of these properties. A condition is advised below referring to existing daytime background and predicted night time noise rating levels.

But what is a concern is the lack of acoustic correction to establish the rating level. It shall be the responsibility of the developer to liaise with their acoustician prior to selection of all plant and machinery to ensure that operational rating levels are as predicted. Throughout the installation and initial operation the developer should consult with the acoustician to ensure all predicted noise rating levels will be achieved. Post completion compliance testing should be a requirement of the development. If permission is granted we would advise the conditions below are imposed.

Nuisance (Construction): Conditions advised.

Lighting: Condition advised.

Contamination: Unexpected contamination and battery leakage conditions advised.

Recommendation

Environmental Health do not object to the application due to the predicted low level noise impacts set out in the noise assessment but we would raise concerns about the significant number of BESS sites already approved for this general area i.e Werrington and Cellarhead. It would be preferable for already approved sites to be constructed and operated in order that their actual in-situ impacts are known.

Conditions if permission granted

1. Construction & Demolition Impacts:

- 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 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*

Construction & Demolition works: Time of operations

2. 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.*

3. Report of Unexpected Contamination

In the event that contamination including surface coal measures is found at any time when carrying out the approved development or 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 continue 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 continue 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. Boundary Noise Limit

The level of noise emitted from the site shall not exceed 45db Laeq (15mins) at any time when measured at any point at or beyond the boundary of the site (ref. Inacoustics project no. 24-471 dated 24/07/2025 fig. 4&5).

5. BS4142 Limit on external noise levels produced by fixed external plant

(a) The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed:

- i) the daytime (07:00-23:00) background sound levels LA_{90} as set out in section 5.2.4 table 12, measured over 1 hour at the nearest sound-sensitive premises ref. section 3.1 figure 1,
- ii) the night time (23.00–07.00) noise rating levels L_{ATr} as set out in Section 5.2.4 Table 13, measured over 15 mins at the nearest sound-sensitive premises ref. section 3.1 figure 1,

(As referred to in the Noise Impact Assessment prepared by Inacoustics project ref. 24-471 dated 24/07/2025)

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.

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.

Any deviations from the time interval stipulated above shall be agreed upon in writing with the local planning authority.

(b) Prior to first operation of the development, a compliance test should be undertaken by the operator to demonstrate compliance with the required rating noise levels at the properties listed in Section 3.1 figure 1 of the submitted Noise Impact Assessment by Inacoustics project ref. 24-471 dated 24/07/2025. The scheme hereby approved shall not commence operation until compliance is shown in writing and approved by the Local Planning Authority.

Reason (4-5):- *To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.*

6. 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.*

6. Maintenance of Batteries

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
- 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 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 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