Omega St Helens/T.J. Morris Limited

SUBJECT STATEMENT OF JAMES POWLSON (FOR THE APPLICANTS) ON NOISE AND VIBRATION

Call-in by the Secretary of State of an application made by Omega St Helens/T.J. Morris Limited

Land To The West Of Omega South & South Of The M62. Bold, St. Helens

LPA REF: P/2020/0061/HYBR

PINS REF: APP/H4315/V/20/3265899

CD 38.11

March 2021

Omega St Helens/T.J. Morris Limited

SUBJECT STATEMENT OF JAMES POWLSON (FOR THE APPLICANTS) ON NOISE AND VIBRATION

Call-in by the Secretary of State of an application made by Omega St Helens/T.J. Morris Limited

Land To The West Of Omega South & South Of The M62. Bold, St. Helens

LPA REF: P/2020/0061/HYBR

PINS REF: APP/H4315/V/20/3265899

CD 38.11

TYPE OF DOCUMENT (VERSION) PUBLIC

PROJECT NO. 70060349

DATE: MARCH 2021

WSP

8 First Street
Manchester
M15 4RP

Phone: +44 161 200 5000

WSP.com

CONTENTS

1 INTRODUCTION

1.1 PERSONAL STATEMENT

1.1.1. My name is James Powlson. I am an Associate Director of the Acoustics team at WSP which sits within WSP's Planning and Advisory business. I hold a first class Batchelor of Science honours degree in Audio Technology graduating from the School of Acoustics and Electronic Engineering at the University of Salford in 1999. I am a corporate member of the Institute of Acoustics (MIOA).

1.1.2. I specialise in environmental noise and vibration and have worked in this area for the last 19 years, which have been in continuous employment with WSP. I have extensive experience in providing acoustic consultancy services and noise impact assessments for proposed developments including industrial, commercial, storage and distribution facilities. My experience includes; input to concept design, establishing baseline conditions, noise and vibration measurement, noise level prediction, assessment, mitigation design, determination of residual effects, and testing compliance with national and local planning policy requirements.

1.1.3. I am the project director for the WSP acoustic consultancy services provided for the planning application, with responsibilities including the peer review of all noise and vibration related deliverables on the project. The pre-application deliverables comprised Chapter 7: *Noise and Vibration* of the Environmental Statement (ES) (CD:33.55) and associated appendices (CD:33.74) and figures (CD:33.110 to CD33.116), Section 2.7: *Noise and vibration* of the of the ES Addendum (CD:33.152) and Appendix H: *Night-time construction noise technical note* of the *Construction Environmental Management Plan - Unit 1* (CD:31.4).

1.1.4. The evidence contained within this Subject Statement has been prepared by me in accordance with the guidance of my professional institute. I confirm that any opinions expressed are my true and professional view.

1.2 SCOPE OF EVIDENCE

1.2.1. I am providing evidence in respect of environmental noise and vibration. In particular, this Subject Statement provides a background of the environmental noise and vibration assessment work that has been undertaken to support the planning application and how the findings demonstrate compliance with applicable national and local planning policies. My evidence also explains how any necessary mitigation measures should be secured through the use of appropriate planning conditions.

2 NOISE AND VIBRATION ASSESSMENT

2.1 CONSULTATION

2.1.1. The noise and vibration assessment approaches and criteria were agreed with both St. Helens Council and Warrington Borough Council.

2.1.2. Consultation was carried out through issue of Section 6: *Noise and vibration* of the Environmental Impact Assessment Scoping Report (CD:33.66) receipt of the noise section on pages 9 and 10 of the St. Helens Council Scoping Opinion (CD:33.72), and direct correspondence with the St. Helens Council Environmental Health Officer for noise (CD:34.75). The Scoping Opinion included St. Helens Council's comments on the Environmental Impact Assessment Scoping Report and agreement of approach from Warrington Borough Council.

2.1.3. A summary of the completed consultation can be found in Section 7.2 paragraphs 7.2.1, 7.2.2 and Table 7-1 of the ES (CD:33.55).

