

MEMORANDUM



From: Ian Jones
Public Protection Service Manager

To: Mathew Philips
Head of Service Planning
Development

Our Ref:

Your Ref: P/2024/0820 & 840

Date: 05-09-24

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

**Re: P/2022/0840, MAELOR POULTRY PICKHILL LANE CROSS LANES
WREXHAM LL13 0UE**

ESTYNIAD I WAITH TRIN DŴR GWASTRAFF, CYNIGION LLEIHAU SŴN CYSYLLTIEDIG A GWAITH CYSYLLTIEDIG / EXTENSION TO WASTE WATER TREATMENT WORKS, ASSOCIATED NOISE MITIGATION PROPOSALS AND ASSOCIATED WORKS

Having reviewed the following reports:

- A) Maelor Foods Ltd. Pickhill Lane, Wrexham, LL13 0UE – Response to Natural Resources Wales: Sechedule 5 Notice 15 November 2023 Dated 29th January 2024
- B) Maelor Foods Ltd. Pickhill Lane, Wrexham, LL13 0UE – Noise Impact assessment: Night-time HGV movements on Pickhill Lane

Along with the appendices and associated email correspondence I make the following comments.

Report A has considered the noise levels at 4 sites A to D, with Site A being the properties opposite the plant on Pickhill Lane and therefore the most adversely impacted.

- 1) Has sought to establish two backgrounds for comparison of the modelled increase in noise from the proposal at Site A:
 - The noise levels when the site was closed, day 47 dB LA90 and night 32 dB LA90.
 - With the site, in its current form, operational, day 42 dB LA90 and night 38 dB LA90

The above results indicate that the background levels were quieter with the plant operational during the day. This is contrary to what would be expected and the applicant should be asked to clarify this.

The calculation of the above averages is shown in the Appendices accompanying Report A. The report has taken the arithmetic mean of each of the 15 minute averages. Taking the above site A as an example, while operational these readings were quite similar, however there is significant variation shown in the readings for when the plant was closed. For example Day time gave a 14.1 dB difference between the highest and lowest readings during the day and a 15.3 dB difference at night. This has introduced some uncertainty as to what the background level is. Of note is that the difference in noise levels between the plant running and not running quoted above are an indication of adverse impact for both day and night time.

The report has provided calculations using both backgrounds. However, it is the stance of this Department that the background levels are those that were determined when the plant was closed and the rest of this memo will be in that context, unless otherwise stated.

- 2) The monitoring locations are supported by this section being the relevant sensitive receptors:

- Site A – Pickhill Lane
- Site B – Pickhill Old Farm off Pickhill Lane
- Site C – White Gate Cottage, Pickhill Lane
- Site D – Mayfield House, Talwrn Lane
- Site E – Porthygan Farm, Wrexham Road (A525) (discounted)

- 3) Table 5.6 compares the modelled increase in noise from the proposal, plus the existing site, to the two backgrounds as described in point 1. BS 4142 categorises the differences between the background and operational noise by stating that *typically, the greater this difference, the greater the magnitude of the impact:*

A difference of +10 dB or more is likely to be an indication of a significant adverse impact, depending on context.
A difference of +5 dB is likely to be an indication of adverse impact, depending on context.

This table shows that by comparison the plant closed levels there is a modelled increase in:

Site A = +8 dB Daytime and +20 dB Night time
Site B = +12 dB Night time
Site C = +13 dB Night time

Daytime at Sites B & C and Daytime and Night time at Site D are either similar enough to or lower than the background such that they shouldn't cause an issue.

- 4) The modelling shows that there is a likely adverse impact on the residence opposite the plant on Pickhill Lane (Site A) during the day and a significant adverse impact on Sites A to C during the night with Site A being significantly greater than the background level at night. A +20dB increase over background represents a significant challenge for mitigation. It is important, however, that

the night time impact at Sites B & C is not overlooked as a consequence of the levels at Site A.

- 5) Emails from the applicant / agent have confirmed that of the five properties on Pickhill Lane opposite the plant, three have been purchased by the company who have stated a willingness to restrict their usage (email dated 20 August 2024 14:32). Removal of a receptor is a valid option and has been used elsewhere as an alternative to mitigation. However, two of the properties are understood to not be in the company's ownership so full mitigation will still be required. In the hypothetical situation where ownership of all five properties was transferred to the company, the Council would still consider them sensitive receptors as they could be subsequently sold, leased or even used to house staff i.e. used for residential purposes. For them to be removed as sensitive receptors it would be necessary to prevent their usage as residential properties, for example by planning condition or demolition. We are willing to discuss with the applicants options that would achieve this.
- 6) Report B has demonstrated that there will be a 1 dB increase in noise from the additional HGV movements and concluded that this will be imperceptible. This conclusion is accepted.
- 7) In conclusion the issues identified in point 1 around uncertainty in the background levels when the plant was closed should be addressed by the applicant. A robust discussion as to their method of determining the background level should be provided and if this is significantly different to the current calculated mean the calculations in the rest of the report will need reviewing.
- 8) It is noted that the proposed mitigation includes acoustic screening at the site boundary which would still be necessary where any residential occupation of those properties remains. In order to be effective and as well as being of a suitable material and density, the barrier will need to either completely obscure the noise source or the receptor. For example if the noise source can be seen from the property the barrier will not prevent the noise also being heard by the receptor. Given that the most impacted period is night time, the mitigation provided by the barrier would be critical in protecting bedrooms. This would mean there has to be an effective path difference between the bedroom windows and the noise sources on site. The result of this would mean the barrier has to be of a significant height to protect the residents within those bedrooms. It will also be necessary to position the opening for vehicle and or pedestrian access away from sensitive receptors.

- 9) Given the scale that his barrier may need to be the visual impact may itself become a material planning consideration

p.p.

A handwritten signature in cursive script, appearing to read 'Ian Jones', written in black ink.

Ian Jones
Public Protection Service Manager