

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/91305 railway line and associated land between, Huddersfield and Westtown (Dewsbury), within the Order Limits of The Network Rail (Huddersfield to Westtown (Dewsbury), Improvements Order 2022		
Discharge conditions 5 (Code of Construction Practice), 6 (Construction Traffic Management Plan), 10 (Contaminated Land) of deemed planning permission granted by the Department for Transport in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order 2022, Stage 3 of the Development		
Responding Date: 5 th June 2023	Responding Officer: SR Condition 5b (ii, v, vi) NH Condition 10	Responding Ref: WK/20231114240
<p><u>Comments</u></p> <p>We have reviewed application 2023/91305 and make the following comments and recommendations.</p> <p><u>Condition 5 - Code of Construction Practice</u></p> <p>To assist in the discharge of condition 5b(v) the applicant has submitted the following information: - Condition 5b(v): Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023.</p> <p>We have reviewed the submitted documents in relation to the following areas which are within the remit of Environmental Health contained within conditions 5b(v) and 5b(vi):</p> <ul style="list-style-type: none"> • Noise and vibration from construction activities and vehicle movements • Dust from construction activities • Stray light and glare from artificial lighting used on site <p>The submitted documents demonstrate how construction site dust and lighting are to be controlled so as not to impact the amenity of neighbouring properties during this phase of the development.</p> <p><u>Fugitive Dust Control</u></p> <p>Section 4&5 of the Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023 explains the measures to monitor and control fugitive dust during the works. The controls include but are not limited to the following:</p> <ul style="list-style-type: none"> • The Site Environment Manager will carry out regular site inspections to monitor • compliance with dust control procedures and is responsible for investigating and • resolving complaints. • Vehicles and equipment are to be well maintained with all necessary extractors, filters • and scrubbers to be fitted and used. • Screens and site fencing to be used to mitigate fugitive dust. • Stockpile heights to be kept to a minimum with double handling avoided and sited • away from sensitive receptors. They will be covered or damped down to control dust • release. • Drop heights will be minimised, with the use of water sprays at source if required. • Fine product deliveries will be by tank and stored in silos, designated screened areas will be used for mixing fine products. • Skips and bins to be enclosed and vehicles removing loose materials from site will be 		

- covered.
- Maximum on site speed limits set.
- Engines to be switched off when not in use and low emission vehicles and plant to be used.
- A risk assessment has been undertaken to determine the areas where a wheel wash will be required (Compound 15 Deighton Station Approach). Hardstanding areas will be used, reducing the production of dust. Where tracking of mud onto road networks is identified, a wet road sweeper will be employed.

External Artificial Lighting During Construction

Section 7 of the Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023 explains that lighting will be designed, installed and directed to minimise stray light beyond the site boundary. Site fencing to compound areas will include solid boundary fencing which will assist in the control of light spill.

Condition 5b(vi), a noise and vibration management plan including a construction methodology assessment

To assist with the discharge of condition 5b(vi) the applicant has submitted the following document: -

- Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order Condition 5b(vi): Noise and Vibration Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-000096 Network Rail April 2023
- Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023, Appendix B Contractor's Environmental Procedure Np27.4: Control of Site Nuisance, Environment guidance EG05

The document titled BAM Nuttall management system, Environment guidance EG05:

Managing site nuisance lists noise controls to be implemented which include but are not limited to: -

- Responsible persons for monitoring and control of potential nuisance and investigation of complaints are identified. Records are to be kept.
- Staff training in noise reduction and best practicable means
- Pre-planning to ensure the quietest methods are employed
- Use silenced plant where possible
- Consider haulage routes for site deliveries and if possible, divert traffic away from residential areas. Pay particular attention to reversing sirens, deliveries and radios
- Where possible, plan noisy works for less sensitive times
- Prior liaison with the Local Authority will take place in advance of any out of hours work that has potential to affect amenity
- Plant and equipment to be switched off when not required
- Screens to be used as appropriate.

Section 4.2 of the document titled BAM Nuttall management system, Environment guidance EG05 lists vibration controls. Mitigation includes using non or low vibration methods where possible. The sensitivity of surrounding buildings will be assessed and monitoring implemented as required. The vibration source will be kept as far away as possible from

sensitive receptors. Operating times to be kept a minimum. Pre and post surveys of sensitive structures to be undertaken if appropriate. Prior communication with potentially affected sensitive receptors will take place.

