
From: Dominic Page <DPPage@geraldeva.com>
Sent: 07 June 2022 12:41
To: Foster, Kevin; Jodie Farnill
Cc: Matt Claxton; Jenna Wilks
Subject: External Mail: RE: 22.00162.REM Site of Cronton Colliery.docx
Attachments: 22.00162.REM Site of Cronton Colliery.docx

CAUTION: This email originated from an external source. If you suspect a potential phishing email, report it via the IT Self Service Portal which can be found within the Quick Links section on Bertha

Hi Kevin,

Sorry for the delay in responding to the EH comments for the RM (attached for ease) as it's taken a while to clarify a couple of points with the prospective occupier.

As the Council is aware, the proposed masterplan layout put forward with the original application was submitted for illustrative purposes only for this part of the site (i.e. the outline area). As such, the layout was not fixed by the planning permission and the Council imposed a planning condition requiring reassessment of the noise environment based on the fixed detailed proposals brought forward at the reserved matters stage, which has been submitted.

Whilst the applicant appreciates that there is a difference to the layout that could be considered less favourable from a noise perspective when compared against the illustrative masterplan, the accompanying assessment is considered to be robust (subject to the clarifications set out below) in justifying the proposed detailed layout and access arrangements.

There are also significant other benefits achieved by the RM proposals as a result of building's position at a greater distance from the Grade II listed dwelling to the north east, as well as being much smaller in scale/height. The submitted updated noise assessment has identified the requisite mitigation to ensure local residents' amenity is not unduly affected as a result of the RM scheme, which is combined with the other benefits of reduced visual impact, a greater amount of retained woodland, increased landscaping including tree planting and reduced impact on the historic environment.

I've copied below a technical note provided by our noise consultant at E3P, which responds to the key points raised by the EHO (which are set out in **bold**) and followed by the applicant's response (set out in *italics*):

Regarding the background level specified. Table 3.1 states shows the median levels and that they correspond to the 'typical' levels required for the BS4142:2014 (should be 2019) assessment. However, the tables showing the BS4142 assessment show the 'modal' measured background sound level (which is what BS4142 shows). The report needs to be consistent. We would also like to see the workings demonstrating how you have arrived at the modal value (a bar chart maybe?)

This is a typo in the assessment section and the median values have been used as per those shown in Table 3.1 and 3.2. Typically, median or modal values are used to determine the typical background sound level in accordance with BS 4142, as noted:

"NOTE 1 To obtain a representative background sound level a series of either sequential or disaggregated measurements should be carried out for the period(s) of interest, possibly on more than one occasion. A representative level should account for the range of background sound levels and should not automatically be assumed to be either the minimum or modal value."

Here we have taken the lowest median value, day and night, to inform a worst-case assessment. There is no hard fast rule on which statistical value to use. Median is defined as denoting or relating to a value or quantity lying at the midpoint of a frequency distribution of observed values or quantities, such that there is an equal probability of falling above or below it. This approach and typical values used was considered acceptable at the outline planning stage with no comments received or objections to this method raised. We feel the assessment at Reserved Matters should be based on the same values and approach as shown in the ES Chapter and Standalone Noise Assessment.

We disagree with the night-time background level shown for the 16th March, its higher than the daytime value.

I can confirm this is not what you would typically expect, and it may be that adverse weather or unusual activity nearby influenced this time period. However, this was not used in the assessment and, as such, had no bearing within it. The values measured on Friday night were the lowest and, as such, used in the assessment. Normally, the weekend values denote the lowest typical values. These onerous levels were measured on a Monday night and so weren't considered in the assessment.

