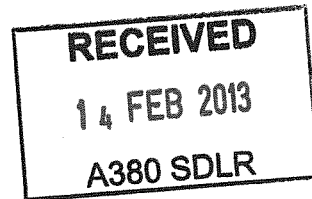


**TEIGNBRIDGE DISTRICT COUNCIL**  
**CONTROL OF POLLUTION ACT 1974, SECTION 61**  
**CONTROL OF NOISE ON CONSTRUCTION SITES:**  
**NOTICE IMPOSING REQUIREMENTS.**

**TO: Mr Ian Yelf**  
**Galliford Try**  
**A380 South Devon Link Road**  
**1<sup>st</sup> Floor, Midas Buildings**  
**Silverhills Road**  
**Decoy**  
**Newton Abbot**  
**Devon TQ12 5ND**



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/s61/0001/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. Permissible noise levels are not specified, but should not be at levels likely to cause a statutory nuisance at nearby residential dwellings.
4. 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.

Signed *J. E. Eaton*  
 Environmental Protection Manager  
 Environment and Safety Services

Dated 14/2/13



	<b>A380 South Devon Link Road</b>	Doc.No: AR0001/s61/0001 Rev. No : 00 Date : 14/02/13
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**s61 APPLICATION CONTROL OF POLLUTION ACT 1974**

**APPLICATION FORM FOR APPROVAL**

<b>Reference No :</b> AR0001/s61/0001/Rev 00	<b>TITLE:</b> Tree felling adjacent to railway
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	YES	NO
Works within Normal Working hours only		X
<b>Reason for application</b>	Out of works associated with tree felling requiring access in possession over and near to railway and on live carriage way.	

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: Ian Yelf

Name: Ian Yelf ..... Date: 14/2/2013 .....



**A380 South Devon  
Link Road**

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<b>1. Address or location of proposed works</b>	Between Penn Interchange and proposed Aller Interchange, as shown in Figures 1.1 and 1.2.
<b>2. Name and address of main Contractor</b>	Galliford Try A380 Kingskerswell Bypass - Temporary Office Midas Buildings, Silver Hills Rd Decoy, Newton Abbot TQ12 5ND
<b>Responsible Person.</b>	<a href="mailto:ian.yelf@gallifordtry.co.uk">ian.yelf@gallifordtry.co.uk</a>
<b>Telephone No.</b>	T: 01626 357729
<b>3. Particulars of works to be carried out</b>	Tree surgery during railway possessions.
<b>4. Methods to be used in each stage of development</b>	Refer to Appendix A.
<b>5. Duration and hours of works</b>	Refer to Appendix A
<b>6. Number, type and make of plant and machinery</b>	Refer to Appendix A.
<b>7. Proposed steps to minimise noise and vibration</b>	Refer to Appendix B.
<b>8. Predicted Noise Levels</b>	Refer to Appendix C.
<b>9. Predicted Vibration Levels</b>	The equipment to be used in these activities are not considered to generate appreciable levels of vibration and therefore no assessment has been undertaken.
<b>*10. Site Plan</b>	Figure 1.1 Location of utility works, tree surgery and receptors. Figure 1.2 Tree surgery and receptors near The Barn Owl Pub.
<b>11. Consultees</b>	Devon County Council Teignbridge District Council
<b>13. Other Information</b>	No other works are being concurrently undertaken. The residents have been contacted and the need for out of hour lane closures explained. Most residents contacted have stated that Sunday daytime working is preferable to evening or night time works.
<b>14. List of Plans and documents attached</b>	Figure 1.1 Out of Hour Tree Felling Works Figure 1.2 Out of Hour Tree Felling Works  A flyer regarding the upcoming works will be issued 5 working days in advance of the works by Galliford Try Public Liaison Team to all properties within 100 m of the works.