2.1.4. The assessment was undertaken in accordance with the agreed approaches in its entirety.

2.2 SCOPE OF THE ASSESSMENT

2.2.1. The scope of the assessment included all impacts with the potential to give rise to a significant effect. The potential impacts assessed were:

- Construction noise;
- Construction vibration;
- Operational phase development generated traffic noise; and
- Operational phase commercial and fixed plant noise.

2.3 ASSESSMENT METHOD

2.3.1. The assessment work was undertaken in accordance with best practice and the British Standards and guidance as agreed with the St. Helens Council Environmental Health Officer. Those assessment methodologies are described in Section 7.2, paragraphs 7.2.23 to 7.2.35 of the ES (CD:33.55). In all cases, they are well established and widely accepted as fit for use. As such, the assessment of noise and vibration impacts has been accepted as appropriate.

2.3.2. Chapter 7 of the ES (CD:33.74) sets out whether any identified noise and vibration effects would be significant (as required for the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (CD:43.62)) and determines whether or not those effects would be compliant with local and national planning policy. The means by which significance is determined is explained in Section 7.2, paragraphs 7.2.52 to 7.2.67 of the ES (CD:33.55). The relevant noise and vibration related policies are set out in Section 7.5, paragraphs 7.5.1 to 7.5.6, and Appendix 7.2 of the ES (CD:33.74). The assessment of compliance with policy is presented in Appendices 7.4 to 7.7 of the ES (CD:33.74).

2.4 BASELINE CONDITIONS

2.4.1. Baseline conditions were determined by means of an environmental noise survey which is described in Section 7.2, paragraphs 7.2.12 to 7.2.22 of the ES (CD:33.55), with the results presented in Section 7.3 and Appendix 7.4 of the ES (CD:33.74).

2.4.2. The approach to the baseline noise survey, including the measurement locations and durations, was agreed by St. Helens Council during consultation with the Environmental Health Officer, and the results of the baseline noise survey are considered to be representative and robust.

2.4.3. Details of the closest noise sensitive receptors to the Proposed Development are presented in Section 7.4 of the ES (CD:33.74), and summarised as follows:

- The Stepping Stones day nursery to the east of the site boundary;
- Dwellings at Old Hall Farm to the west of the site; and
- Dwellings at Bembridge Close, Park Road and Godshill Close to the south.

2.4.4. Baseline sound level data was obtained at measurement locations selected as representative of the above receptors. Figure 7.1 of the ES (CD:33.110) depicts the closest receptors and adopted measurement locations.

2.5 CONSTRUCTION NOISE

2.5.1. The assessment of construction noise was undertaken in accordance with the applicable British Standard BS5228-1:2009+A1:2014: *Code of practice for noise and vibration control on construction and open sites. Part 1: Noise* (CD:4.77) and with reference to the results of the baseline noise survey. The assessment method is described in Section 7.2, paragraphs 7.2.25 to 7.2.26 of the ES (CD:33.54).

2.5.2. Construction noise assessment criteria were set for the closest noise sensitive receptors to the site for the proposed daytime construction working hours. A separate construction noise assessment was subsequently undertaken for night-time work anticipated to be required for Unit 1, and this was included as Appendix H: *Night-time construction noise technical note* of the *Construction Environmental Management Plan - Unit 1* (CD:31.4).

2.5.3. Based on the precautionary construction noise predictions as reported, no significant adverse effects were identified at noise sensitive receptors.

2.5.4. Notwithstanding this, various mitigation measures are proposed to be employed over the course of the works as detailed in the mitigation section on pages 5 and 6 of Appendix 7.4 of the ES (CD33.74). These include adoption of Best Practical Means for the minimisation of construction noise. It is confirmed that these measures will be implemented through a Construction Environmental Management Plan. Paragraphs 9.3.1 to 9.3.5 of The *Construction Environmental Management Plan - Unit 1* (CD:31.4) include the mitigation measures whilst paragraph 9.3.2 confirms that compliance noise monitoring would be undertaken in addition.

2.5.5. Compliance with a Construction Environmental Management Plan can be ensured through the use of an appropriately worded planning condition. This would also allow noise from any unforeseen construction activities to be properly controlled. In my expert opinion, such an approach would be proportionate, appropriate and lawful.