Condition 5b(vi): Noise and Vibration Management Plan

The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order Condition 5b(vi): Noise and Vibration Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-000096 Network Rail April 2023 provides a framework by which construction noise and vibration will be managed and an assessment methodology for the Section 61 (Control of Pollution Act 1974) application process.

Management controls include but are not limited to: -

- Responsible persons for monitoring and control of potential nuisance and investigation of complaints are identified. Records are to be kept.
- Good communication with local residents, letter drops, Network Rail 24-hour help line, community events where appropriate.
- Staff training in noise reduction and best practicable means
- If necessary pre commencement schedule of condition surveys for premises within 10m of vibration generating activities
- Recognition of the adoption of the BPM controls listed in BS5228-1 and BS5228-2

Section 5.7 of the Plan outlines the methodology for determining the need for an application for Consent under S61 (Control of Pollution Act 1974). An initial acoustic report will be commissioned by a qualified acoustician, this will determine if the planned works fall into categories Low, Medium or High using the Risk Assessment template contained in Appendix B.

The document goes on to list the information and communication methods to the Local Authority for a Statement of intent or a Section 61 Application.

Condition 5b(ii): Pollution Prevention and Incident Control Plan – Stage 3

We have reviewed the Document reference: 151667-TSA-00-TRU-REP-W-EN-001234

Network Rail, dated April 2023 in relation to the areas which are within the remit of Environmental Health contained within condition 5b(iv). The plan sets out the hierarchy of responsibility at the site and staff training, it goes on to inform Best Practice Guidance will be followed listing the following reference guidance documents: -

- Environment Agency's (EA) Pollution Prevention Guidance (PPG)1 including:
- General Guide to Prevention of Pollution (PPG1). This guidance provides an introduction to the five main activities which should be implemented to help construction activities avoid pollution incidents and comply with the law.
- Works and maintenance in or near water (PPG5)2 This guidance provides advice on how to make sure construction activities protect the environment and meet legal requirements when you are working near, in or over water.
- Working at Construction and Demolition Sites (PPG 6). This guidance was developed in partnership with industry to provide guidance to those working at construction and demolition sites to prevent pollution.
- Control of water pollution from construction sites Construction Industry Research and Information Association (CIRIA) 5323

Site specific measures and confirmation of reporting incidents to the Environment Agency Hotline clarified. We accept the report provided.

Recommendations

Condition 5b (ii, v, vi) - Code of Construction Practice

- We accept the mitigation controls listed in the submitted documents listed: 5b(v): Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023.
- 5b(vi): Noise and Vibration Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-000096 Network Rail April 2023
- Nuisance Management Plan – Stage 3 Document reference: 151667-TSA-00-TRU-REP-W-EN-001233 by Network Rail, dated April 2023, Appendix B Contractor's Environmental Procedure Np27.4: Control of Site Nuisance, Environment guidance EG05
- 5b (ii): Pollution Prevention Plan 151667-TSA-00-TRU-REP-W-EN-001234 Network Rail, dated April 2023

However, condition 5b (ii, v, vi) remains in place for the whole of the period of the construction phase, until completion and therefore cannot be fully discharged until all construction work at the site is completed.

Condition 10 – Contaminated Land

To discharge parts a) and b) of Condition 10, a Condition 10: Phase 2 Land Contamination Risk Assessment – Stage 3 by Network Rail, dated April 2023 (ref: 151667-TSA-00-TRU-REP-W-EN-001238) has been received. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

The document details the mining remediation works required in advance of the construction of the scheme. The works include grid probing, grouting of voids and geosynthetic reinforcement below the track. Migration of mine gases from voids following grouting has been identified as a potential risk, as has the migration of contaminated groundwater and vertical migration of contaminants during probing and grouting works. The report advises that groundwater is to be monitored before and during the grouting works and in the event of any significant groundwater level changes, activities will be paused.

Recommendations

Condition 5b (ii, v, vi) - Code of Construction Practice

We accept the information but condition 5b (ii, v, vi) remains in place for the whole of the period of the construction phase, until completion and therefore cannot be fully discharged until all construction work at the site is completed.

Condition 10 – Contaminated Land

Grout works, grout holes and the filling of voids can create new ground gas migration pathways. This has been acknowledged in earlier submissions for Stage 1. However, the document provided does not appear to mention any ground gas monitoring during the grouting works. Therefore, clarification is required. For these reasons, Condition 10 must

remain until further notice.