Regarding the assumptions for the assessment:

- **A figure of 2600 vehicle has been used, with an HGV composition of 50%. Is this over a year? If so, 50% HGV would equate to 1300, which in turn means about 3-4 HGV's a day. Given the size of the unit I do not believe that is an accurate figure. This figure is an 18-hr AAWT for a single 18-hr period not over a year. This is a standard noise parameter used in the assessment of road traffic noise.**
- **The assessment should assume worse case and that all bays are being used. This was an approach taken at the outline planning stage and noted in the assessment. Previously we assumed 25% of all dock levellers over the entire site would be in use in a single 15 minute period. However, here, we have assumed half of all dock levellers been in use at the unit. We did not assume all dock levellers in a 15 minute period as this would not be considered real world. Indeed, some HGVs may be parked up at each leveller but it is highly unlikely that 29 HGVs would be loaded/unloaded simultaneously in 15 minutes. More importantly, in the cases of the closest receptors, HGV dock noise is not the dominant source impacting the receptors, and movements along the access roads and car park usage would mask any noise from these, as shown in the Figures. Loading/unloading noise is mostly internal and fully shielded from the receptors. Indeed, partial levels from the noise model note that noise from dock levellers were more than 10 dB below the most dominant sound source.**
- **Forklift trucks haven't been accounted for and these are likely to have reversing beepers. Should these be the standard beepers they will have potential to impact the nearby residents All loading bays are at dock levellers and no external storage areas are proposed that would warrant the assessment of FLT's. The prospective occupier has confirmed that FLT's will not be operated on site.**
- **Are the 4-metre-high barriers of an acoustic design? The Applicant has confirmed that they are. It is assumed they would be standard close-boarded fences, free from holes, sealed at the base and with a minimum mass of 10 kg/m².**
- **The assessment assumes all HGV's would be fitted with white noise reversing beepers – has this been confirmed by the applicant, as from experience this is unlikely to be the case. As a worse-case scenario, it should be assumed that the standard beepers will be fitted. Given the short on-time duration compared to longer term sources, such as loading/unloading, vehicle movements and car park usage, this would not significantly alter the assessment.**

The night-time assessment shows that the receptor 'Old Halsnead / Halsnead Villas, will be subject to a difference of 4dB above the background. Given the assumption comments we have made above, this could be more and is unlikely to be less.

As above, the same background sound levels used in previous assessments has been adopted. Furthermore, it was shown that internal noise levels in bedrooms would be sufficiently low not to cause adverse impact.

The report states, "A minor exceedance of +4 dB is predicted at Old Halsnead but this is associated with vehicle movements along the access road, a source already present due to road traffic along the Motorway. As such, this level of exceedance is not considered significant, especially considering existing ambient noise levels range between 46 and 59 dB with the lowest measured average noise level noted to be 49 dB. Assuming this average noise level, the increase in road traffic sound here would be 50 dB, a 1 dB increase which would be insignificant."

We disagree with the comment above. This difference is likely to be noticeable to the residents, particularly at night. You cannot use an average value of 49dB throughout the night as it is misleading. Residents nearby are very likely to hear the HGV's using the access road. Particularly when they are likely to be slowing down for the bend, and then accelerating.

Given that vehicles movements will be fairly constant through the day and night, it is considered acceptable to use average noise levels. Even assuming the lowest measured 15-minute ambient sound level, 44.4 dB, an increase in noise over this quietest 15 minute period would only be 2.5 dB due to operation of the Site, thus falling below the perceptibility criterion of 2.9 dB. This is a common approach in Noise Assessments and is considered acceptable when considering context in BS 4142.

We need to see what noise figures have used for those HGV's using the access road. In my experience using an SEL of 79dB(A) at 10m would not be unreasonable. This is likely to result in a level of over 60 dB(A) at the nearest residential property.

The road input in CadnaA has been used with accurate vehicle numbers and HGV composition used. Speed and surface corrections have been included. This is much more accurate than inserting a line source based on an SEL and is a common approach in modern Noise Assessments.

Also, ProPG: Planning and Noise guidance also states that noise sensitive rooms at night should not exceed 45dB $L_{Amax, F}$ more than 10 times a night. Given the proximity of the access road and the number of HGV's that could be using this road at night it is likely this value could be exceeded.

