

Mandy Dando

From: Diarmid Henry
Sent: 17 April 2012 12:00
To: Development Control
Subject: Stowey Quarry. 10/05199/EFUL

Dear Chris,

I wish to comment on the Noise Assessment submitted by Environmental Pollution Management Ltd on 10 April 2012. The assessment refers to a survey of background noise levels at the nearest noise sensitive premises (Hill View House) on 1 December 2011. The survey determined the background noise level at the nearest noise sensitive premises to be 27 dB L_{A90} which is contrary to the background noise level determined by the applicant of 36 dB L_{A90}.

Both noise survey's make reference to *Minerals Policy Statement 2 (MPS2): Controlling and Mitigating the Environmental Effects of Minerals Extraction in England, Annex 2: Noise*. MPS2 defines background noise as "the underlying noise level in the absence of the specific noise resulting from the proposed mineral working, usually measured as LA90, T." The background noise survey undertaken by the applicant included noise from existing quarry operations whereas the survey undertaken by Environmental Pollution Management Ltd did not. The inclusion of the quarry noise in the survey has resulted in a higher noise limit being proposed than would have been set had the noise from the quarry operations been omitted.

MPS2 states that noise limits at noise sensitive premises should not exceed the background noise level by more than 10 dB(A). This has resulted in the applicant proposing a noise limit of 46 dB(A) at the nearest noise sensitive premises whereas Environmental Pollution Management Ltd argue that the noise limit at the nearest noise sensitive premises should be 37 dB(A). A limit of 37 dB(A) at the nearest noise sensitive premises could be difficult to achieve and this is something which is taken account of in MPS2 which states: "*MPAs should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that this will in many circumstances, be difficult to achieve without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq,1h (free field).*"

It could therefore be argued that if a level of 37 dB(A) was deemed unreasonable, that an upper limit of 55 dB LAeq could be imposed. It must also be remembered that planning consent has already been issued for the site in question where a limit of 46 dB(A) at the nearest noise sensitive premises has been imposed. Noise could therefore be emitted from the site at present, at this level, and be quite lawful.

The Noise Assessment submitted by Environmental Pollution Management Ltd also makes reference to noise from vehicle movements. The assessment predicts that noise levels at the nearest noise sensitive premises will increase by 30dB(A), however I would question the reliability of this prediction given the frequency of vehicle movements is well below that that advised by Calculation of Road Traffic Noise to produce a reliable prediction. Again I would mention that the site currently has consent for the same number of vehicle movements proposed by this application.

In summary, I acknowledge the apparent anomaly in the assessment of the background noise in relation to setting a limit in accordance with MPS2, however MPS2 also states that limits should not be deemed unreasonable. Given that consent has been issued previously which contains a

condition based on a limit of 46 dB(A), I am reluctant to make further comment in respect of this aspect of the application. In relation to noise output from vehicle movements, consent has already been issued for the same number of vehicle movements applied for with this application and on that basis I do not intend to make further comment.

Should you wish to discuss further, please contact me directly.

Kind regards,

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