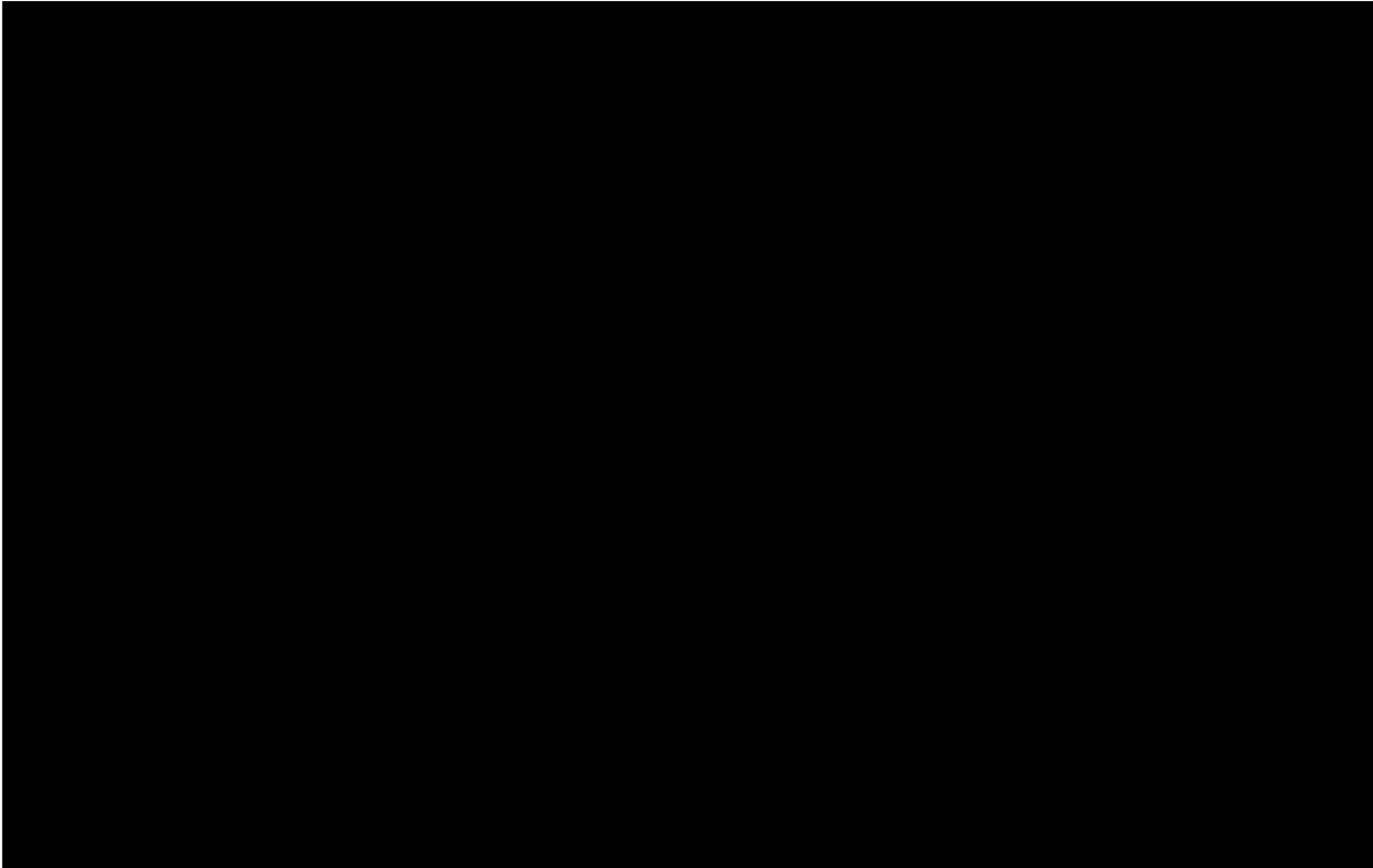




From: Fiona Fitzgerald <Fiona.Fitzgerald@arun.gov.uk>
Sent: 05 October 2021 11:46
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Cc: David Easton <David.Easton@arun.gov.uk>
Subject: F/4/20/OUT

Dear Planning,

These comments follow submission of the revised Waste Infrastructure Statement (July 2021), odour assessment and noise impact addendum. Comments should be read in conjunction with previous Environmental Health comments.

Noise Impact Addendum – no further EH comments.

Odour Assessment

Environmental Health's observations are contained in the following paragraphs, however given the potential level of risk involved and the fact that Environmental Health are not odour specialists, we would recommend that the Odour Report is independently peer reviewed and the results forwarded to Environmental Health for comment.

Page 17 – last paragraph states: "Arun District Council has confirmed that any odour from the Grundon WTS would be controlled by its Environmental Permit and, in accordance of the requirements of the NPPF, that no further assessment is required other than that submitted with the application for that scheme". This paragraph is somewhat unspecific as it can be read as ADC permit the site, whereas this is not the case at the premises, the Environment Agency are the permitting agency. Secondly, EH would dispute that we have stated that 'any odour from the Grundon WTS would be controlled by its Environmental Permit'. Whilst any odour from Grundon WTS *should* be controlled by its permit, this is not always the case, and Environmental Health Departments deal with complaints of odour where the odour may not reach the level of 'pollution' as determined under the Permit, but may constitute a Statutory Nuisance or loss of amenity. Please could this paragraph be amended to reflect this.