## A380 South Devon Link Road

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### APPENDIX A - Method of Works

#### A1. Tree surgery under railway possession

##### **Overview of works and working times and dates**

To construct the road requires the felling of trees. There are 5 sets of trees which are close to, and overhang, the railway. These are shown in Figures 1.1 and 1.2. Due to the risk of material falling on the tracks, Network Rail has instructed Galliford Try that they must be undertaken in track possession when trains are not running. These are only permitted on Saturday nights through to Sunday morning.

The typical hours of possessions are from 2200 hrs to 0845 hrs on Sunday mornings, however are subject to change at short notice, dependent on the railway. The specific hours will be communicated to affected parties and the Council before works commence.

The trees include significant mature standards and the felling must be controlled. In addition to trees felling, scrub clearance using chainsaw (or replaced by strimmer) will be necessary by the track side. This extends from the Aller Brake Rail Access for 400 m southwards.

Possession dates available are 16<sup>th</sup>, 23<sup>rd</sup> February and 2<sup>nd</sup>, 9<sup>th</sup> and 16<sup>th</sup> March. The exact dates are subject to specific agreement. Network Rail can reduce or cancel possessions at any time. The noise predictions calculations as presented in Appendix C are based on a worst case of 5 teams working concurrently using the plant list shown below. In reality, due to traffic management restriction during the felling operation it is more likely to be 2 working teams.

Notification to affected residents will occur 5 working days before the works.

##### **Outline working method**

The work sequence is as follows:

###### *Phase 1*

- Plant will be located around the standards in normal working hours.

###### *Phase 2*

- Traffic management will be installed where required.
- The tree surgeon will access the tree via the mobile platform.
- The surgeon will cut the limb and the crane will lower in a controlled manner to the ground and the crane will secure the tree limbs prior to cutting.
- No timber will be removed from around the area until normal working hours.
- Once the tree is fully felled the team will move to the next standard.

Figures 1.1 and 1.2 reference each set of trees. The indicative plan of works is as follows:

- Possession 1 (16/2/13) – Tree set 1 and 2 Limb Removal. Branches will be removed leaving the main trunk. Small trees and brush are to be removed on the track side.
- Possession 2 (23/2/13) – Tree set 3 and 4 limb removal. Branches will be removed leaving the main trunk. Small trees and brush are to be removed on the track side around sett 5;
- Possession 3 (2/3/13) – Main tree trunks to be removed; and



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- Possession – Tree set 5 and scrub on Railway Verge.

The progress during each possession will be reported to the Council and Residents and the plan of works updated and communicated on a weekly basis.

***Proposed Plant at each group of trees***

Equipment	Number	% on-time	Typical Sound pressure level at 10m [dB(A)]	Noise information source	Comment
Lighting tower and generator	2	100	63	Average of BS 5228-1:2009 Table C.4:76-87	Only to be used during evening and night time hours.
Chainsaw	2 <sup>1</sup>	50	86	BS 5228-1:1997 Table C.2:14	
Tractor and trailer	1	50	79	BS 5228-1:2009 Table C.4:75	
Mobile Platform	1	25	67	BS 5228-1:2009 Table C.4:75	
40 tonne mobile crane	1	50	70	BS 5228-1:2009 Table C.4:57	
Landrover	1	50	62	Measured	

Note 1 – a chain saw may be changed to an equivalent such as brush cutter / strimmer for cutting of bramble.



