

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93644 Low Farm, Wakefield Road, Flockton, Huddersfield, WF4 4BB		
Erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements		
Responding Date: 29 June 2022	Responding Officers: Shirley Reynolds Mohammed Nasim	Responding Ref: WK202219913
<u>Comments</u> <u>Construction Environmental Management Plan</u> In our earlier consultation dated 25th January 2022, we commented on the potential for loss of amenity to the occupiers of neighbouring properties from noise/vibration, dust or other emissions during the construction. In support of the application a Construction Traffic Management Plan (CTMP), by Hydrock, dated 8th June 2022, ref: 17298-HYD-XX-XX-RP-TP-7001-P06, has been submitted. This in part details the actions to be taken to mitigate the loss of amenity to local residents from the construction phase of the proposed site. <u>Hours of operation</u> The CTMP is identified as a live document which will be reviewed, monitored and updated as necessary, with construction anticipated to be ongoing for 6 months. Section 2.2.2 describes the construction operating times as:- • Site open for non-noise invasive works - no heavy machinery nor deliveries; » Mon-Fri 07:30 - 18:30 » Sat 07:30 - 16:30 • Site fully open for all works including heavy machinery and deliveries » Mon-Fri 08:30 - 17:30 » Sat 09:00 - 13:00 • Site not open Sundays or Public Holidays • If schools are in the area or in busy commuter routes, deliveries will be restricted to; » Mon-Fri 09:00 - 15:00 » Sat 08:00 - 13:00 Although the CTMP has stipulated non-noise invasive works before 08:00 and after 13:00 on Saturdays, we would remind the applicant that 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. <u>Noise</u> Section 3.4.3 states that “adherence to the codes of practice for construction working given in British Standard BS5228 will be required”. This is the standard for control of construction related activities in regard to noise. Whilst we accept the statement, we would normally require some site specific information to be included in the Construction Management Plan, including reference to specific noise mitigation training given to on site staff. <u>Fugitive Dust Emissions</u> Section 4 of the CTMP gives some information with regard to dust monitoring and control. Whilst we accept that causes of dust have been identified and general controls mentioned,		

very little site specific information has been provided. The CTMP has not identified where water for damping down will be taken from. As this is a major control mechanism, we would expect confirmation of sufficient quantities of water to enable cleaning and damping down. The access tracks will be made up of compacted material and may not be suitable for conventional road sweeping. The CTMP must identify the most appropriate method for dust control on the site and clarification of this point is required.

As the cleaning of vehicles leaving site is a mitigating factor, we would normally expect to see a site plan indicating the position of exits and wheel wash facilities. This has not been provided.

Overall we require more site specific details in regard to dust suppression, we expect the dust suppression measures on a site of this size to take into consideration the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction v1.1 Feb 2014, in particular, the measures detailed in the “Mitigation for all sites” tables in Section 8 of the document.

Temporary Artificial Lighting During Construction

No information has been provided in regard to temporary artificial lighting. If lighting (including security lighting) is to be used on the construction site, we require details of how it will operate and be positioned to avoid nuisance from glare to nearby receptors.

Communication

The CTMP identifies the responsible person on site as the Site Manager, who will be appointed by the principal contractor. A site noticeboard will contain this persons contact details and updates on the construction timetable. The Site Manger will have overall responsibility for the CTMP, monitoring, record keeping and complaint investigation. The records will be available for scrutiny by the LPA. We require the name and contact details for the responsible person prior to construction commencing.

Summary

Whilst the CTMP addresses many of the controls in relation to noise and dust it does not give sufficient site specific details as described above. The CTMP should be reviewed to include more detail. The condition in relation to the CEMPC Construction Environmental Management Plan recommended in our response dated 25th January 2022 remains in place.

Noise

In our comments dated 25th January 2022, we commented that the submitted findings of the report (Noise Impact Assessment (NIA) authored by Hydrock dated 01 June 2021 Ref 17298-HYD-RP-ACO-001) were accepted but it had failed to consider any noise emitted from the two substations and auxiliary switchgear on site within a compound

The applicant has submitted an updated Noise Impact Assessment by Hydrock dated 10 June 2022 Ref 17298-HYD-RP-ACO-001 and Section 4.2 looks at the substation which consists of a transformer located inside a brick out-house building which is located to the east of the site, on parcel 9, approximately 85m away from the closest Existing Sensitive Receptors (ESR) at Low Farm. Based upon the findings of the original noise monitoring, a BS4142 assessment has been conducted, applying a +2dB correction for tonality of the emitted sound.

Table 9 summarises the assessment at ESR4 - Low Farm and shows it to be 2dB below background levels for daytime. However, there is a 3dB exceedance over background levels for night-time (All other ESRs are shown in Appendix G). The report proceeds to offer some context, quoting BS4142 and by saying that although there is an exceedance, the rating level is still below the thresholds within BS8233 for both internal and external amenity. It is accepted that a 3dB increase is the smallest difference in level that can be heard and the fact that this increase is still within the guideline values within BS8233 means that there should not be a loss of amenity to the occupiers at this location.

There is a caveat in the report at para 4.3 regarding the location of the equipment at ESR4 which must not be located closer than 85m once the layouts are revised. It is also advised that the equipment is placed in a container, similar to other transformers on the site. We will require written notification of this.

The findings of the report are accepted and a condition is recommended to ensure the noise from any fixed mechanical plant does not cause a loss of amenity to the occupiers of neighbouring properties.

Recommended Conditions

CEMPC Construction Environmental Management Plan - Condition

Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Artificial lighting used in connection with all construction related activities and security of the construction site.

The agreed plan shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and xxxxx of the Local Plan

CEMPF Construction Environmental Management Plan - Footnote

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

Institute of Air Quality Management document "*Guidance on the assessment of dust from demolition and construction*" Version 1.1 2014 provides detailed information regarding dust control.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control

noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NC10 - Noise from Fixed Plant & Equipment - Condition

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.