Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2023/91838 - New Hall Farm, New Hall Lane, Overton, WF4 4RP

Installation of renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with substation, transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements

Responding Date:	Responding Officer:	Responding Ref:
04 December 2023	MN & NH	WK202332891

Comments

Noise

A Noise Assessment has been submitted authored by ion Acoustics dated 06 June 2023 Ref A136 R02b. Whilst the development site is in Wakefield, it considers the impact on the nearest noise sensitive receptors (NSRs) on Grange Lane, part of which sits within Kirklees. Para 2.2 states the proposed development includes the following noise-generating equipment:

- 112no. SUN2000-215KTL-H3 Smart String Inverters
- 2no. STS-6000K-H1 Smart Transformer Stations
- 2no. STS-3000K-H1 Smart Transformer Station

Figure 2 shows the site layout and plot 1 is the closest to the Kirklees NSRs and will house a STS-6000K-H1 Smart Transformer Station. It goes on to say the nature of solar farms is such that electricity is only generated during daylight hours but electricity generation may extend in times considered part of the night during the summer, i.e. early mornings before 0700hrs, and also during the evening period after 1900hrs.

A baseline noise survey has been undertaken from 3no. measurement positions (MPs) with MP1 being the closest to Kirklees NSRs. A summary of the findings is shown in table 3 which shows MP1 has higher ambient noise levels as it is affected by through traffic on Hardcastle Lane/Old Road. However background sound levels at all locations are low, especially at night.

BS4142 indicates that in instances of low rating and background noise levels, assessment in line with absolute noise limits might be more appropriate instead of a relative assessment of comparing the specific noise with the typical background sound level. As the night-time WHO limit is 45dB L_{Aeq} outside a façade, this equates to 42dB L_{Aeq} away from a façade in the absence of reflections from vertical surfaces (-3dB). Therefore the proposed limit 10dB below this is 32dB L_{Ar} (free-field).

Using manufacturer supplied data for the transformers and invertors, an assessment has been conducted in line with BS4142 and after applying a +2dB correction for tonality, table 7 shows a -5dB difference at Grange Lane which would indicate a low impact. Comment is made about the noise levels at AP8 (Grange Lane) being one of the most affected but this is a worst case scenario based upon an assumption that all plant is operating simultaneously at full capacity. Whilst the equipment might be operational early in the morning, it would not operate at full capacity, therefore, the operational scenario presented is unlikely to occur during the normal night period (2300 to 0700hrs) when people are trying to sleep. The nearest Kirklees NSR is

further down Grange Lane and therefore a distance correction can be applied which should lead to a decrease in the measured and predicted levels at the façade.

The findings of the report are accepted and a condition is recommended to ensure there is no increase in the assessed levels.

Contaminated Land

Our records indicate the site is on potentially contaminated land (148/11) associated with a colliery and associated activities. The applicant has provided a Preliminary Phase 1 Geo-environmental Assessment authored by WSP, dated July 2023 (Ref 70100138_12013). 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.

WSP recommend a Phase 2 investigation to confirm the potential pollutant linkages presented in Table 7-1 of the report. These include potential risks from soil-borne contaminants, hazardous ground gases and spontaneous combustion. Based on this information, we recommend contaminated land conditions to secure a Phase 2 investigation.

Recommended Conditions

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.

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

CLC3 Submission of Remediation Strategy - Condition

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

CLC4 Implementation of the Remediation Strategy - Condition

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

CLC5 Submission of Verification Report - Condition
Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

CLC7 Contaminated land - Footnote
All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.