

TEIGNBRIDGE DISTRICT COUNCIL
CONTROL OF POLLUTION ACT 1974, SECTION 61
CONTROL OF NOISE ON CONSTRUCTION SITES:
NOTICE IMPOSING REQUIREMENTS.

TO: Mr Chris Hastings
Galliford Try
A380 SDLR Kingskerswell Bypass
Site Office
Old Newton Road
Kingskerswell, Newton Abbot
Devon TQ12 5LB

Whereas it appears to Teignbridge District Council that works to which Section 61 of the Control of Pollution Act 1974 applies namely:

Particulars of works to be carried out:

as per the attached application from Galliford Try
Variation Reference Number: AR0001/s61/0039/Rev D

at the premises known as:

South Devon Link Road

NOTICE is HEREBY GIVEN that the following requirements must be complied with in connection with the carrying out of such works.

1. As per the attached application from Galliford Try
2. Any emergency deviation from these conditions shall be notified to the undersigned or TDC Environmental Protection Officer without delay.
3. The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise shall be employed at all times.
4. Plant and machinery shall be properly silenced and maintained in accordance with the manufacturers' instructions.
5. Noise impact assessment and the predicted noise thresholds at key receptors are to be conducted over an LAeq(15 min) period.
6. During and following the completion of the works the sound level monitoring results to be available to be assessed by Teignbridge Environmental Health.
7. If complaints are received and justified by Teignbridge Environmental Health work the following night will be stopped, site out of hours working time reassessed and out of hours site work not to be restarted until the noise impact is reduced.

The consent does not of itself constitute any ground of defence against any proceedings instituted under Section 82 of The Environmental Protection Act 1990 (Section 61 (9))

You may appeal against this notice to the Magistrates' Court within 21 days of service of the notice upon you.

IN the event of an appeal this notice **SHALL NOT** be suspended until the appeal has been abandoned or decided by the Court as in the opinion of the Council the expenditure to be incurred would not be disproportionate to the public benefit from compliance.


Signed


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Food, Health and Safety Manager

Dated

7th January 2015

	A380 South Devon Link Road	Doc.No: AR0001/s61/0039 Rev. No : D Date : 17/12/14
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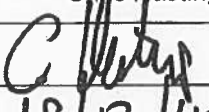
S61 APPLICATION CONTROL OF POLLUTION ACT 1974

Variation from section 61 consent.

Description of works programme.	Out of hour works involving scaffold removal and Omnia plank installation at Structure 2.
Contractor section 61 reference:	AR0001/s61/0039
Local Authority section 61 reference:	14/32293/ECNCON
Date of works requiring variation	Tuesday 13 th January 2015 with Wednesday 14 th January booked as a contingency.
Duration of works requiring variation	No change to working hours.
Variation reference.	AR0001/s61/0039 Rev D

Description of the works for which the variation is being sought.

Brief description of proposed work.	Structure 2 cantilever falsework installation works method of Works set out in Appendix A and Figure 1 is same as in AR0001/s61/0039. Plant list for Structure 2 cantilever falsework installation works are in Appendix A plant list.
State reasons why works cannot be done under terms of original consent.	The justification for out of hour cantilever falsework installation works is the lifting zone falls within a live carriageway and requires out of hour lane closures within the Penn Inn roundabout. It is unsafe for workforce and road users to remove during normal working hours during peak traffic flows. By doing the work out of hours, it will minimise the disruption to traffic.
Describe any changes to hours of working.	No change.
Describe BPM noise mitigation measures.	Same measures set out in Appendix B.
Predicted Noise and Vibration Levels	Noise levels are set out in Appendix C. The scaffold removal is not anticipated to significantly exceed Phase 3 beam installation activity.

	For [Contractor]	Approved by [Local authority]
Name:	Chris Hastings	
Signature:		
Date:	18/12/14	

Conditions:



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Link Road**

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**APPENDIX A
- Method of Works**

Omnia-plank lift installation and removal of scaffolding works on a live carriageway

Overview of works

As part of the A380 project, Penn Inn flyover is currently being constructed over existing Penn Inn roundabout. Cantilever falsework will be lifted into place to the side of the bridge deck at the south span. The crane will be situated in central reservation. A 350T crane will be used to lift the falsework. The turning circle zone of the crane falls within roundabout carriageways therefore requires out of hour road closure to minimise road traffic disruption. This requires the works to be conducted during out of hour road closures.

Outline working method

The out of hour work activities over one night road closure for Phase 1 are as follows:

- 100T crane lifts cantilever falsework in to place to the side of the south span bridge deck;
- Securing falsework using MEWP's and hand tools;
- De-rig cranes and demobilise.

Figure 1 shows site lay out for Structure 2 works with closest to local resident properties.