It is not possible to consider this as too many variables are unknown such as effects of the surface, exact types of HGVs, load behaviour along the road, etc. However, assuming a maximum value of 58 dB L_{Amax} , fast at the receptor, this equates to 79 dB at 4 m from the kerb, this is considered typical of a 30 mph busy road. It is likely that speeds would be lower along this road and, notwithstanding imperfections on the road, thus resulting in lower noise levels than this.

I'd be grateful if you could pass this email onto your EH colleague for consideration in removing their objection; however, please let me know if further information/clarification is required.

Kind regards,

Dom

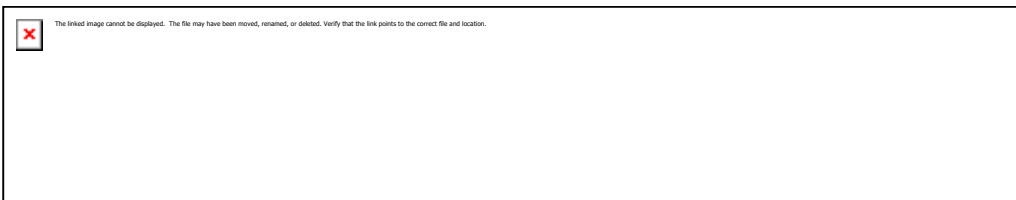
Dominic Page
Senior Associate

Tel. +44 161 259 0477
Mobile. +44 755 797 3907
DPage@geraldeve.com

Gerald Eve LLP
No 1 Marsden Street
Manchester. M2 1HW
www.geraldeve.com



GERALDEVE



From: Foster, Kevin <Kevin.Foster@knowsley.gov.uk>
Sent: 27 April 2022 11:38
To: Jodie Farnill <JFarnill@geraldeva.com>; Dominic Page <DPage@geraldeva.com>
Subject: FW: 22.00162.REM Site of Cronton Colliery.docx

CAUTION: This email originated from a sender outside the Firm. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Both

Please see the consultation response attached from Environmental Health who have raised issues in respect of noise. This potentially has implications for the NMA as well as the reserved matters.

Regards

Kevin Foster
Group Manager Majors and Planning Policy
Planning

Telephone: 0151 443 2893
Mobile: 07384 900785

Knowsley Council, Huyton Library, Civic Way, Huyton, Knowsley, L36 9GD



From: Bradshawe, Helen <Helen.Bradshawe@knowsley.gov.uk>
Sent: 26 April 2022 16:39
To: Foster, Kevin <Kevin.Foster@knowsley.gov.uk>
Cc: KMBC DC Consultations <KMBCDC.Consultations@knowsley.gov.uk>
Subject: 22.00162.REM Site of Cronton Colliery.docx

Hi,

Please see memo in regards to the above planning application.

Kind Regards

Helen Bradshawe
Environmental Protection Officer
Environmental Health and Consumer Protection

Telephone: 0151 443 4742
Mobile: 07717888524



Please consider the environment before printing this email – we are ISO 14001 certified.

Gerald Eve LLP is a limited liability partnership registered in England and Wales (registered number OC339470) and is regulated by RICS. The term partner is used to refer to a member of Gerald Eve LLP or an employee or consultant with equivalent standing and qualifications. A list of members and non-members who are designated as partners is open to inspection at our registered office 72 Welbeck Street London W1G 0AY and on our website.

Disclaimer: This internet email is intended solely for the addressee. It may contain confidential or privileged information. If you have received it in error, please notify us immediately by telephone and delete the message. If you are not the intended recipient you must not copy, distribute, disclose, take any action or rely on it or any attachment in any way. The contents of this email may contain software viruses which could damage your own computer system. Whilst this email message has been swept by Symantec for the presence of computer viruses and Gerald Eve LLP has taken all reasonable steps to ensure this email message is virus free, Gerald Eve LLP cannot accept any responsibility for any damage you may sustain as a result of software viruses and you should conduct your own virus checks. **Security warning:** please note that this email has been created in the knowledge that internet email is not a 100% secure communications medium. We advise that you understand and observe this lack of security when emailing us. Gerald Eve LLP may monitor outgoing or incoming emails. By replying to this email you give your consent to such monitoring. All offers are made subject to contract.

