

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

TO: Mr James Watson
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
Reference Number: AR0001/s61/0036/Rev 00

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 without delay.
3. 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))
4. 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.
5. Plant and machinery shall be properly silenced and maintained in accordance with the manufacturers' instructions.
6. Noise impact assessment and the predicted noise thresholds at key receptors are to be conducted over an LAeq(15 min) period.
7. During and following the completion of the works the sound level monitoring results to be available to be assessed by Teignbridge Environmental Health.
8. 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


 Environmental Protection Manager

Dated

Housing and Health
 8th September 2014

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.



**A380 South Devon
Link Road**

Doc.No: AR0001/s61/0036
Rev. No : 00
Date : 3/09/14

s61 APPLICATION CONTROL OF POLLUTION ACT 1974

APPLICATION FORM FOR APPROVAL

Reference No : AR0001/s61/0036/Rev 00	TITLE: Out of hour works at Structure 10.
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	YES	NO
Works within Normal Working hours only		X
Reason for application	Out of hour works at Structure 10, lifting bridge beams over Torbay railway line.	

We hereby submit this s61 Application covering the construction activities / works listed below in accordance with Appendix 1/9 to the Specification and certify that the methods, plant and steps to minimise noise (including vibration) are best practicable means in accordance with section 72 of the *Control of Pollution Act 1974* and section 79(9) of the *Environmental Protection Act 1990* and are fully in accordance with the Contract.

Galliford Try Representative

Signed: Jim Watson

Name: Jim Watson Date: 03/09/14



**A380 South Devon
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Rev. No : 00
Date : 3/09/14

1. Address or location of proposed works	Structure 10, on both sides of Torbay railway line, near Aller Meadows.
2. Name and address of main Contractor Responsible Person. Telephone No.	<p>Galliford Try A380 SDLR Kingskerswell Bypass Site Office Old Newton Road Kingskerswell Newton Abbot TQ12 5LB</p> <p>james.keogh@gallifordtry.co.uk T: 07808776308</p>
3. Particulars of works to be carried out	<p>Galliford Try has to construct a 270m long bridge over the Tor Rail line in order for the new road to cross the railway line. This over bridge is referred to as Structure 10 (S10).</p> <p>S10 deck is made up 110 pre-stressed concrete W beams (installed outside normal site working hours, placed on reinforced concrete bank seats (constructed during normal site working hours).</p> <p>Structure 10 requires the placing of the pre-stressed reinforced concrete bridge beam spanning the Tor Rail line onto the east and west bank seats at night (see Figure 1). There are a total of 110 beams to be lifted in to place; it is anticipated that 11 to 12 beams will be installed per night. These will be lifted into place using a 200 ton crawler crane set up on the eastern side of the railway.</p> <p>A permanent formwork made up of Glass Reinforced Concrete (GRC) panels between the beams will also be placed during night time possessions.</p> <p>The beam lift works are scheduled to be carried out over 10 weeks; possessions starting on Saturday 6th September scheduled to finish middle of November. Beam lift works will occur on Saturday nights and possibly on some mid-week nights as a contingency for bad weather or curtailment of railway possessions by Network Rail.</p> <p>In between beam lift works, Saturday night or week night possessions will involve placing and bedding GRC panels. At present, Galliford Try have requested night time railway possessions every Saturday, Monday, Tuesday and Wednesday night for ten weeks starting from Saturday 6th September. Network Rail have not confirmed all of the night time railway possessions however the Environmental Clerk of Works will notify Teignbridge District Council as soon as dates are confirmed.</p>

