

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92747 - O Cot Farm, New Hey Road, Scammonden, Huddersfield, HD3 3FW		
Discharge conditions 3-6 (land contamination) and 8 (noise) on previous permission 2023/90180 for erection of single storey extension to building for meat processing, handling and cold storage		
Responding Date: 23 rd October 2023	Responding Officer: MN and NH	Responding Ref: WK/202329997
Condition 3 – Phase 1 Desk Study Report To discharge Condition 3, a Phase 1 Environmental Desk Study Report authored by Rogers Geotechnical Services Ltd, dated 06/06/2023 (ref: C3581/23/E/5426) 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. A site walkover was conducted on the 11th May 2023. The site comprises a farmyard with several farm buildings and slopes towards the north. The surface cover of the site is generally gravel, grassed areas and concrete. The consultant found no visible signs of contamination present during the time of the walkover. An appraisal of historical maps indicates the onsite land use to have been a farm since at least 1854. Within 250m there have been other farm buildings, residential houses and quarries. The underlying geology is believed to be Marsden Formation and the site is not within the specified search distance of an identified mining area. Active landfill, unspecified pits and quarries have also been identified within 250m of the site area. In Table 7 of the report a conceptual site model and preliminary qualitative risk assessment has been presented that shows several potential pollutant linkages to be present at the site. Consequently, the report concludes that a site investigation is necessary as there are potential sources of contamination on the site and in the surrounding area. The report specifies that soil sampling, chemical analysis and ground gas monitoring should be undertaken. We accept the report provided and recommend that Condition 3 is discharged. Condition 4 – Phase II Geo-Environmental Report To discharge Condition 4, a Phase 2 Geo-Environmental Report authored by Rogers Geotechnical Services Ltd, dated 05/07/2023 (ref: C3581/23/E/5427) 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 report details fieldwork undertaken on June 5th 2023. The investigation included three windowless sample boreholes, the retrieval of soils for chemical analysis and the installation of three gas monitoring standpipes. Ground gas and groundwater was monitored on four		

occasions between 13th June and 3rd July 2023. Atmospheric pressure ranged between 966 mb to 978 mb and the monitoring programme included steady and rising atmospheric pressure.

The investigation confirmed the geology at the site as made ground over clay and siltstone. The ground gas monitoring revealed peak methane and carbon dioxide concentrations of 0.2 % v/v and 8.7% v/v respectively. Negligible flow rates were detected (0.1 l/h).

No free product was observed during the investigation, therefore only one exceedance (benzo[a]pyrene at WS01, 0.2m depth) was identified when the chemical analysis results were compared against a commercial assessment criteria.

Considering the results, the report recommends remediation and presents an indicative remediation strategy. We accept the Phase 2 Geo-Environmental Report authored by Rogers Geotechnical Services Ltd, dated 05/07/2023 (ref: C3581/23/E/5427) and recommend that Condition 4 is discharged.

Condition 5 – Remediation Strategy

To discharge Condition 5, a Phase 3 Remediation Strategy Report authored by Rogers Geotechnical Services Ltd, dated 02/08/2023 (ref: C3581/23/E/5633) 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.

Concerning ground gas protection measures, the report considers the building to be classes as Type D as described in BS8485:2015+A1:2019. To achieve the necessary score, the report proposes a combination of a cast in situ ground bearing floor slab, pressure relief pathway and a gas resistant membrane are recommended for installation. The report also states that the protection measures will be verified in accordance with CIRIA C735. Regarding fill materials, in Section 3.4 of the report, a screening strategy for site-won and imported material is provided.

We generally accept the Phase 3 Remediation Strategy Report authored by Rogers Geotechnical Services Ltd, dated 02/08/2023 (ref: C3581/23/E/5633). We do not agree with the Type D classification by Rogers, given that the plans appear to include smaller rooms. Nevertheless, the proposals include a combination of elements to achieve a score sufficient for the development under BS8485: 2015.

Before the condition is discharged, the applicant must confirm that no soft landscaping is included in the development. However, if the approved plans incorporate soft-landscaping, then we require additional information concerning clean cover proposals. In which case, Condition 5 must remain until details are submitted and approved.

Condition 6 – Remediation

No remediation work should have been undertaken at this stage. Furthermore, this condition must persist until the completion of the development to ensure that any unforeseen contamination discovered during groundworks is promptly addressed in accordance with the requirements of Condition 6.