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### APPENDIX B

#### - Methods to reduce noise

##### **B1. Methods to minimise nuisance**

1. Prior to works commencing any preparatory engineering works will be undertaken in normal working hours.
2. Residents of Addison Road, St Lukes, Aller Brake have been consulted with regard to the works. Refer to Appendix D for the letter. They were also asked as to whether they preferred evening and night time works as opposed to Sunday Working. The majority advised that Sunday day-time working was preferable.
3. 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.
4. All operatives will be briefed on the measures within this plan and the sensitivity of surrounding properties to noise emissions, especially occurring at night.
5. We are continuing to work with Network Rail to agree a method of works that will enable day time working. This could include an agreement in phasing or a change in currently permitted possessions. However, to date no alternative has been achieved and our only alternative is to undertake surgery at night.
6. Reversing alarms will be turned off the mobile platform.
7. All generators will be super-silenced and inspected to ensure they are operating appropriately.
8. Any idling plant will be turned off when not in use.
9. Where ever possible as much of the base vegetation/scrub and low limbs will be cleared prior to night time works. This will reduce the out of hour working with chainsaws.
10. Once felled and made safe no further works will take place. Timber clearance and mulching will be undertaken in normal working hours.

All affected residents will be notified of the potential for disturbance. Letter drops will on all properties facing A380 Torquay Road. Wider properties will be notified through the local media and Councillors.

##### **B2. Noise/Vibration Monitoring Programme**

Galliford Try will carry out monitoring at regular intervals during the night and each phase of the works. Attended noise monitoring will be undertaken as close as possible to the receptors identified in Appendix C to assess compliance. To note, the locations on Figures 1.1 and 1.2 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.

Monitoring will be undertaken over a 15 minute period at each location with a Class 1 Sound Level Meter. Levels will be measured in terms of  $L_{Aeq, 15 \text{ mins}}$  and  $L_{Amax,F}$ . In addition weather conditions, wind direction and strength will be recorded, along with observations on the dominant noise source and construction activity.

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

## APPENDIX C

### Table 1. Tree Surgery works to be undertaken during railway possession - 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. No allowance has been made for natural screening or manmade structures between the works. The model takes into account land attenuation and reflection from properties.

The predictions are based on 5 working groups of workers working on the tree sets concurrently and it is considered a worst case.

**Table 1. Tree Surgery works to be undertaken during railway possession**

Receptor Location	Saturday Night	
	Threshold Maximum Noise Level Averaged Over Time Period, L <sub>Aeq</sub> 9hrs dB (were derived)	Predicted Noise Level Averaged Over Time Period, L <sub>Aeq</sub> 9hrs dB
4 Addison Road	NA	60.0
27-28 Addison Road	NA	74.9
27 St.Lukes Road	NA	76.6
1 St. Lukes Road	61.7	64.7
30 Aller Park Road	NA	65.9
44 Aller Park Road	NA	72.6
The Barn Owl, Aller Road	NA	62.7
Aller Road (Disused)	NA	67.2

**Notes**

From predictions properties fronting Addison Road, Aller Brake, St Lukes are all anticipated to exceed the defined thresholds. 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.





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**APPENDIX D**  
- Notification letter



A380 South Devon Link Road  
1st Floor  
Midas Buildings  
Silverhills Road  
Decoy  
Newton Abbot  
TQ12 5ND

Homeside House  
Silverhills Road  
Newton Abbot  
Devon  
TQ12 5ND

Tel: 01455 222 792

Fax: 01455 222 758

[www.gallifordtry.co.uk](http://www.gallifordtry.co.uk)

4<sup>th</sup> February, 2013

Dear Resident

### **A380 South Devon Link Road – Cedar Tree Removal**

I am writing to advise you that the large cedar trees located beside the Network Rail line along the current A380 Torquay Road will need to be removed during February and possibly into March.

Due to the trees being located near to the railway line we have to work closely with Network Rail to ensure safety and operational demands are complied with and to complete the tree surgery during a time when no trains are running. There will also be a requirement for traffic management along the Torquay Road during the removal of the trees.

Considering the above restrictions and to minimise disruption, this work will need to be completed overnight during the hours of 23:30 through to 07:00. The proposed removal dates are 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup> February and 2<sup>nd</sup> March, however, it is anticipated that only two of these dates are likely to be required.

