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DLW/KH/6995/L1

Mr M Phillips
Environment and Planning
Wrexham Borough Council
Ruthin Road
Wrexham
LL13 7TU

31 August 2016

Dear Matthew,

TOMLINSONS DAIRIES PLANNING APPLICATIONS
PHASE 1 – P/2016/0646
PHASE 2 – P/2016/0739
PHASE 3 – P/2016/0704

I refer to the telephone conversation between Nick Minshall and myself on 26 August and to Nick Minshall's e-mail of the same date to yourself that you have forwarded to AIRO.

Existing Air Handling Plant

In AIRO's experience concerns about noise from the dairy and the impact of noise on neighbours that are brought to the dairy's attention are investigated and action taken wherever possible.

The dairy has no wish to cause disturbance to neighbours and has been willing to investigate and address concerns about noise even where objective noise measurement data and assessments have not conclusively demonstrated a requirement to take action.

Current concerns about air handling plant are being investigated. AIRO understands that there have been no changes to this plant either physically or operationally. AIRO is not aware of complaints having been made about this plant in the past or of any objective evidence that the proposed planning condition for the cold store extension is already being exceeded by the existing plant.

A comprehensive report of an assessment of noise from fixed plant at the dairy dated 9 October 2013 and provided to the local authority concluded (amongst other conclusions) that noise due to the dairy reaching The Chase complied with the noise related condition(s) of the Planning Consent. Since then, the chillers for liquid cooling have been relocated which would be expected to have led to lower

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noise levels at The Chase emitted from the dairy. It is noted that the Environmental Protection Section has recognized this.

The dairy would not knowingly operate in contravention of a planning condition and would be willing to work with the local authority to review any evidence that accrues in relation to noise and take action where necessary. Although the dairy considers that existing plant is sufficient to service the cold store extension, this is likely to be subject to ongoing review and the control of noise from both existing and any additional plant a key consideration, especially as a newly constructed building provides opportunities to maximise noise control through careful location and screening of plant.

Assessment at The Chase

AIRO Reports DLW/6995/A (Phase 1) and DLW/6995/B (Phases 1, 2 and 3) have not omitted The Chase from consideration. In relation to the proposals, AIRO's assessment is that there would be no adverse noise impact from the proposals compared with the current situation. We have highlighted the aspects of the proposals that would be expected to lead to an improved situation at The Chase.

There is no evidence that the existing plant does not meet the terms of the proposed condition but once consent is given and the condition applies, the local authority would have an additional enforcement tool available to it that it does not have presently. This would be of additional benefit in respect of The Chase.

Concluding Remarks

AIRO notes that Environmental Protection appear to accept AIRO's assessment of the proposals for which planning consent is sought together with the proposed condition.

AIRO would agree that it would be appropriate to secure the noise mitigation measures (bund and barrier) to protect Kalver with an additional appropriately worded condition.

The dairy has and will continue to investigate all concerns about noise that are brought to the dairy's attention and consider the reduction of noise both in the existing situation and as the dairy develops.

The dairy will be bound to comply with any valid conditions attached to a consent, providing further local authority enforcement routes and further protection to neighbours.

We note that Environmental Protection's concerns are not sufficient for that Section to have recommended refusal and trust that the responses herein will be of reassurance.

Please let us know if we can be of further assistance.

Yours sincerely

DL Watts

David Watts