2.5.6. Paragraph 7 under section 3.41 of the St. Helens Council committee report (CD:35.2) confirms this approach stating that a condition to ensure compliance with a CEMP "*would satisfactorily control this aspect of the development.*" whilst Paragraph 7.291 confirms that "*The Council's Noise Officer is satisfied that the measures can be secured through a condition for the outline element*". Page 23 of the St. Helens Statement of case (CD:42.2) includes Condition No.26 which requires compliance with the Unit 1 CEMP (CD:31.4) for the detailed application area, whilst Pages 29-30 include

Condition 59 which requires that a CEMP is to be agreed with St. Helens Council for the outline application area, and then complied with.

2.5.7. In terms of the National Planning Policy Framework (NPPF) (CD:1.1) and the Noise Policy Statement for England (NPSE) (CD:4.74), the identified impact aligns with the No Observed Effect Level (NOEL). The Proposed Development is considered compliant with policy.

2.5.8. Paragraph 7.241 of the committee report (CD:35.2) confirms St. Helens Council's view that "*Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1.*"

2.6 CONSTRUCTION VIBRATION

2.6.1. The assessment of construction vibration is detailed in Appendix 7.5 of the ES (CD:33.74) and was undertaken in accordance with the applicable British Standard, BS5228-2:2009+A1:2014: *Code of practice for noise and vibration control on construction and open sites. Part 2: Vibration* (CD:43.12). The assessment method is described in Section 7.2, paragraphs 7.2.27 to 7.2.28 of the ES (CD:33.55).

2.6.2. The assessment concludes that even without mitigation measures, no significant vibration effects would arise at either Old Hall Farm or dwellings on Bembridge Close, Park Road and Godshill Close. It also concludes that significant vibration effects can be avoided at the Stepping Stones Day Nursery through the adoption of appropriate mitigation measures. The identified mitigation measures are proposed to be employed over the course of the works and are detailed in the mitigation section on pages 4 and 5 of Appendix 7.5 of the ES (CD:33.74). Paragraph 9.3.6 of The *Construction Environmental Management Plan - Unit 1* (CD:31.4) includes the identified mitigation measures.

2.6.3. Compliance with a Construction Environmental Management Plan can be secured through the use of an appropriately worded planning condition. This would also allow vibration from any unforeseen construction activities to be properly controlled. In my expert opinion, such an approach would be proportionate, appropriate and lawful.

2.6.4. Paragraph 7 under section 3.41 of the committee report (CD:35.2) confirms this approach stating that a condition to ensure compliance with a CEMP "*would satisfactorily control this aspect of the development.*" whilst Paragraph 7.292 confirms that "*a further review* [of piling methods] *and any appropriate mitigation will be determined through a condition*". Page 23 of the St. Helens Statement of case (CD:42.2) includes Condition No.26 which requires compliance with the Unit 1 CEMP (CD:31.4) for the detailed application area, whilst Pages 29-30 include Condition 59 which requires a CEMP to be agreed for the outline application area, and then complied with.

2.6.5. Condition 94 on Page 38 requires that as part of any reserved matters application for the outline application area, an updated construction vibration and mitigation assessment is undertaken whilst Condition 95 requires that a piling method statement is then agreed and complied with.

2.6.6. In terms of the NPPF (CD:1.1) and the NPSE (CD:4.74), the identified range of impact aligns with No Observed Effect Level (NOEL) to Lowest Observed Effect Level (LOAEL) and the resulting effects are minimised through the mitigation measures. The Proposed Development is considered compliant with policy.

2.6.7. Paragraph 7.241 of the Committee Report (CD:35.2) confirms St. Helens Council's view that "*Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1.*"

2.7 DEVELOPMENT GENERATED TRAFFIC NOISE

2.7.1. The assessment of development generated traffic noise is detailed in Appendix 7.6 of the ES (CD:33.74) and was undertaken in accordance with applicable guidance *Design Manual for Roads and Bridges, Volume 11, Section 3, Part 7, HD 213/11 revision 1. Noise and Vibration* (CD:4.76) and Department of Transport and Welsh Office (1988): *Calculation of Road Traffic Noise* (CD:5.98). The assessment method is described in Section 7.2, paragraphs 7.2.29 to 7.2.32 of the ES (CD:33.55).