	<p>Any weeknight railway possession works will be undertaken between 23:30-06:00hrs. The Saturday night possessions will be undertaken between 22:15-09:00hrs. The works are anticipated to take seven weeks however Galliford Try wishes to apply for ten weeks in the event of unforeseen issues. These works will be conducted during out of hour railway possessions.</p> <p>The justification for out of hour working is to ensure safety during the operations; Network Rail only permits interaction over the track when trains are not operating. By doing this work within overnight railway possessions, it minimises travel disruption to rail users. By doing the beam deliveries along Torquay Road overnight it will minimise road traffic disruption.</p>
4. Methods to be used in each stage of development	Refer to Appendix A.
5. Duration and hours of works	Refer to Appendix A
6. Number, type and make of plant and machinery	Refer to Appendix A.
7. Proposed steps to minimise noise and vibration	Refer to Appendix B.
8. Predicted Noise Levels	Refer to Appendix C.
9. Predicted Vibration Levels	The equipment to be used in these activities are not considered to generate appreciable levels of vibration and therefore no assessment has been undertaken.
10. Site Plans	Figure 1 – Structure 10 Location Plan and Haul Route
11. Consultees	Devon County Council Teignbridge District Council
12. Other Information	Galliford Try Public Liaison Team to inform local stakeholders, emergency services and Community Liaison Group members. It will also be published on the South Devon Link Road website prior to works.
13. List of Plans and documents attached	Figure 1 – Structure 10 Location Plan and Haul Route



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APPENDIX A - Method of Works

Beam lift installation works over Torbay railway line

Overview of works

As part of the A380 project, there is 200m railway tunnel to be constructed over Tor line close to Aller Meadows. This involves lifting in concrete beams on to reinforced earth wall abutments located on east and west side; placing and bedding GRC panels; and de-mobilising works. The out of hour works will start at the most northern extent of the structure and work south. Steel fixing will be during normal working hours. The rigging and de-rigging of the crane will occur during normal working hours.

Due to the close proximity of works to the railway, Network Rail only allows construction when trains are not operating. This requires the works to be conducted during overnight railway possessions.

Outline working method

The out of hour work activities over one night possession are as follows:

- Deliver concrete beams to Structure 10 (east side);
- 200T crawler crane to lift beams from east side location on to east & west abutments;
- 200T mobile crane to lift GRC panels in to place involving consaw activity;
- Bedding of GRC panels involving cement mixing and hand tools;

Figure 1 shows location plan for Structure 10 works with closest residential properties. Acoustic screening provided by Structure 11 earth bund will be installed to the South of the works screening the closest properties, Aller Orchard and Barn Owl Pub are situated.



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Proposed Plant at Structure 10 works

Equipment	Number	% on-time	Typical Sound pressure level at 10m [dB(A)]	Noise information source	Comment
Beam/ GRC panels Installation					
200T crane	1	80	78	BS 5228-1:2009 Table C.4:38	
Consaw	2	5	87	BS 5228-1:2009 Table C.5:36	To be avoided where possible
Cement mixer	1	75	76	BS 5228-1:2009 Table C.4:22	
Hand tools	1	50	73	Average of BS 5228:1997 Table C.7:1-3	
3kV generator	4	50	65	BS 5228-1:2009 Table C.4:83	
Haulage Lorry	10	30	79	BS 5228-1:2009 Table C.8:20	
Tower Lights	8	100	63	Average of BS 5228-1:2009 Table C.4:76-87	Night time only



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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. Acoustic screening provided by earth embankment will be erected nearest to works facing nearest properties to the South.
5. All plant will be promptly switched off as soon as the works have been completed.
6. Any idling plant will be turned off when not in use.
7. 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.