Condition 8 - Noise

The applicant has submitted a Noise Impact Assessment Report (NIA) authored by KP Acoustics dated 26 June 2023 Ref 26674.NIA.01. A noise survey was undertaken between 1500hrs on 01 June 2023 and 1530hrs on 02 June 2023 from measurement positions as described in Table 2.1 and shown in Figure 2.1 and a summary of the results is given in tables 3.1 and 3.2. The report states it is understood that the site only operates during hours between 0600hrs and 2200hrs and that the use of the site is steady throughout the year. Generally, noisy on-site works would occur no more than 20no. times a day between the aforementioned hours.

A BS4142 assessment has been conducted based upon 'noisy works' but no description of these is given. Table 5.2 assesses the daytime activity and after applying a +3dB correction for intermittency, concludes that there would be a +17dB increase over the background level indicating a significant adverse impact. Table 5.3 assesses the night-time activity and similarly, after applying a +3dB correction for intermittency, concludes that there would be a +18dB increase over the background level also indicating a significant adverse impact.

Para 5.4 offers mitigation by recommending a barrier is installed, screening the line of sight from the neighbours to the proposed extension and this is shown in figure 5.2. A specification it should be at least 2.7 metres in height, or high enough to screen the line of sight from the extension to the upstairs windows of the NSR (whichever is higher) with a weight of at least 10kg/m², such as a close-boarded timber fence is given.

The BS4142 assessments are recalculated allowing a -6dB correction for the recommended barrier and the daytime excess is +11dB and the night-time is +12dB over the background level indicating a significant adverse impact for both time periods.

The report proceeds to offer context as allowed for in BS4142 stating the area in question is a rural environment with very few sources of noise, and low noise levels, other than those caused by agricultural work. Therefore, due to the nature of the area, it would be deemed typical for agricultural work, such as the activities engaged on site to be audible. The identified, worst-case noise sensitive receiver is the only nearby residential receiver that is not directly owned by the farm itself and the author states they understand that there have been no noise complaints due the current operation for the site. The site is not expected to produce noise levels higher than those already present and therefore the nearest residential receptors should not notice any perceived change from the current operation.

The NIA does not consider noise from the increase in vehicular movements due to an expansion of the building which also has the potential to affect the amenity of neighbouring properties.

Based upon the findings of the submitted information, we have concerns that the noise from the development site will lead to a loss of amenity. We do not accept the lack of complaints made as an indicator of acceptance of the working environment and it is incumbent on the applicant to consider reducing any impact through the use of the proposed development. The applicant is reminded that circumstances and situations do change so we cannot accept the findings of the report.

Reference is made to the construction of the extension with the NIA stating it is proposed to use a steel frame, with profile steel sheeting to roof and walls, with some low-level stone walling. However, no detail has been given on the level of sound insulation using these materials. It is also intended to install rooflights within the extension to reduce the need for artificial lighting but this could lead to noise breakout. A suggestion is made for the applicant to consider a review of the materials which may offer a higher level of sound insulation thus reducing the break out and the impact on the nearest residential property. The proposed barrier will afford some mitigation but the 2.7m height may lead to visual amenity issues and the applicant is asked to review this mitigation measure.

Recommendations

Condition 3 – Phase 1 Desk Study Report

We accept the Phase 1 Environmental Desk Study Report authored by Rogers Geotechnical Services Ltd, dated 06/06/2023 (ref: C3581/23/E/5426) and recommend that Condition 3 is discharged.

Condition 4 – Phase II Geo-Environmental Report

We accept the Phase 2 Geo-Environmental Report authored by Rogers Geotechnical Services Ltd, dated 05/07/2023 (ref: C3581/23/E/5427) and recommend that Condition 4 is discharged.

Condition 5 - Remediation Strategy

We accept the Phase 3 Remediation Strategy Report authored by Rogers Geotechnical Services Ltd, dated 02/08/2023 (ref: C3581/23/E/5633), with the stipulation that no soft landscaping is included in the development. Condition 5 should be discharged. However, if the approved plans incorporate soft-landscaping, then we require additional information concerning clean cover proposals. In which case, Condition 5 must remain until details are submitted and approved.

Condition 8 - Noise

The findings of the report are rejected, and we recommend the condition is not discharged.