2.7.2. All HGV movements to / from the site are to be routed via Catalina Approach and Skyline Drive to the M62 Junction 8. There are no noise sensitive receptors along this route. Notwithstanding this, the assessment considered the noise level changes that would arise from development generated traffic. The identified noise level changes are generally negligible or small. For Catalina Approach higher noise level changes are identified, but there are no noise sensitive receptors in the vicinity of this route to be impacted.

2.7.3. The assessment concludes that no significant adverse noise effects would arise at noise sensitive receptors. Paragraph 7.295 of the Committee Report (CD:35.2) confirms that at "*…the routes where noise sensitive receptors are presented* [sic] *resulting noise level changes would be small and not significant."*

2.7.4. In terms of the NPPF (CD:1.1) and the NPSE (CD:4.74), the identified noise level changes are not sufficient to change the effect level range of Lowest Observed Effect Level (LOAEL) to Significant Observed Adverse Effect Level (SOAEL) as already present without the Proposed Development. The Proposed Development is considered compliant with policy.

2.7.5. Paragraph 7.241 of the Committee Report (CD:35.2) confirms St. Helens Council's view that "*Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1.*"

2.8 OPERATIONAL PHASE COMMERCIAL / FIXED PLANT NOISE

2.8.1. The assessment of operational phase commercial / fixed plant noise is detailed in Appendix 7.7 of the ES (CD:33.74). The assessment was undertaken in accordance with the applicable British Standard BS 4142:2014+A1:2019: *Method for rating and assessing industrial and commercial sound* and (CD:5.137), the *Institute of Acoustics (Nov 2015): Acoustics of schools: a design guide* (CD:43.13) and with reference to the baseline noise survey. The assessment method is described in Section 7.2, paragraphs 7.2.33 to 7.2.35 of the ES (CD:33.55) and includes noise from both HGV movements within the site, and from fixed plant and equipment.

2.8.2. The levels of noise that will be generated from the site once operational will be dependent upon a number of factors including the final scheme layout for the outline application area (which will be brought forward in a reserved matters application in due course), the future occupants of the

Proposed Development, and the nature and intensity of their business / operations. For this reason, a number of assessment assumptions were necessary and these included an example scheme layout and assumed operational scenarios. The details of the assumptions can be found in Section 7.2, paragraphs 7.2.41 to 7.2.50 of the ES (CD:33.55), which explains how precautionary operational noise predictions were made for HGV movements within the site.

2.8.3. Based on the results of the operational noise predictions, the assessment conclusions were that significant adverse noise impacts can be avoided during both daytime and night-time periods through the use of appropriate noise mitigation measures. Available measures are detailed in the mitigation section on pages 5 and 6 of Appendix 7.7 of the ES (CD:33.74), including an acoustic barrier for Unit 1 (detailed application area). In addition an operational noise management plan has been prepared for Unit 1 (CD:31.7).

2.8.4. The final details of the required noise mitigation measures for the outline application area will be dependent upon the final scheme layout brought forward at the reserved matters stage, but the completed assessment has demonstrated the principle that appropriate measures are available.

2.8.5. The delivery of necessary noise mitigation measures can be ensured through the use of appropriately worded planning conditions. This would also allow the measures to be developed as the final scheme layout for the outline application area evolves. In my expert opinion, such an approach would be proportionate, appropriate and lawful.

2.8.6. The St. Helens Council statement of case (CD:42.2) presents noise conditions to secure appropriate mitigation measures for the detailed and outline application areas on Pages 21 and 38 respectively. The conditions for the detailed application area are No.12 (assessment and compliance with operational noise limits), No.13 (compliance with the operational noise management plan (CD:31.7)) and No.14 (installation of noise barriers). The conditions for the outline application area are No.93 (assessment and compliance with operational noise limits), No.94 (updated assessment and mitigation for reserved matters application).

2.8.7. The details of any fixed plant or equipment to be installed at the site are also currently unknown. The assessment therefore identifies appropriate noise level limits to inform plant selection and siting. The identified noise level limits are detailed in Table 7.7-4 of Appendix 7.7 of the ES (CD:33.74). Compliance with these limits could be ensured through the use of an appropriately worded planning condition. The St. Helens Council statement of case (CD:42.2) confirms this approach with Condition 11 on page 21 for the detailed application area and Condition 92 on Page 37 for the outline application area.

