

Case Ref. EN010116 - Interested Party No. 20032332

Deadline 7 Submission on Noise

This submission is submitted alongside a number of short video clips that I sincerely hope will serve to illustrate the current and totally unacceptable level of noise nuisance that I am experiencing all too often at my home on [REDACTED].

The video clips can be described as follows:

1. "Noise from survey boat 12/09/21" is 3 minutes and 19 seconds long and was taken on 12th September 2021. The clip captures a survey vessel that they can't even put a quiet exhaust on! This helps illustrate why some of us in Amcotts fear for our future wellbeing if Solar 21's proposal is granted.
2. "Noise video, offloading steel at Flixborough wharf. 16/10/21" is 3 minutes and 54 seconds long and was taken on 16th October 2021. Together with the 3rd and 4th clips (described below) these show the level of noise from activity on the wharf that Solar 21 intend to use. This activity entailed the offloading of steel, and this carried on during the daytime for four days! You will see from the video that the meter reading at one stage exceeds 100db(a). Although this is an extreme example, I think it serves to illustrate just how vulnerable residents are to noise here, and why we are so very concerned about the prospect of Solar 21 working 24/7 on that wharf.
3. "Noise video, offloading steel at Flixborough wharf, 16/10/21" is 3 minutes and 54 seconds long and was also taken on 16th October 2021.
4. "Noise video, offloading steel at Flixborough wharf. 16/10/21" is 2 minutes and 43 seconds long, taken on 16th October 2021.
5. "Flixborough Industrial Estate Noise levels at my home" is 3 minutes and 29 seconds long. I would like to confirm that this recording was made at the rear of my property on the 10th of March 2023 at the time stated (and not on the 9th March). My sincere apologies for that.

As you will see the noise meter is giving readings (excluding my voice-over) from approximately 47db(a) to 52db(a). This level of noise is audible within my home, and I would liken it to having to listen to the hum of an amplifier, and can persist for hours, days or a week or more at a time.

The source of the noise nuisance is entirely from the Flixborough Industrial Estate and has, in just over a 16-month period, been audible within my home on no fewer than 74 days/occasions. On these occasions my windows have not been open for ventilation otherwise the number of times noise from the Flixborough Industrial Estate being audible in my home would have been much higher.

I would like to stress that my home has insulated cavity walls, modern double glazing and 250mm of insulation on the ceilings, yet despite this the noise is capable of penetrate the structure of my home, causing me stress and anxiety along with substantial interference with the use and enjoyment of my home.

Furthermore, the number of occasions when noise from the Flixborough Industrial Estate is not audible within my home should not detract from the fact that noise levels often constitute a nuisance outdoors on an even greater number of occasions/days (an additional 95 days in excess of 10db(a) above background). The only respite is from a change in wind direction away from Amcotts.

With regard to the background noise level here at Amcotts, and without any recent official data, I will assume that it is 30db(a). My reason for this assumption is because I have in my possession a report that was undertaken by an acoustics expert, albeit in 2006, that contains the data that was collected to determine this, following noise nuisance complaints from residents at that time.

Without going into further detail here, that expert said: "I regard 30db(a), La90 as reasonably low background noise level for a location such as this" and went on to say "30db(a), La90 is typical of a rural environment".

This was also confirmed with the Environment Agency at the time. I would add that I have lived here before and since the time of that report and I am confident that nothing has changed and 30db(a) as a background noise level remains relevant and is an acceptable and recognised level.

So my question is, why am I experiencing noise nuisance at 17 to 22db(a) above background noise? This is simply not acceptable and flies in the face of the 50db(a) boundary night-time noise level planning restriction placed on the Flixborough Industrial Estate.

This unfortunate and intolerable situation makes a complete mockery of the British Standards such as BS4142 for rating industrial noise affecting mixed residential and industrial areas. Not to mention the anxiety and stress this causes, along with the interference with the use and enjoyment of my home.

One has to seriously question the regulatory system and its application and enforcement?

I would also like to make clear that any noise level readings that I have taken have always been purely coming from the Flixborough Industrial Estate and do not include any extraneous noise sources.

Although I decided to keep a diary of noise levels emanating from the Flixborough Industrial Estate only 16 months ago I would like to stress that this current noise nuisance problem is not new and was going on while Solar 21 carried out their noise survey between the 12th and 19th April 2021 and long before that.

The notes that I made at the time of that survey show that Solar 21's equipment would have picked up noise levels from both the wharf and the industrial estate at levels similar to those I monitored at my property and consider to be a nuisance.

Furthermore I must question whether or not Solar 21 followed the correct procedure for establishing a background noise level for Amcotts as I understand that no noise monitoring equipment, at that time, was set up in Amcotts sufficiently far away as to not be affected by the source of noise nuisance from the wharf and industrial estate.

Also in Solar 21's APP-055 Assessment of Likely Effects on Amcotts with regard to construction and operation (year 1 and year 15) they mention "high susceptibility to the project" and "overall sensitivity is judged to be high".

With regard to the nature of effect (magnitude) during construction, "overall magnitude is judged to be large". Level of effect during construction "overall, the level of effect is judged to be major adverse at viewpoint 1". Nature of effect (magnitude) during operation (year 1 and year 15) "overall magnitude is judged to be large at year 1 and year 15". Level of effect during operation (year 1 and year 15) overall, the level of effect is judged to be major adverse at viewpoint 1".

In fact looking at their Baseline Noise Survey Appendix B for example, noise levels are predicted to be at or in excess of those that I am already experiencing, and are penetrating the structure of and audible within my home, causing me stress and anxiety. Yet with regard to "Effect Significance" in Solar 21's view this is somehow described as "MINOR". And at "Charmaine" Amcotts noise levels in excess of 60db during construction, some 30db above my understanding of background noise level here at Amcotts. In my view, Solar 21's data makes truly ALARMING READING!

The fact that Amcotts is not much more than 200mtrs from the Flixborough Industrial Estate and wharf with a completely open aspect to the west across an expanse of water, which has reflective effect on noise, should not be overlooked. Nor should wind speed and direction. From experience, due to these factors, mitigation of noise envisaged during both construction and operation will, I fear, prove a massive and difficult if not impossible task.

I understand that Solar 21 say that they will not undertake rail activity at night, which would include movements on the wharf because of noise. I understand that this is because it would not be possible to construct a screen to mitigate noise? Yet they propose 24-hour working on that same wharf with ship movements and machinery involved in the handling of thousands of tonnes of RDF, day and night, at only 200mtrs away. Will these operations not involve any noise? How does the applicant intend to mitigate noise from these operations over a completely open aspect of water towards Amcotts and at a distance of less than 200mtrs?

Given the existing noise issues on the Flixborough Industrial Estate which this proposal would exacerbate, the measures to mitigate and minimise noise impact set out in Requirement 16 would be inadequate to prevent the development from resulting in a significant adverse impact on health and quality of life from noise.

Furthermore I feel that it is unlikely that any enforceable requirement would be able to make acceptable the additional noise that could be expected to arise from the development of a waste facility of this nature and of this scale acceptable given the close proximity of the development to houses.

I would therefore argue that the development ought to be refused on the grounds that significant adverse noise impacts cannot be ruled out as required by EN-1 paragraph 5.11.9.