

PLANNING COMMITTEE
Schedule of Supplementary Information

25.08.16

**Members are advised of the enclosed information that was either
received or requested after the production of the planning applications report**

**Bolton
Council**

95785/16

Ward	Location
KEAR	LAND EAST OF BLOOMFIELD ROAD, FARNWORTH, BOLTON

95785/16 – Tyrers Coaches

Councillor Burrows has objected to the application on the grounds of noise and air pollution.

Below is Environmental Health's response to the latest supplementary noise assessment received 23.08.2016.

"I have reviewed the further information submitted in support of the application and have the following comments to make.

I accept the Miller Goodall (MG) commentary on the BMBC report. Given that the BMBC report is based on the current situation and is based on a garden assessment, whereas the MG assessment is based on mitigation and a first floor assessment, the outcomes are not dissimilar. The difference between the rating level and the background level is still +9dB. BS4142 uses the difference between the rating level and the measured background level to assess the impact of the development on the local residents.

Assessment of the Impact

The supplementary planning statement by de pol associates misinterprets BS4142 assessment of the impacts. In 4.4 of the de pol statement it says "The standard states that a difference of +10dB and above is likely to be an indication of a significant adverse impact whereas a difference of between +5dB and +10dB is likely to have an adverse impact. What the standard actually says is;

- "a) Typically, the greater the difference, the greater the magnitude of the impact.*
- b) A difference of around +10 or more is likely to be an indication of a significant adverse impact, depending on context.*
- c) A difference of around +5dB is likely to be an indication of an adverse impact, depending on context.*
- d) The lower the rating level is to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound level having a low impact, depending on context."*

In this case, the difference between the rating level and the background sound level is +9dB. I am of the opinion that +9dB is closer to around +10dB than it is to around +5dB, therefore the impact should be considered to be significantly adverse, depending on context.

MG considered the context of the assessment. Below I give my opinion on their assessment of context.

- There are similar noise sources in the area but they are not as close to the residential properties. This site is directly adjacent to the residential properties.*
- The site does have approval for B8 industrial use but it does require a change of use for the Tyrers proposals. I am not aware of any previous complaints regarding the site. This indicates that B8 use does not necessarily lead to complaints. We currently have numerous complaints regarding the operation*

as a coach depot. The current approval is not relevant to the proposed use so should not be used when considering the context of the assessment.

- MG states that there is little or no noise emissions from the site during a typical day. The residents have submitted diary sheets that show there is noise from the site intermittently throughout the day, seven days a week. The noise sources include the pressured jet wash, an automatic bus washer, and other banging and clanging. No account has been made of these noise sources in the assessment.*
- MG states that the core operation is Monday to Friday during school term time only. The residents have submitted diary sheets that show that the residents are being disturbed seven days a week around the year. Additionally, the de pol associates planning statement states that site effectively shuts down in the school holidays and is virtually silent. This is not the case.*
- MG states that the absolute noise levels are not high and satisfy guidelines for external noise.*
- 5.4 The current approval is not relevant. It is the proposed use that is under consideration.*
- 5.6 The external noise levels in the gardens are predicted to be below 50dBL_{Aeq}, which would meet the World Health Organizations guideline level for the daytime. However, The WHO guideline states that the guideline value for the evening should be 5 – 10dB lower than the daytime value. This should be considered given that the business wishes to operate in the evenings.*
- 5.7 The internal noise level criterion in BS8233 can be achieved with windows closed. It cannot be achieved with windows open for ventilation. The residents are entitled to have their windows open if they wish.*

BS8233 and WHO guidelines are not appropriate tools for assessing the impact of noise on residential properties. BS4142 remains the most appropriate tool for assessing the impact and the BS4142 assessment gives an indication that there will be a significant adverse impact even with the mitigation in place.

Proposed Mitigation Measures

6.1 The noise assessment by MG was done taking into account the proposed noise barrier and the noise management plan. There was still a significant adverse impact.

6.2 Noise Management Plan (NMP). I will refer to the sections in the MG report No 101193_2.

1.6 The site intends to operate with a maximum of 25 coaches in any one hour. This statement could be interpreted to mean that more than 25 coaches could be stored on the site. If this occurred, this would mean that the zoning information provided by MG could be inaccurate for the actual number of coaches stored onsite.

4.2.4 MG has identified all significant noise sources at the site. However, clarification has not been provided (at the time of writing) as to what sources were included in the modelling.

4.2.5 The hours of operation and use of the zones is what has been used to predict the noise levels in the BS4142 assessment. This therefore will still lead to a significant adverse impact.

4.3.1 Two coaches leave between 07.00 and 07.10. The coaches would need to idle their engines for some time prior to departure so there is potential for noise prior to 07.00. Also, the bus drivers and supervisors would need to arrive onsite prior to 07.00. It is not clear if noise from the staff cars has been included in the assessment. The diary sheets show that on occasions the residents have been disturbed by noise and lights prior to 07.00.