2.8.8. In terms of the NPPF (CD:1.1) and the NPSE (CD:35.2), the identified range of impact aligns with No Observed Effect Level (NOEL) to Lowest Observed Effect Level (LOAEL) and the resulting effects are minimised through the mitigation measures. The Proposed Development is considered compliant with policy.

2.8.9. Paragraph 7.241 of the Committee Report (CD:35.2) confirms St. Helens Council's view that "*Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1.*"

3 OBJECTIONS

3.1.1. I have reviewed the objections submitted to both St. Helens Council and Warrington Borough Council which refer to noise or vibration.

3.1.2. I have found no detailed representations with respect to noise or vibration. All of the noise or vibration comments were of a relatively high level, typically comprising a general reference to '*noise pollution*' from the Proposed Development. I identified no objections or criticisms in respect of the scope of the noise and vibration assessment work, the approaches adopted to determining baseline conditions, the assessment methodologies applied, the analysis of results or the determination of impacts and effects.

3.1.3. The comments made can be broadly categorised as follows:

- Noise in general;
- Increase in noise impact locally;
- Traffic noise;
- Traffic induced vibration;
- References to prevailing local noise levels already being high; and
- Not improving noise climate.

3.1.4. The noise and vibration assessment has appraised all of the potentially significant noise and vibration effect in accordance with recognised good practice and methods agreed with St. Helens Council and Warrington Borough Council. As such, it is not necessary to consider the objections or the above categories individually. That assessment concluded that with appropriate mitigation measures in place no significant noise and vibration effects would arise and that the Proposed Development is compliant with noise related policy.

4 CONCLUSIONS

4.1.1. My name is James Powlson. I am an Associate Director of the Acoustics team at WSP which sits within WSP's Planning and Advisory business. I hold a first class Batchelor of Science honours degree in Audio Technology graduating from the School of Acoustics and Electronic Engineering at the University of Salford in 1999. I am a corporate member of the Institute of Acoustics (MIOA).

4.1.2. The scope of the evidence that I have provided in this Subject Statement covers noise and vibration, including the assessment work undertaken, and explains how the findings demonstrate compliance with applicable planning policy. The Subject Statement also explains how any necessary mitigation measures should be secured through the use of appropriate planning conditions.

4.1.3. The scope and approach to the completed noise and vibration assessment, as reported in the Environmental Statement ES (CD:33.55), was agreed in detail with St. Helens Council and Warrington Borough Council through consultation.

4.1.4. The completed assessment considered all sources of noise and vibration with the potential to give rise to significant effects. The subjects assessed were construction noise, construction vibration, operational phase development generated traffic noise and operational phase commercial and fixed plant noise.

4.1.5. Each aspect has been assessed in accordance with applicable British Standards and guidance, following well established methods that are widely accepted as fit for use.

4.1.6. The assessment has identified that with appropriate mitigation measures in place, significant noise and vibration effects would not arise as a result of the Proposed Development.

4.1.7. For the construction phase, committed mitigation measures include adoption of Best Practical Means for the minimisation of construction noise and it is confirmed that these measures can be ensured through compliance with Construction Environmental Management Plans.

4.1.8. For the operational phase, mitigation measures in the form of an acoustic barrier are identified for Unit 1 (detailed application area) and it is demonstrated that appropriate measures are also available for the outline application area. The final measures for the outline area will be dependent upon the final scheme layout brought forward at the reserved matters application stage.

4.1.9. The necessary mitigation measures can be secured through the use of appropriately worded planning conditions, and in my expert opinion such an approach would be proportionate, appropriate and lawful.

4.1.10. In summary; with suitable mitigation measures in place, no significant adverse noise and vibration effects would arise, and the Proposed Development is considered compliant with applicable planning policy. St. Helens Council confirms at Paragraph 7.241 of the Committee Report (CD:35.2) that: "*Subject to the recommend conditions, the noise effects of the proposed development would not have a significant effect on the amenity of the residents at the nearest residential properties and other sensitive noise receptors, in accordance with Policy CP1.*"

8 First Street
Manchester
M15 4RP

wsp.com