Planning Consultation Response

Environmental Health and Consumer Protection Service

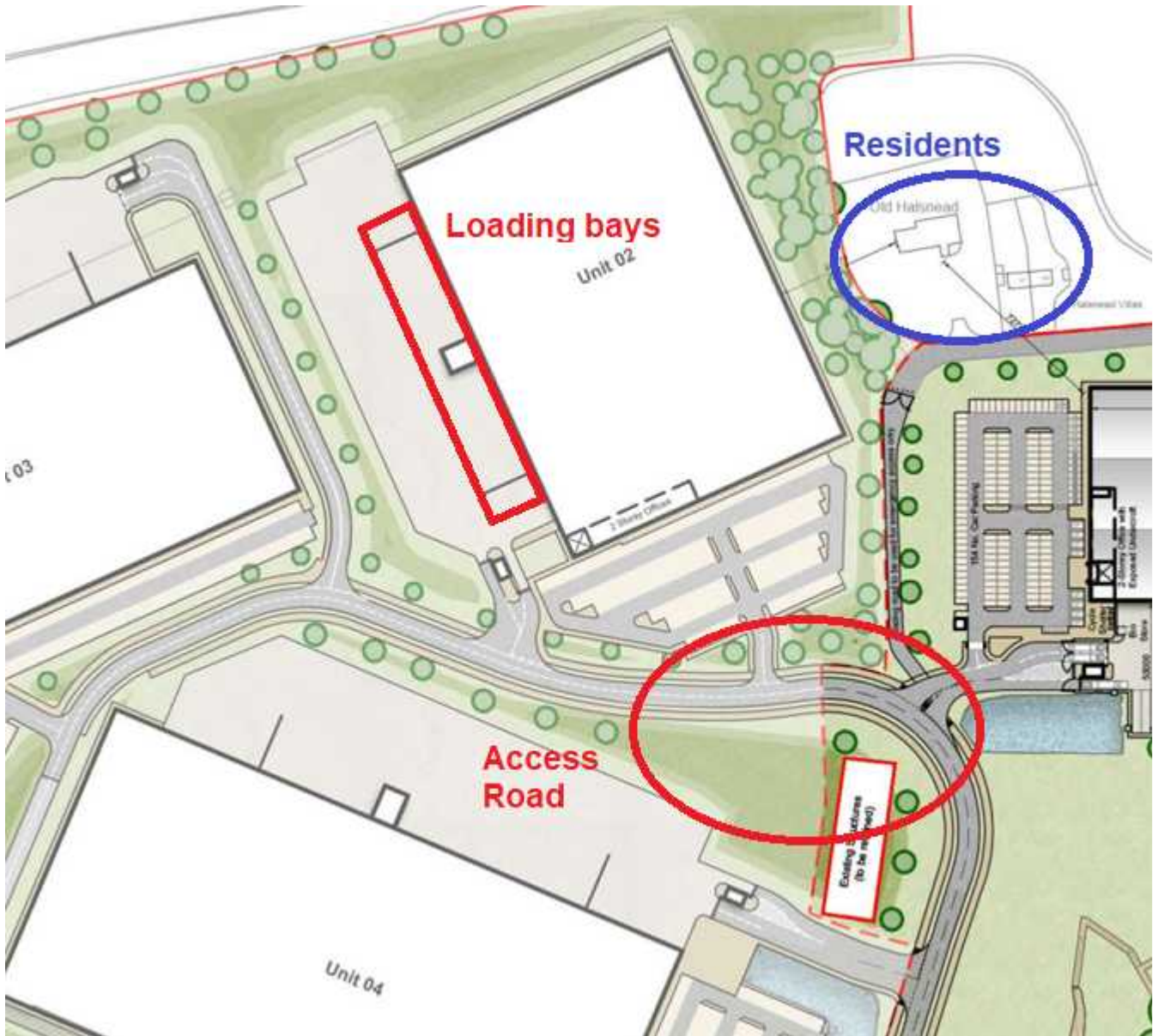
To:	Planning Services (Planning)	
From:	Environmental Health & Consumer Protection (HB/IG)	
Planning App. No:	22/00162/REM	22/01651/PLANNI
Date:	11 April 2022	
Location:	Site Of Cronton Colliery, Cronton Road, Cronton, Knowsley, L35 1QR	
Proposal:	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO PERMISSION 20/00494/HYB (HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION FOR THE DEVELOPMENT OF 161,900 SQ FT (15,041 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSFACE (USE CLASS B8), INCLUDING ANCILLARY OFFICES (USE CLASS B1), SECURITY GATEHOUSE, SITE ACCESS ROAD, ENGINEERING EARTHWORKS TO FORM A PART COUNTRY PARK, PUBLIC CAR PARK TO SERVE COUNTRY PARK, AND ASSOCIATED WORKS; AND OUTLINE APPLICATION WITH DETAILS OF POINT OF ACCESS (DETAILS OF PART-ACCESS, LANDSCAPING, APPEARANCE, SCALE AND LAYOUT ARE RESERVED) FOR THE DEVELOPMENT OF UP TO 838,100 SQ FT (77,862 SQ M) (GIA) OF STORAGE AND DISTRIBUTION FLOORSFACE (USE CLASS B8), WITH ANCILLARY OFFICES AND LIGHT INDUSTRIAL (USE CLASS B1); ENGINEERING EARTHWORKS TO FORM COUNTRY PARK AND DRAINAGE ATTENUATION PONDS; PEDESTRIAN/CYCLE/EQUESTRIAN ROUTE CONNECTING EXISTING M62 FOOTBRIDGE WITH PROPOSED COUNTRY PARK; AND ASSOCIATED WORKS) - APPROVAL SOUGHT FOR (SCALE, ACCESS, APPEARANCE, LAYOUT AND LANDSCAPING).	