4.3.2 Operating hours – restricting the operating hours to 07.00 to 23.00 except on seven occasions per year is not going to reduce the noise levels experienced by the residents on an every day basis. Allowing until 23.00 would allow for the intensification of the business leading to further noise disturbance for the residents, a matter that has not been considered in the BS4142 assessment. Allowing exception to the operating times would not be easy to enforce. The business currently operates outside of its proposed operating hours as shown in the diary sheets submitted by the residents. This shows that Tyrers does operate in the evening, in addition to the Bolton Wanderers contract

4.4 Controls during operation in the coach depot.

- *Providing a telephone number to the residents is not a control measure.*
- *It is not stated how long it is necessary to for the engines to idle prior to departure. This condition is therefore not enforceable.*
- *There is no measure on whether a coach is being driven smoothly or not. This condition is not enforceable.*

4.5 Adverse weather conditions

- *The time it is necessary for engines to idle in cold weather conditions has not been provided. The criteria to define cold weather conditions have not been provided. This condition is not enforceable. The noise from the defrosting of vehicles has not been included in the BS4142 assessment. The residents will be subject to further noise when the weather is cold.*
- *It has not been defined when it will be "absolutely necessary" for air conditioning/cooling systems to be used in hot weather. The hot weather has not been defined. This condition is not enforceable.*

4.7 Staff Training – The diary sheets submitted by the residents show that whether trained or not, the employees at Tyrers make noise that disturbs the local residents. This noise source is not included in the noise assessment. The operation of a noise management plan will not reduce the level of noise being emitted from the site. There are no plan for what would happen if the buses were later back than the anticipated 23.45. The diary sheets show that this does happen and the residents are disturbed. The noise management plan would not be an enforceable planning condition.

Current Situation

- *There are currently activities onsite prior to 07.00*
- *Buses returning to site as late as 01.00 (6/6/16)*
- *Horns sounding on site.*
- *Drivers talking by the boundary fence.*

- *Bus wash operating after midnight (21/7/16)*
- *Drivers arriving very early in the morning or leaving very late at night. That is at least 25 car arrivals/departures and car doors shutting very early and very late. There are also complaints from the car radios of the employees.*
- *The site has not shut down for the school holidays. The residents are continuing to be disturbed by noise from the site.*
- *There is noise intermittently throughout the day. It is not just during the school runs when the residents are disturbed.*

Conclusions

The BS4142 assessment carried out by Miller Goodall indicates the noise from Tyrers coaches will have a significant adverse impact on the local residents. This is with the mitigation (barrier and zoning) in place. The residents are subject to other noise from the site that has not been considered in the noise report. The proposed condition will not make the impact any less significant and are generally not enforceable. The proposed development should therefore be refused."

95964/16	
Ward	Location
ASBR	SMITHILLS OPEN FARM, SMITHILLS DEAN ROAD, BOLTON, BL1 7NS

95964/16 – Smithills Open Farm

The Council's Drainage Officers have requested further drainage/flooding information from the applicant.

Information has been provided which meets the requirements of the Council's Drainage team who have confirmed that the proposed surface water sewer would be adequate to convey the increased flow from the proposed development.

The officers recommendation detailed within the Committee report remains the same.

96905/16	
Ward	Location
HONE	HORWICH MOOR FARM, MATCHMOOR LANE, HORWICH, BOLTON, BL6 6PR

96905/16 – Horwich Moor Farm

One further letter of objection has been received, bringing the number of objections to seven.

Cllr. Silvester has also written in objection to the proposal, for the following reasons:

- He has received many complaints over the years about the on-going activities at the farm;

- Many believe it is an excuse for tipping with the vast amounts of material being brought onto the site;
- Previous re-profiling works have blocked the public footpaths and left areas in a quagmire state where walkers have been unable to cross;
- Concerns about the type of material that is being imported;
- The proposed re-profiling would leave large areas with very steep slopes, which is completely unnatural terrain in this area;
- The re-profiling should not be affecting the land in such a manner if the main purpose is for grazing;
- Lack of information regarding number of HGVs required and how long the work is expected to take;
- The submitted plans are confusing as there are two different ones and they are showing re-profiling works outside the application site.

The applicant still has confirmed that the proposed plan would be plan "C".

The applicant has stated that the expected tonnage of material (to complete the proposed re-profiling) is 72,000 tonnes and this would equate to approximately 20 vehicle movements a day (weather condition and source supply permitting). They expect that the work will take up to two years to complete (again weather and sourcing dependent).

The applicant has listed what they consider to be local financial considerations as follows:

- Creation of 5 jobs
- Increase in livestock holding as the land in its current state will not allow sustainable growth of a good grass clover sward or a mixed meadow growth;
- The farm will be able to grow and harvest hay to support the livestock holding and for sale to local livestock farm and equestrian businesses;
- An additional job will be created for a stock man when the livestock holding increases.

97073/16	
Ward	Location
HELO	LAND OFF OLD KILN LANE, BOLTON, BL1 5PD

97073/16 – Old Kiln Lane

Two further letters of objection have been received, bringing the number of objections to six.

The Council's Drainage and Technical Support Team have responded to consultation, as follows;

Due to the lack of some information, the Lead Local Flood Authority would recommend that the current application be refused in its current state.

As this is a new (and major) application, the Climate Change Allowances produced by the EA that came into effect on 19 April 2016 must be applied, as appropriate, to the drainage calculations, this is a greenfield site, consequently, the peak run off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the existing peak greenfield run-off rate for the same event. The Lead Local Flood Authority records indicate that there is a culverted watercourse within Old Hall Lane which the submitted Surface Water Management/SuDS Analysis document (pages 2 and 7) intimates may be used for the ultimate disposal of surface water from this site. Concerns have been raised in the Drainage Team as to the appropriateness or capability of this asset as the final point of discharge. There is also the matter of ownership and permission should also be sought by the applicant to determine if this asset can be used at all for their site. if appropriate, any work undertaken to ordinary watercourses, whether permanent or temporary may require Land Drainage Consent (Land Drainage Act 1991) from the Lead Local Flood Authority.