



TECHNICAL NOTE

Date: 1st September 2021

File Ref: P21-2319

Subject: **Fordley Hall – Deadline 7 Submission Noise**

1.0 DEADLINE 7 - SUBMISSION

- 1.1 Create Consulting Engineers have been appointed by the Grant family to provide a written response at Deadline 7 in line with the Planning Inspectorate timescale.
- 1.2 The purpose of this submission is to provide comment on the Applicants DL6 submissions and specific points noted at the ISH8 regarding noise on Wednesday 25th August 2021.
- 1.3 As noted at DL6 following the various submissions to date there are several significant points which the Applicant has also failed to adequately address. These points have yet to be reported on by the Applicant and therefore Create reserve the right to comment further on these points at DL8.
- 1.4 We would urge the Applicant to engage directly with our Client given the conflicting information we are receiving from their Agent and the time taken to receive the requested information, giving little or no time to respond. The Applicant's lack of practical and constructive engagement since 2019 has been lamentably minimal.
- 1.5 We also note that at ISH8 the Applicant confirmed new information would be provided at DL7 on the noise mitigation and monitoring plans, whilst a draft was supplied at DL6 by the Applicant, the detail provided was woefully lacking in detail, thus making the ISH8 position of the Applicant impossible to fully consider.
- 1.6 Our Client firmly believes this is unacceptable behaviour from the Applicant. We therefore strongly appeal to PINS to re-engage on noise at a subsequent ISH to allow all parties to fully explore the documents and method now proposed by the Applicant.

2.0 **FORDLEY HALL - NOISE**

2.1 In summary, at DL6 Create stated the following. Create supplied the following;

- New accurate noise monitoring records;
- New accurate noise assessment of background noise levels;
- New predicted noise levels during construction
- New predicted noise levels post construction

2.2 Create concluded the polar opposite outcome to the Applicant at our Clients property stating the impact from the construction and post construction would be significant. The Applicant concluded the impact would be 'not significant'. At a meeting with our Clients on Thursday 2nd September, the Applicants Acoustics consultant, Mike Brownstone freely admitted that Fordley Hall would be 'greatly and seriously affected by noise as a direct result of SLR construction and post construction periods.

2.3 His opinion was to recommend maximum mitigation measures to the Applicant.

2.4 Our comments below are based on the following documents and hearing information;

- Chapter 11 Noise and Vibration Appendix 11H of the Environmental Statement: Noise Mitigation Scheme
- Draft Noise Monitoring and Management Plan - Main Development Site
- Issue Specific Hearing 8

Chapter 11 Noise Mitigation Scheme

2.5 Create's opinion remains that the baseline work completed for the noise impact is flawed.

2.6 The Applicant states at Para 1.2 that....

It has been informed by the outcome of the noise assessments undertaken as reported in the Environmental Statements and Environmental Statement Addendums for the main development site and the associated development sites and it includes mitigation for road, rail and construction noise, as well as operational noise. It also covers vibration effects.

2.7 As a result, the starting point of the Mitigation Scheme planned is not acceptable with the substantial differences between the baseline position monitored by ourselves (over 10 days) and the Applicant (over two half hour periods). This will fundamentally change the starting position and likely conclusion.

2.8 It is noted as part of the Applicants Stage 1: Refreshed noise assessment that an updated noise assessment is planned as part of the Noise Mitigation Scheme. Create therefore consider this to be unacceptable at such a late stage, suggesting there is insufficient information available at this moment to determine the effect of the construction and development to a greater

degree now. Our Client's property is significantly impacted by noise and we are seeking a far greater level of information to fully determine the impact.

- 2.9 As the property is nationally listed as Grade 2, Create are unable to determine the actual impact or mitigation which may be necessary or otherwise be acceptable by the listing in place.
- 2.10 Within the Noise Mitigation Scheme, Table 1.1 states that in order to be eligible for noise insulation, the property within 300m of a new or altered highway would need to experience all of the following criteria;
- Future road noise levels exceed 68 dB $L_{A10,18h}$ or 58 dB $L_{Aeq,8hrs}$ at the façade;
 - An increase of 1dB above the existing road traffic noise levels at the façade; and
 - The contribution from the use of the new or amended road associated with the development to the future road noise levels of at least 1dB at the façade.
- 2.11 Our client's property would not be eligible under these criteria as the predicted levels are below those noted in the first bullet point. The noise modelling prepared by the Applicant has however shown that the increase would be a Moderate Adverse effect during the day time and a Major Adverse effect during night time hours.
- 2.12 To suggest this plan would be implemented post DCO approval is not acceptable and removes the ability for our Client to actively understand the full noise impact of the Applicants proposal.
- 2.13 We are seeking comprehensive noise assessment and mitigation strategy prior to the DCO conclusion.

Draft Noise Monitoring and Management Plan - Main Development Site

- 2.14 The comments raised above are equally relevant. The Draft NMMP relates only to the Main Development Site and therefore does not include for any adverse impact further afield. We are therefore concerned that this does not consider the transportation of goods and personnel to the Main Development Site along the new road during the evening and night-time periods.
- 2.15 The baseline position recorded by the Applicant is not acceptable or representative of the actual, true levels that Create have demonstrated and evidenced at DL6.
- 2.16 The construction operation at the main development is planned to be 24 hours, 7 days a week. It is noted in Table 4.1 noise threshold levels at residential receptors. Whilst our Client is not adjacent to the main development site, the consequence of a 24 hour operation appears to have been overlooked and the associated traffic activity which this could bring as highlighted above.
- 2.17 Given the recorded extremely low ambient and background levels measured by Create, the Applicants threshold noise levels are not acceptable. Table E.1 of BS 5228:2009+A1:2014

suggests that the **evening and weekend SOAEL** values should be **10 dB below** the daytime and the **night time working SOAEL** values for to be **20 dB lower** than the day time. As detailed within Table 4.1 of the Draft NMMP, the SOAEL for day time has been proposed as 60 dB $L_{Aeq,16h}$ and the **night time SOAEL** has been set at **15 dB below** the day time, at 45 dB $L_{Aeq,8h}$.

- 2.18 There has been no noise reduction planned for the evening hours, but instead the Applicant proposes to retain the same as the daytime hours.
- 2.19 Create consider a reduction to the evening and night-time threshold levels (SOAEL values) in line with BS 5228 is absolutely essential as a minimum.

3.0 CONCLUSIONS

- 3.1 Our Client and Create continue to raise significant, legitimate concerns with respect to the SLR and it is requested that the Applicant responds accordingly. There continues to be no engagement by the Applicant to address this matter.
- 3.2 This is expected to lead to the introduction of significant mitigation measures and/or redesigned components of the overall scheme currently proposed.

Note By: Jody Blackwood – Technical Director
Paul Zanna - Technical Director