Environmental Health would reiterate the point made in the odour report that use of the 3 OUE/m3 limit does not mean that residents would never experience odours from the works but that the exposure to odours at this level would mean odour complaints would be unlikely.

Waste Infrastructure Statement

Paragraph 2.17 – Whilst Environmental Health agree with this paragraph, it should be noted that this does not mean that there will be no odour beyond the boundary of the permitted site, only that the permit works to minimise the odour. Therefore odour at a level which still has an impact on amenity or causes complaints to be received by the Local Authority may still occur.

Paragraph 3.4 - Screening by vegetation will clearly assist with visual impacts, but it should be noted that vegetation does not provide acoustic screening and therefore will not be mitigation for noise concerns.

Paragraph 3.14 – the applicants appear to be contradicting themselves where they state in paragraph 2.17 that the LPA must assess assuming that the Environmental Permit is being adhered to, but in 3.14 stating that this is not the case and significant odour is experienced from local residents on an ongoing basis from the Grundon facility.

Paragraph 3.15 – typo, presumably should be rats not rates.

Paragraph 3.18 states “therefore the planning decision should assume that the environmental permitting regime will operate effectively” but paragraph 3.14 states this is not the case.

Paragraph 3.21 states that the majority of homes would fall within the noise contour of less than 35dB LAr,Tr but does not give an indication of how big that majority is – 51% majority would be very different to a 99% majority.

Paragraph 3.38 and 3.39 – please refer to Environmental Health’s comments on the Acoustic report for this section. Specifically point 1 under Noise from email consultation response dated 8 July 2020. Environmental Health does not consider a difference between the background and rating noise level of +10dB to be acceptable and does not support a rating noise level of this magnitude. Environmental Health does not support the statement in paragraph 3.39 that states this is a low noise impact.

3.50 – *New Circular Technology Park, Ford – Materials Recycling Facility Operated by Grundon Waste Management Ltd* - Whilst an Environmental Permit can limit both noise and odour from the site the emissions and monitoring section of the submitted standard rules permit does not set specific noise or odour emission limits. Rather that emissions from the activities shall be free from noise, vibration and odour at levels likely to cause pollution outside the site in the opinion of an Environment Agency Officer. Any approved noise, vibration or odour management plans and previous assessments of noise are likely to have been based on the fact that the site has no close residential neighbours and therefore some pollution is unlikely to have been deemed a problem. However if residents are to be placed nearby this could change and noise, vibration or odour that was previously acceptable would no longer be considered so. Mitigation should therefore be considered for the existing and consented operations at this site if indicated by further assessment.

3.51 - As above, any noise or odour from permitted sites *should* be controlled by its permit, but this is not always the case, and Environmental Health Departments deal with complaints of noise/odour where they may not reach the level of ‘pollution’ as determined under the Permit, but may constitute a Statutory Nuisance or loss of amenity.

3.54 Environmental Health disagrees with this statement. The Noise Impact Assessment (24 Acoustics, ref: R6930 – 3, Rev 2 states at paragraph 5.15 “*It should be noted that some dwellings will require closed windows to achieve suitable internal noise levels; hence alternative means of ventilation and consideration to the thermal design may be necessary to prevent excess internal heat build-up*”. ProPG is formally recognised by Government as guidance. Windows which must remain closed to achieve noise levels (but open for purge ventilation) is not consistent with current Government Policy (Pro PG) which is more recent than BS 8233. Environmental Health therefore does not agree that the proposed location of residential development would be acceptable in terms of both the existing and extant consent operations, whether considered against BS 4142 or BS 8233.

3.59 – Environmental Health disagrees with this statement as an existing Environmental Permit does not necessarily secure management of odour or noise at levels below that which would be considered acceptable to residential occupiers. As described above the existing permit conditions do not set specific levels of noise and odour and existing management plans are likely to have been designed with the existing land uses in mind which might allow a higher level of acceptable pollution outside of the site than that which would be acceptable to residential occupiers.

3.76 – Environmental Health does not agree with this statement.

3.79 – Whilst Environmental health does not fully disagree with this statement our idea of “suitable mitigation” and where it is required differs to that of the applicant. See previous points re New Circular Technology Park, Ford – Materials Recycling Facility Operated by Grundon Waste Management Ltd.

4.4 – This statement suggests that there may be gaps in the acoustic barrier to allow for pedestrian access. Please clarify if this is the case and if these gaps were taken into account during the noise assessment. Acoustic barriers must usually be complete without gaps if they are to be effective.

4.7 – see comments on 3.50 regarding where mitigation may be required.

4.9 - Proposed Condition. Environmental Health notes that this proposed condition is much shorter and less specific than the condition suggested in the previous WIS. Environmental Health does not support this condition as it does not satisfactorily address concerns that have been raised and would refer back to the previous wording.

5.3 – See previous comments. Whilst a permit should control pollution from noise and odour effectively there are no guarantees that the acceptable level that currently exists and is set within an existing permit will be sufficient to protect new residential neighbours which were not in place when the conditions and management plans were set. It is dangerous to assume that existing permit conditions will be set at acceptable levels for new residents and further assessment of noise and odour is recommended with mitigation where necessary.

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