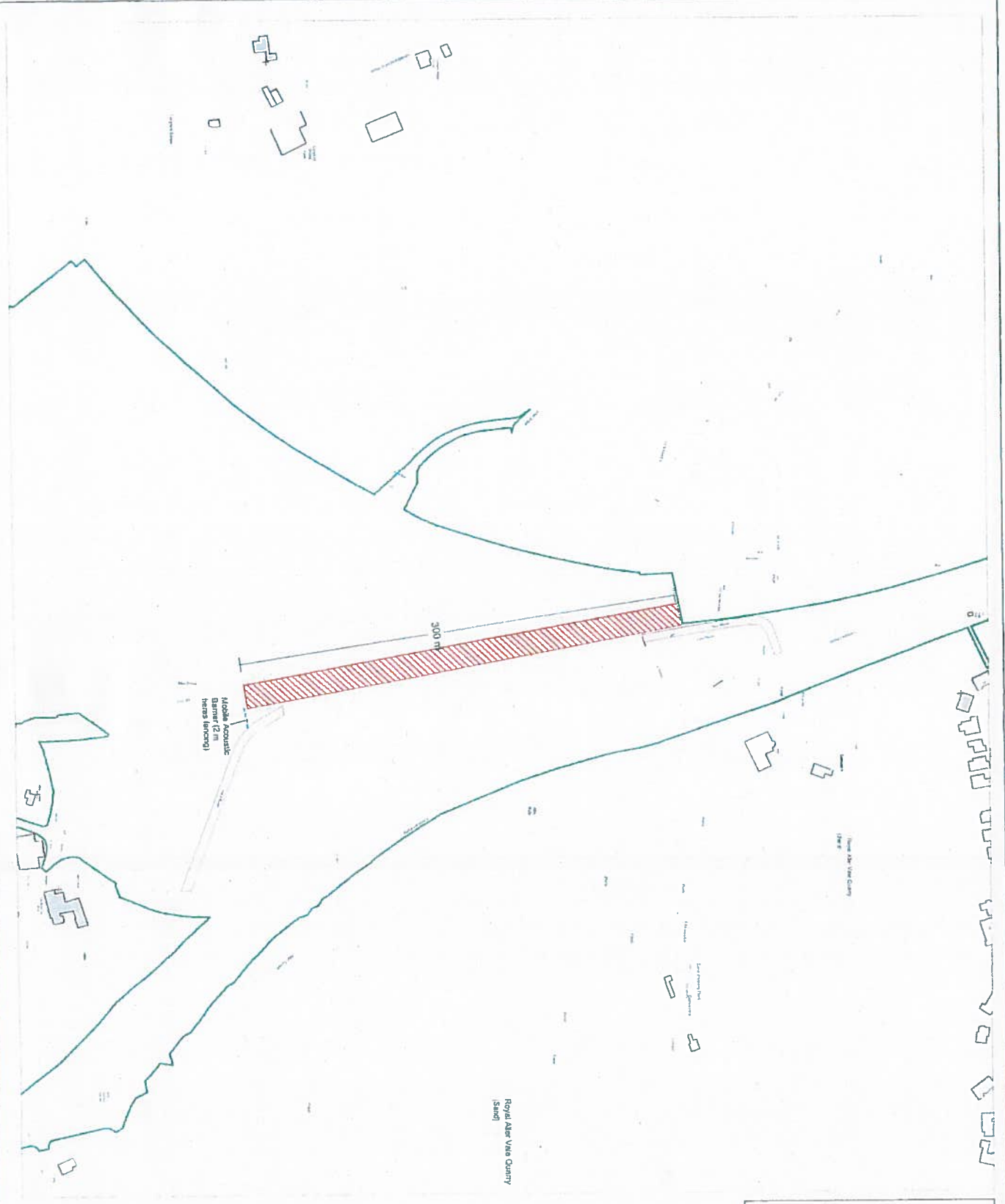
APPENDIX C

- 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 $L_{Aeq,1hr}$	
			Lowest	Highest
Langford Bridge Farm	Ground	South West	44.4	48.5
	First	South West	46.8	49.6
The Barn Owl	Ground	East	55.1	62.6
	First	East	55.9	63.1
Aller Orchard	Ground	West	56.9	61.7
	First	West	57.6	62.3
Aller Park Road	Ground	North	50.3	56.0
	First	North	51.4	56.9

A cumulative number of exceedances will be maintained by the site team.



KEY	
	Area of works in proximity to receptors
	Acoustic barrier
	Noise prediction stations
	Haulage Route

Rev	Drawn	Checked	Date

Project:
 123213
 A380 Bypass
 Newton Abbot

Title:
 Structure 10 Location Plan

AA&E Environmental Limited
 Units 4 & 6
 Chesham Court
 Station Road
 Ottery St Mary, Devon
 TQ8 3JN
 Tel: 01323 620612
 Fax: 01323 620613
 Email: info@aae.co.uk
 www.aae.co.uk

Date	Drawn	Checked	Fig. No.	Page
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