Objection

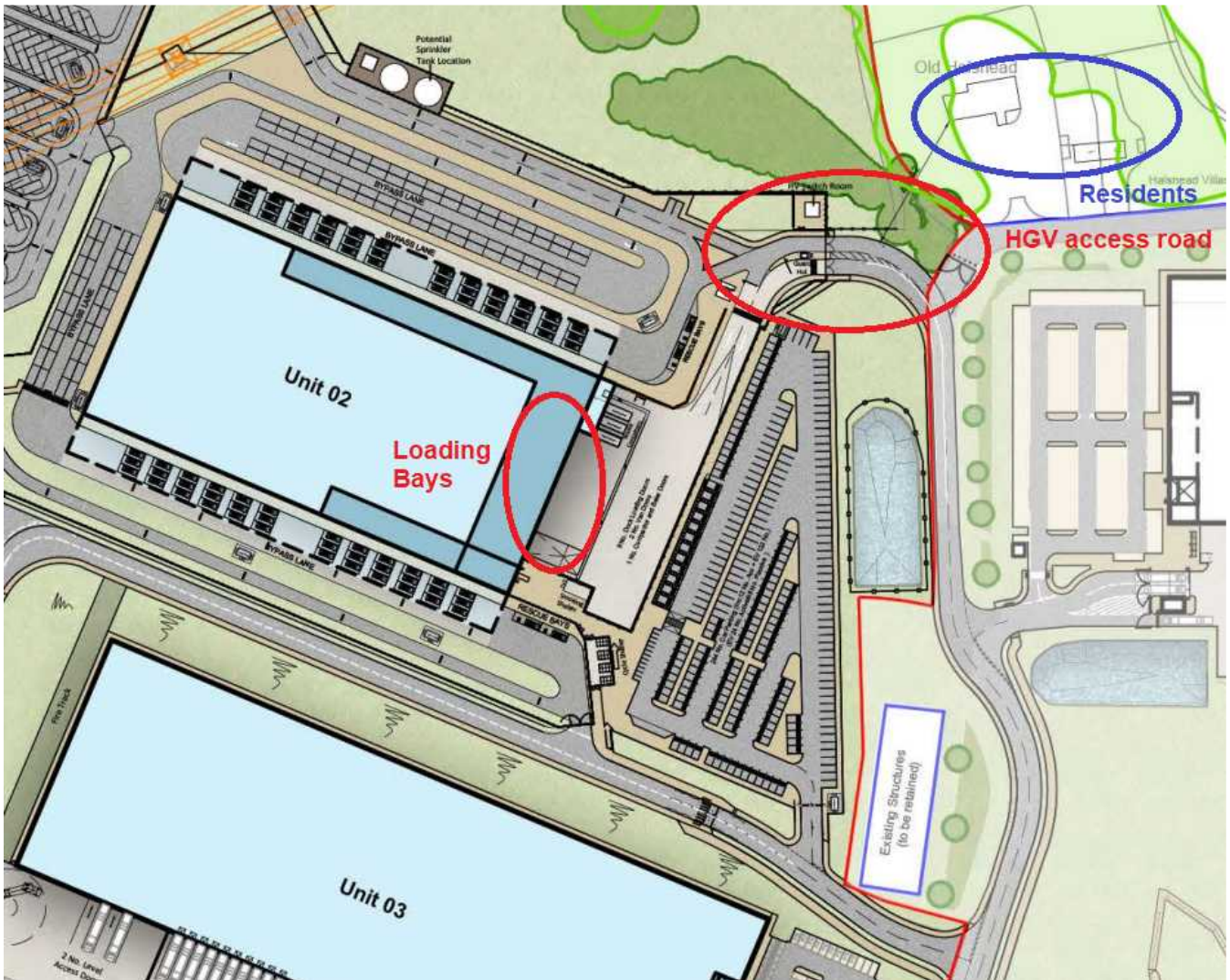
Environmental Health have reviewed the submitted information in relation to reserved matters planning application for the above site and we object to the proposal. Comments are provided below:

Noise

This is the main reason for Environmental Health's objection and is due to the potential for noise from this development to have a significant negative impact on the nearby residents. No objections were raised by EH previously, for 20/00494/HYB, as the layout of the site was deemed to be more appropriate. As you can see from the plan below, the loading bays for the unit were to be on a different side of the warehouse and the building itself would have acted as a barrier for the noise.



Unfortunately, the site layout has changed, and the loading bays are now on the side, closer to the residents, together with the access road – which is likely to be used by HGV's 24/7, see below.



Whilst they have stated there will be noise barriers in place at certain points, we do not believe this will be sufficient.

A noise report by e3p was submitted with the application but we are not satisfied with the assessment. Our main comments are below:

Regarding the background level specified. Table 3.1 states shows the median levels and that they correspond to the 'typical' levels required for the BS4142:2014 (should be 2019) assessment. However, the tables showing the BS4142 assessment show the 'modal' measured background sound level (which is what BS4142 shows). The report needs to be consistent. We would also like to see the workings demonstrating how you have arrived at the modal value (a bar chart maybe?)

We disagree with the night-time background level shown for the 16th March, its higher than the daytime value.

Regarding the assumptions for the assessment:

- A figure of 2600 vehicle has been used, with an HGV composition of 50%. Is this over a year? If so, 50% HGV would equate to 1300, which in turn means about 3-4 HGV's a day. Given the size of the unit I do not believe that is an accurate figure.

- The assessment should assume worse case and that all bays are being used.
- Forklift trucks haven't been accounted for and these are likely to have reversing beepers. Should these be the standard beepers they will have potential to impact the nearby residents.
- Are the 4-metre-high barriers of an acoustic design?
- The assessment assumes all HGV's would be fitted with white noise reversing beepers – has this been confirmed by the applicant, as from experience this is unlikely to be the case. As a worse-case scenario, it should be assumed that the standard beepers will be fitted.

The night-time assessment shows that the receptor 'Old Halsnead / Halsnead Villas, will be subject to a difference of 4dB above the background. Given the assumption comments we have made above, this could be more and is unlikely to be less.

