

**Town and Country Planning Act 1990
Application for Permission to Develop Land**

Response from Pollution & Noise Control

PNC Reference No:	WK/201615471
Name of Planning Officer dealing with the matter:	Farzana Tabasum
Application Number:	2016/92298
Proposed Development:	Outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) and residential use (use class C3)
Location:	North Bierley Wastewater Treatment Works, Bradford Road, Oakenshaw, Bradford
Date Required By Planning:	5th August 2016

COMMENTS

We have previously commented on a pre-application enquiry for this site in March 2014. However the comments made at that time are now largely irrelevant as the current application now also includes an area with residential use.

The residential part of the application raises a number of significant concerns.

Noise

The proposed development introduces noise sensitive residential properties to an area that is close to the M606, these residential properties are likely to be significantly adversely affected by road traffic noise.

Part of the application is for new commercial uses, and some of these are in close proximity to some of the proposed residential properties. There is a strong potential for noise from these commercial uses to adversely affect the residential properties.

The access road to the proposed new commercial premises passes close to many of the proposed residential properties. This could also result in road traffic noise, particularly from

heavy goods vehicle movements throughout the night, adversely affecting the occupiers of the residential development.

Chapter 12 of the Environmental Statement dated July 2016 by Turley is a Noise and Vibration Report, prepared by Aecom Acoustics.

This report details some measurements of existing noise levels in the vicinity of the site in March & April 2014. The main noise levels were found to be from road traffic. The report considers how these existing noise levels will affect the residential part of the application. It also considers new noise that will arise from the proposed development; of particular relevance is the information about potential of noise from heavy goods vehicles accessing the commercial part of the site and also potential noise from plant and equipment and vehicle movements at the commercial part of the site.

The report also considers the potential impact of noise and vibration from the construction activities during the development of the site. Whilst I largely agree with this part of the report construction noise it is not something that can be effectively controlled by the planning process therefore I have not considered this part of the report in my response.

The report concludes that satisfactory internal sound levels can be achieved inside the proposed residential properties. It comments that the final layout can help improve the acoustic climate at the residential properties and also reduce the cost of noise mitigation measures. It advises that the final building façade configuration including glazing and ventilation specification is to be finalised during the detailed design. It also suggests that standard (6-16-4mm) glazing would provide sufficient sound attenuation but in some facades of some of the dwellings the windows would need to be kept closed to achieve satisfactory internal sound levels and that acoustic trickle vents would need to be used to provide ventilation. The report also concludes that satisfactory sound levels can be achieved in external amenity areas but acoustic barriers may be required to achieve this at some properties.

Assessment of the noise and vibration report

The assessment that was made of the existing noise levels comprised of two 45 minute daytime measurements on 26 March 2014 and two 30 min night-time measurements on 9 April 2014, one of each at two different locations together with a further long duration measurement at a third location. The long term measurement was stated (at paragraph 12.45) to be from 12:25 hours on 9 July 2015 to 11:00 hours on 10 July 2015 indicating a duration of 22 hours 35 minutes. Figure 12.2 is a chart showing these monitoring results and this show a similar monitoring period. However the summary of this monitoring at Table 12.1 shows three periods of measurement totaling 29 hours and 35 mins indication an inconsistency in these results. The long term measurements are used to indicate that daytime levels on the site will be $60\text{dB}_{\text{LA,eq}(16\text{ hours})}$ and the night-time levels will be $54\text{dB}_{\text{LA,eq}(8\text{ hours})}$ the short term measurements indicate that the levels may be higher.

I am not totally satisfied that the measurement locations and the durations of measurements are sufficiently representative of the noise levels that will be actually experienced on the site. There is no explanation as to why the measurements were not made from the actual development site.

Although the report advises that satisfactory sound levels can be achieved in external amenity areas there is no detailed information demonstrating how this can be achieved. Considering the potential lack of confidence in the accuracy of the predicted on site noise levels I also have limited confidence that satisfactory external sound levels can be achieved.

For the residential properties that will need to keep their windows closed to achieve

satisfactory indoor sound levels, I consider that adequate ventilation cannot be provided just by acoustic trickle vents. A higher level of ventilation will be required to provide adequate summer cooling without the need to open windows.

The sound insulation properties of the whole building envelope have not been discussed in the report, therefore no evaluation of the adequacy for the sound insulation of the walls and top floor ceilings has been considered.

