

**From:** Ross McCardle <RossMcCardle@swale.gov.uk>  
**Sent:** 15 May 2019 14:40  
**To:** Kemsley Paper MillK4 CHP Plant <K4KemsleyCHP@planninginspectorate.gov.uk>  
**Cc:** David Harvey (david.harvey@dhaplanning.co.uk) <david.harvey@dhaplanning.co.uk>  
**Subject:** FW: K4 - Construction Noise

Dear Mr Leigh,

Further to your letter in respect of changes to the requirements: the Council has been discussing the matter with the applicant, who has suggested the solution set out in Mr Harvey's email below. I can confirm that the Council is happy with the applicant's approach to the matter and has no additional comments at this stage.

Kind regards,  
Ross.

Ross McCardle | Senior Planner | Development Management  
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*Finally could we please ask you to complete our very short questionnaire on the service that you have received from Swale Borough Council. Your response will be anonymous, will take less than 2 minutes to complete and will help us to improve our service;*  
<https://www.surveymonkey.co.uk/r/swale-planning>

**From:** David Harvey [<mailto:david.harvey@dhaplanning.co.uk>]  
**Sent:** 14 May 2019 17:45  
**To:** Ross McCardle; Kevin Tucker  
**Subject:** K4 - Construction Noise

Hello Ross and Kevin

Thanks for your time to discuss the K4 construction noise following the BEIS letter. Ross- thanks also for your email on the PPA- I will pick this up with James.

We have now reviewed this as a project team; as you know initially we had suggested the approach that the best way forward would be to specify through the CEMP a noise monitoring regime which would allow a quantitative assessment of out of hours construction work and whether that is audible at the order limit boundary. Having discussed that further it is clear that the amount of work which might realistically take place out of the proposed working hours may not be sufficient to warrant the continual monitoring of noise levels throughout the construction period.

We are therefore instead proposing a simpler solution, which would be to delete that element of draft Requirement 10 which seeks to allow works to take place outside specified hours if they are not audible at the order limits. Requirement 10 already makes provision for emergency works to take place outside those hours (subject to the Council being notified) and it also already makes

provision for other work to take place if agreed with the Council. In our view that should provide a sufficient level of control to satisfy BEIS as well as flexibility for the project team.

Our proposed wording for Requirement 10 is as follows:

### **Construction hours**

1.—(1) Subject to sub-paragraph (2), no construction works are to take place except between—

- (a) 07:00 and 19:00 Monday to Friday; and
- (b) 07:00 and 16:00 on Saturdays, Sundays and public holidays,

unless otherwise agreed by the relevant planning authority.

(2) Emergency works are permitted outside the hours referred to in sub-paragraph (1).

(3) Any emergency works carried out under sub-paragraph (2) must be notified to the relevant planning authority within 72 hours of their commencement.

I would be grateful if you could let me know if you have any concerns regarding the above ahead of the deadline of this Thursday.

Regards

David

**David Harvey**  
**Director**

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