The report states, "A minor exceedance of +4 dB is predicted at Old Halsnead but this is associated with vehicle movements along the access road, a source already present due to road traffic along the Motorway. As such, this level of exceedance is not considered significant, especially considering existing ambient noise levels range between 46 and 59 dB with the lowest measured average noise level noted to be 49 dB. Assuming this average noise level, the increase in road traffic sound here would be 50 dB, a 1 dB increase which would be insignificant."

We disagree with the comment above. This difference is likely to be noticeable to the residents, particularly at night. You cannot use an average value of 49dB throughout the night as it is misleading. Residents nearby are very likely to hear the HGV's using the access road. Particularly when they are likely to be slowing down for the bend, and then accelerating.

We need to see what noise figures have used for those HGV's using the access road. In my experience using an SEL of 79dB(A) at 10m would not be unreasonable. This is likely to result in a level of over 60 dB(A) at the nearest residential property.

Also, ProPG: Planning and Noise guidance also states that noise sensitive rooms at night should not exceed 45dB $L_{Amax, F}$ more than 10 times a night. Given the proximity of the access road and the number of HGV's that could be using this road at night it is likely this value could be exceeded.

We do not believe the layout of the unit is best practice and do not agree with the noise assessment. We therefore object to the application.

Contaminated Land



Knowsley Metropolitan Borough Council
PO Box 21 Archway Road Huyton Knowsley Merseyside L36 9YU
Telephone: 0151 489 6000 www.knowsley.gov.uk



Merseyside EAS have been consulted on behalf of Environmental Health on the report submitted in respect of the above planning approval. MEAS have reviewed the relevant information and provided the following comments:

- Tier Environmental Limited, A Ground Investigation Report for Symmetry Park Merseyside, Huyton, Issue 1.3, TE1163GIR1.3, 01 December 2021, Final;

The submitted report comprises a Ground Investigation Report which does not address the information requirements of Condition 58; no part of Condition 58 has been satisfied at this stage.

Condition 40 relates to the coal mining legacy of the site; MEAS defer to The Coal Authority in respect of the suitability of the submitted information in respect of this condition; matters relating to ground gas risk and mitigation are also addressed under Condition 58.

Comments and observations

1. The requirements of Condition 58 include submission of a remediation scheme; submission of the Materials Management Plan prepared for the site; and submission of a methodology for testing the suitability of imported soil/materials (the full condition wording including, implementation and verification of the approved remediation scheme, is duplicated at Appendix 1). The submitted Ground Investigation Report does not address these matters, as such, no part of Condition 58 may be recommended for discharge at this stage.
2. MEAS have recently reviewed the following reports submitted in support of an application to discharge Condition 13 of the Hybrid planning application (20/00494/DISCON) and provided comments within a memo dated 8th April 2022. These comments are also of relevance to the current reserved matters application.
 - Tier Environmental Limited, A Preliminary Risk, Assessment for the Former Cronton Colliery, Issue 1.2, TE1163PRA1, 13 August 2020;
 - Tier Environmental Limited, Asbestos Risk Assessment Report for Symmetry Park, Huyton, Issue1.0, TE1163ARA1.0, 22 October 2020;
 - Tier Environmental Limited, A Ground Gas Verification Plan for Symmetry Park Merseyside, Huyton, Issue 1.0, TE1163GVP1.0, 22 October 2020, Final;
 - Tier Environmental Limited, A Ground Investigation Report for Symmetry Park Merseyside, Huyton, Issue 1.1, TE1163GIR1, 09 December 2020, Final;
 - Supplementary Risk Assessment Letter Report, letter from Tier Environmental Limited to Knowsley Council (Ian Gaskill) dated 29 July 2021, Ref 20/00494/HYB;
 - Materials Management Plan (MMP) Form dated 05/11/20 completed by Alex Preston, Tier Environmental Limited; and
 - Tier Environmental Limited, Enabling Works Strategy and Verification Plan for Symmetry Park, Merseyside, Huyton, Issue 1.0, TE1163EWS, 06 April 2021, Final