The potential of noise from the proposed commercial part of the development is considered in the report but the proposed control measures are dependent on these measures being implemented in all the commercial units and then maintained thereafter. I consider that this is an unrealistic assumption to make. For example, it would not be possible to require all heavy goods vehicles visiting the commercial part of the development to have broadband-sound reverse alarms or tonal reverse alarms with the sound output restricted to a specific level. Similarly future installations of external plant and equipment at the commercial part of the development may come within the scope of permitted development and therefore potentially cannot be required to satisfy the proposed requirements suggested in the report.

Noise - Conclusions

I consider that the potential impact of noise from road traffic and the proposed commercial part of the development makes residential part of this development is far from ideal. The proposed dwellings will be very close to the significant road traffic noise from the M606. They will be in close proximity to the proposed commercial part of the development. They will also be very close to the vehicle access route into the commercial part of the development.

Taking into consideration the close proximity of the residential part of the site to such a busy motorway, I would have expected a more comprehensive assessment of the existing road traffic noise. I would have also expected this comprehensive assessment to have included measurements to have been made from the development site. I am not convinced that satisfactory sound levels can be achieved in all the external amenity areas.

The proposal to place B1, B2 and B8 uses in close proximity of to the residential properties is considered likely to result in ongoing noise issues. The long term future occupiers of the commercial development cannot be predicted and could result in some noisy activities and/or used that generate very high levels of HGV movements potentially throughout the night. Noise at night from the commercial part of the development and vehicles accessing it could be controlled by placing an hours of use restriction on this part of the development but that would be reduce the viability of the commercial development.

The consultation response from Highways England dated 8.8.16 indicates that major alterations are being planned for the nearby M62 and its connection with the M606. This could potentially add a further source of noise affecting the proposed residential part of this development. This has not been considered in the applicant's acoustics report.

I consider that the applicant has not provided sufficient information to adequately demonstrate that satisfactory sound levels can be achieved and maintained throughout the residential part of the development. I would be prepared to consider a more detailed acoustics report which has more comprehensive ambient noise monitoring carried out from the actual development site at a point where residential properties will be nearest to the M606 and with more details on how satisfactory sound levels will be achieved at external amenity areas.

Contaminated Land

Parts of the development site, including some of the proposed residential area, are shown as being on land that that is potentially contaminated land due to its former use. The proposed

residential use is one which is sensitive to contaminated land issues.

A contaminated land Phase 2 report is included in the Environmental Statement at part 8. The report is by Wardell Armstrong Job No. SH10534 Report No. RPT-002B dated November 2015. This report refers to a phase 1 report by URS Corporation Ltd (ref: 44320048) dated November 2006. Unfortunately the phase 1 report is not provided and I am unaware of this report being provided to us in the past. Before the Phase 2 report can be effectively assessed a suitable phase 1 report, relevant to the current application is required. I am prepared to consider the 2006 Phase 1 report mentioned above mentioned but it will need to be accompanied by a supplementary report that addresses the intervening period between 2006 and now. Also, if the original Phase 1 report has not been written in relation to a proposed residential development on the site, then additional supplementary information should be provided to address this shortfall.

I consider it likely that the contaminated land issues could be satisfactorily addressed for the proposed development on this site by the use of the full range of standard contaminated land conditions.

Air Quality

The proposed residential part of the development introduces living accommodation to an area that potentially exceeds the national air quality objectives due to its close proximity to the M606. The proposed development also has the potential have an impact on the local air quality. These issues are considered in Chapter 13 of the Environmental Statement dated July 2016 by Turley which is an Air Quality Impact Assessment, prepared by Aecom.

The air quality impact assessment and travel plan has been reviewed. The report is generally considered to be satisfactory. It concludes that the local air quality will be acceptable for the residential part of the development. It also it identifies that this development is classified in accordance with the WYLES planning guidance. As a result they have damage cost the emissions, but not gone as far as to allocate these costs against relevant low emission mitigation. We consider that it would be necessary to require the developer to provide the local authority with a plan of air quality mitigation, the cost of which should reflect the damage costs from emissions from this site.

The application has also been reviewed the application in accordance with the *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group (WYLES). In an application of this nature it is expected that facilities for charging plug-in and other ultra-low emission vehicles is provided.

Recommendations

I consider that the proposed residential part of the development is not an appropriate use of the land due to the high noise levels from road traffic noise from the M606 and also potential noise from the commercial part of the development and road traffic noise from the access road leading to it, and also potentially from possible alterations to the nearby M62 junction.

I therefore recommend that this application should be refused.

Date:	26 April 2016	Officer:	Richard Hume Ext 70909
--------------	---------------	-----------------	------------------------