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Proposed Plant at Structure 2 works

Equipment	Number	% on-time	Typical Sound pressure level at 10m [dB(A)]	Noise information source	Comment
Phase 3 Cantilever falsework Installation					
350T crane	1	80	78	BS 5228-1:2009 Table C.4:38	
Mobile Elevated Working Platform (MEWP)	2	20	67	BS 5228-1:2009 Table C.4:57	
Telehandler	1	10	80	Measured	
Delivery Lorry	2	50	79	BS 5228-1:2009 Table C.8:20	
Hand tools	1	50	73	Average of BS 5228:1997 Table C.7:1-3	
Tower Lights	3	100	63	Average of BS 5228-1:2009 Table C.4:76-87	Night time only

APPENDIX B

- Methods to reduce noise

Methods to minimise nuisance

1. Prior to works commencing any preparatory engineering works will be undertaken in normal working hours.
2. Prior to the out of hour works, mobilisation and demobilisation of materials and plant will occur during normal working hours, minimising activity in sensitive periods i.e. only those activities that have to occur out of hours will be undertaken.
3. All tower lights will be super-silenced and inspected to ensure they are operating appropriately.
4. All plant will be promptly switched off as soon as the works have been completed.
5. Any idling plant will be turned off when not in use.
6. All operatives will be briefed on the measures within this plan and the sensitivity of surrounding properties to noise emissions.

All affected residents will be notified of the nature and need for the works.

Noise/Vibration Monitoring Programme

Galliford Try will carry out monitoring at regular intervals during these works and on start-up of any equipment or new work areas. Attended noise monitoring will be undertaken as close as possible to the receptors identified in Appendix C to assess compliance periodically on each day. 15 minute LAeq readings will be taken at the predefined monitoring receptors, weather and dominant noise source recorded.

To note, the receptor locations on Figure 1 are noise prediction stations. Noise monitoring will be undertaken at compliance points within the site which are as close to the properties as practicably possible.

In addition the works will be assessed by the monitorer to ensure they are being undertaken in accordance with the s61 Application.



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APPENDIX C





- Predicted noise thresholds at key receptors

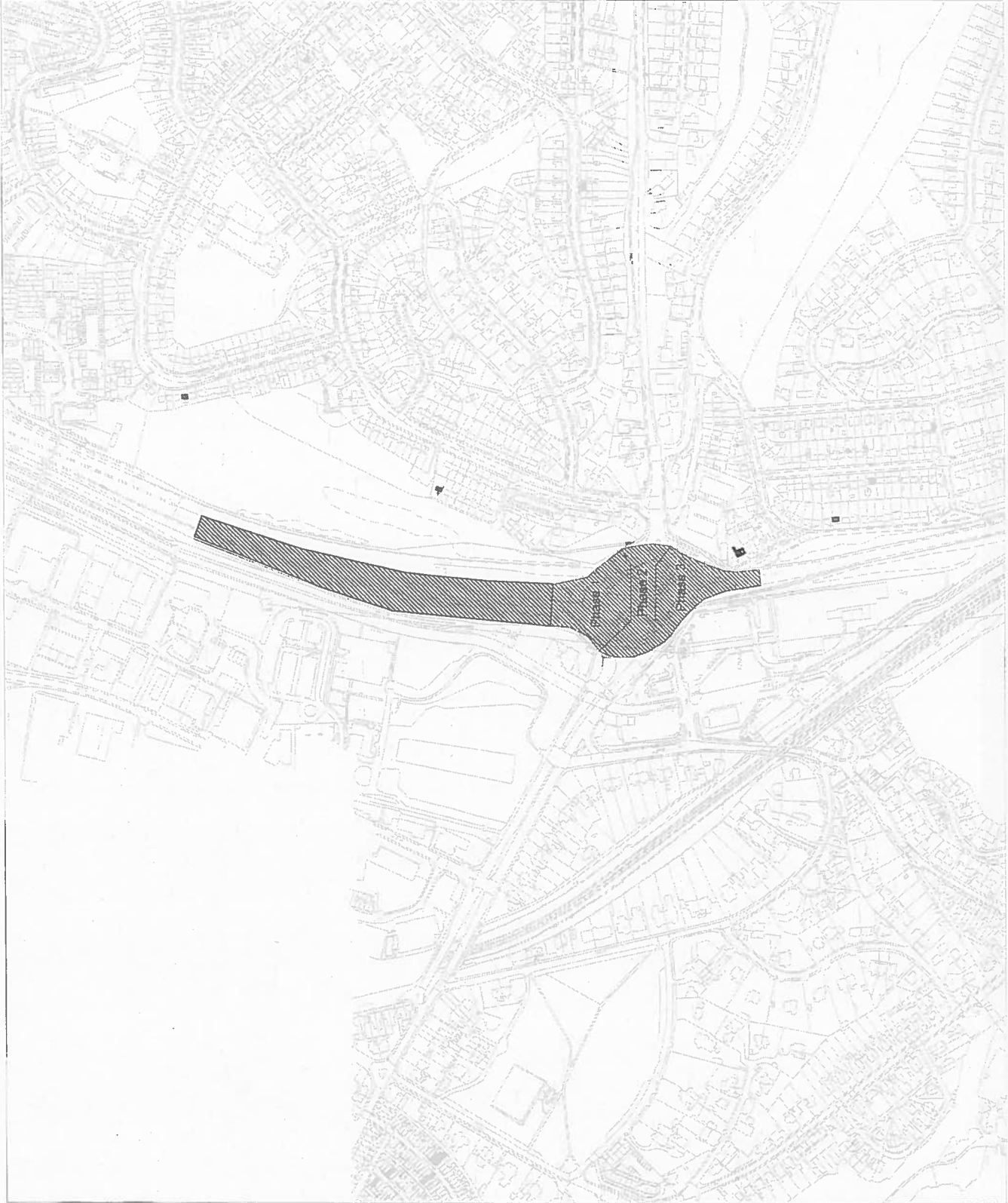
Predictions have been undertaken using SiteNoise module of NoiseMap Enterprise version 2.7.1. This software follows the construction noise calculation procedure in British Standard 5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites: 2009. Allowance has been made for natural screening between the works and local receptors. The model takes into account land attenuation and reflection from properties.

