

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2021/92106 - Phase 1, Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET
Discharge of conditions 8 (construction environment management plan) and 26 (surface water disposal) of previous outline permission 2016/92298 for redevelopment of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8)
Date Responded:
1st July 2021

Responding Officer:
Natalie Heaney

Responding Ref:
WK/202116517

Condition 26 is outside the remit of Environmental Health.

Condition 8 - Construction Environment Management Plan

To discharge Condition 8, a Construction Environment Management Plan by GMI Construction Group dated 4th May 2021 (ref: Rev 1) has been received. Our comments relate to those within the remit of Environmental Health, these include working hours, noise and vibration from construction activities and vehicle movements, dust from construction activities and vehicle movements and artificial lighting used in connection with all construction-related activities and site security. There are other aspects of the statement that are outside the remit of Environmental Health and may be subject to comments from other consultees.

Concerning working hours, the report details these will take place between 07:30 to 18:30hrs, Monday to Friday and 07:30 to 13:00hrs on Saturday. Noise, vibration, and stray lighting is considered in Section 5.2 of the report. The authors acknowledge the potential for nuisance if controls are not put in place. For noise, it is stated that noisy operations will be restricted to working hours (as above) and several mitigation measures are detailed. These include, but are not limited to, ensuring plant and equipment is in good condition and well maintained, using screening such as straw bales, or acoustic barriers where necessary between plant and sensitive locations and training on-site personnel regarding unnecessary noise. The report also indicates that *'If there is possibility that Peak noise levels may be reached discussions will take place with operators with regard necessary control measures.'*

For vibration, the authors consider that there are no sensitive receptors located near the site. However, the report then reads that *'any monitoring requirements for noise and/or vibration must be completed and the data submitted promptly.'* Reference is also made to the Control of Vibration at Work Regulations 2005. Then, for lighting, the report suggests that no work will be completed during *'the hours of darkness'* and considers no nuisance to become apparent from lighting.

Finally, dust mitigation measures are detailed. Some mitigation measures are detailed including, dampening down activities, storing dry materials in buildings or away from the wind and sheeting all dry materials leaving the site.

Having read the information provided, several areas have been identified that require additional information to satisfy the condition. For clarity these are listed point-by-point:

1. The report indicates that noisy activities will be restricted to 07:30 to 18:30hrs, Monday to Friday and 07:30 to 13:00hrs on Saturday. There is no reference to Sundays and Bank Holidays. To safeguard the amenities of the occupiers of nearby properties, noisy construction-related activities should not take place outside the hours of 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours, Saturdays with no noisy activities on Sundays or Public Holidays. The construction management plan should be updated to reflect this or further information should be provided justifying the worktimes indicated.
2. From the document provided, it is unclear whether any lighting will be used for security at the site. Likewise, it is indicated in the report that no works will take place during the hours of darkness so artificial lighting will not be necessary. However, this does not appear to consider low light levels in working hours during autumn and winter months. Further information is therefore required in relation to artificial light. We require details on how obtrusive artificial light (including that used for security purposes) will be minimised during the development.
3. The report specifies how no sensitive receptors are located near the site so vibration will not be a nuisance. This does not appear to correlate with the records available to this service which indicate several sensitive receptors close to the site boundary. Justification is required relating to the lack of consideration for vibration nuisance from construction activities. Alternatively, site-specific vibration control measures should be detailed.
4. It is unclear in the text what is meant by '*If there is possibility that Peak noise levels may be reached discussions will take place with operators with regard necessary control measures.*' Clarification is required as to why peak noise levels will be reached with the implemented control measures listed.
5. We consider there to be a lack of guidance referenced in the construction management plan. As such the report does not appear to be informed by codes of practice, we consider relevant to a robust construction management plan. Whilst there is a consideration for some guidance and regulations i.e., the Control of Vibration at Work Regulations 2005, these do not relate to safeguarding surrounding amenity. We expect a robust construction management plan to be informed by and demonstrate an understanding of, certain codes of practice.
6. No site plan has been provided showing the location of any control measures or the location of welfare facilities, compounds etc. These should be included in the construction management plan.

For these reasons, the information provided is considered unsatisfactory and Condition 8 should remain.

Recommendations

The information provided in relation to Condition 8 is unsatisfactory and we recommend Condition 8 remains until further notice.