Receptor Location	Floor	Façade	Construction Façade Noise Level dB $L_{Aeq,1hr}$
			Phase 3 Beam
43 Sandringham Rd	Ground	West	41.2
	First	West	42.5
14 Queensway	Ground	West	38.1
	First	West	40.8
Wywuree	Ground	North West	60.8
3 Pinewood Road	Ground	West	52.5
	First	West	53.4

From predictions, nearest residential properties are not anticipated to exceed the defined thresholds at Wywuree-Addison Road control station. Noise insulation will be offered where there are 10 exceedances in any 15 consecutive days. A cumulative number of exceedances will be maintained by the site team.


KEY

-  Area of beam/omni-plank lift works in proximity to receptors
-  Area of loading works in proximity to receptors
-  Noise prediction stations
-  Noise prediction properties



Rev.	Desc.	Date
123213	A380 Bypass	
	Newton Abbot	

154	
Structure 2 (Beam/Omni-Plank) Location Plan	

	
AA Environmental Limited Units 4 to 6 The Mill Shroton, Abboton Devon EX12 8JK T: 01235 835012 F: 01235 835010 info@aae-llp.com www.aae-llp.com	

Scale	Date	Drawn	Check	Rev.
1:4000 @A3	Sep14	JNT	ML	Figure 1

Sally Harvey

From: Ed Brown (Galliford Try) [Ed.Brown@gallifordtry.co.uk]
Sent: 18 December 2014 11:36
To: Michael Wotton
Cc: GallifordtrysiacJV INVU; Ext Mail: Environmental Control; Paul Shaw (Galliford Try); Adrian Farry (Galliford Try); Ian Yelf (Galliford Try); Matthew Lawman
Subject: A380 File Ref: 09.02 Section 61 varia Struc 2
Attachments: A380-s61-0039 Rev D Structure 2 Penn Inn flyover cantilever installation comp.pdf

Mike,

Please find attached A380-s61-0039 Rev D for Structure 2 Penn Inn flyover out of hour works scheduled for the New Year.

Please do not hesitate to contact me if you have any queries.

Kind Regards,

Ed

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NOTES

The Control of Noise (Appeals) Regulations 1975 (SI 1975 No 2116) provide as follows: -

Appeals under section 61(7)

- 6.(1) The provisions of this regulation shall apply to an appeal brought by any person under sub-section (7) of section 61 (prior consent for work on construction sites) in relation to a conditional consent given by a local authority under that section or in relation to an authority's refusal or failure to give a consent within the period specified in subsection (6) of that section.
- (2) In this regulation, "conditional consent" means a consent given by a local authority under section 61 in respect of which the authority have attached any condition or imposed any limitation or qualification in pursuance of section 61(5)(a), (b) or (c); and "conditions" includes any limitation or qualification so imposed.
- (3) The grounds on which a person to whom a local authority give a conditional consent may appeal under the said subsection (7) may include any of the following grounds which are appropriate in the circumstances of the particular case:-
- (a) that any condition attached or imposed in relation to the consent (hereinafter referred to as "a relevant condition") is not justified by the terms of section 61;
- (b) that there has been some informality, defect or error in, or in connection with, the consent;
- (c) that the requirements of any relevant condition are unreasonable in character or extent, or are unnecessary;
- (d) that the time, or where more than one time is specified, any of the times, within which the requirements of any relevant condition are to be complied with is not reasonably sufficient for the purpose.
- (4) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the consent, the court shall dismiss the appeal, if it is satisfied that the informality, defect or error was not a material one.
- (5) Where the appeal relates to a conditional consent given by a local authority, on the hearing of the appeal the court may-
- (a) vary the consent or any relevant condition in favour of the appellant in such manner as it thinks fit,
- or
- (b) quash any relevant condition, or
- (c) dismiss the appeal;
- and a consent or condition which is varied under sub-paragraph (a) above shall be final and shall otherwise have effect, as so varied, as if it had been given, attached or imposed in that form by the authority.