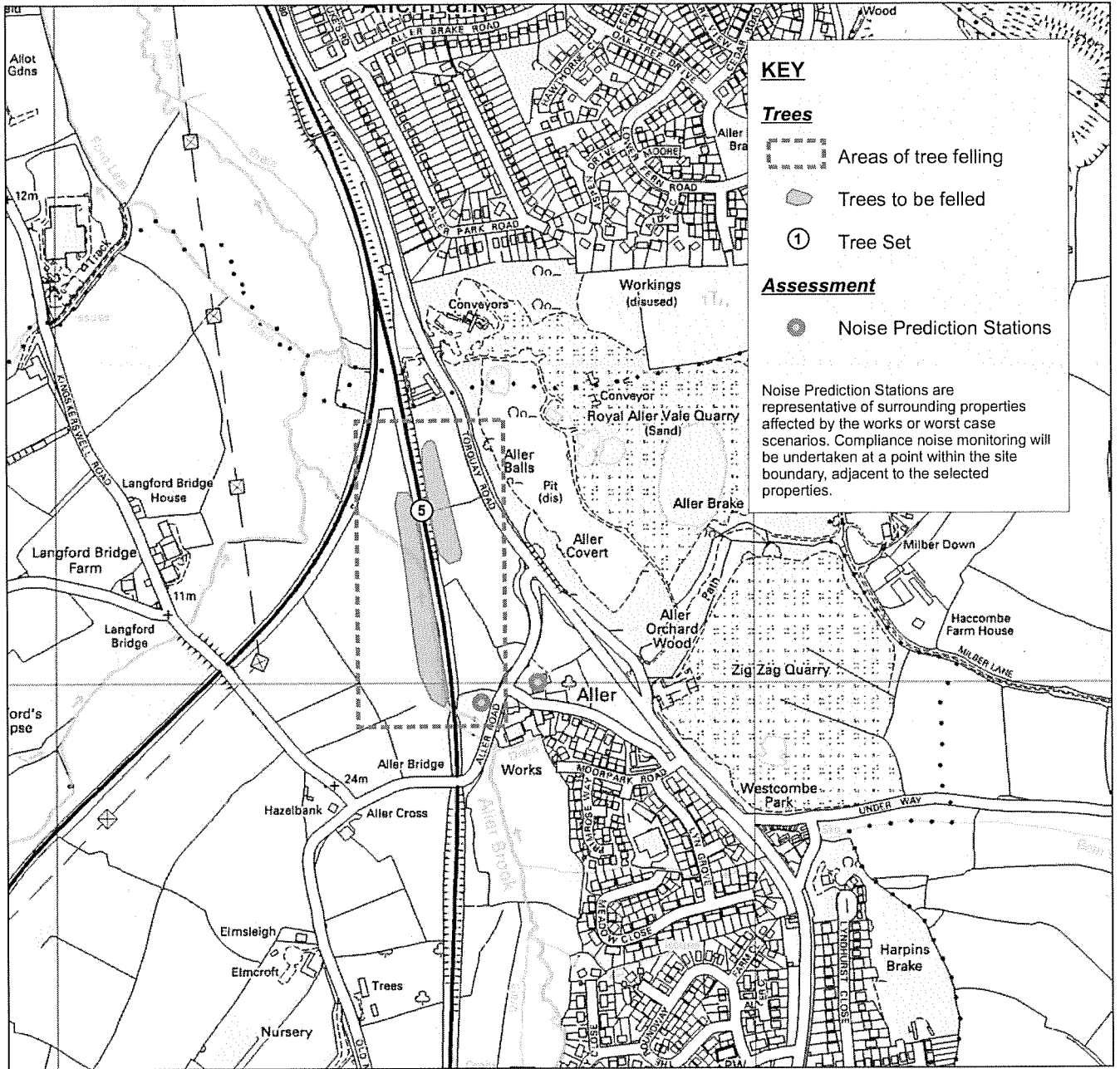
During the tree surgery there will be a crane in operation, a lighting tower, and a chainsaw, along with other mechanical vehicles. All efforts are being undertaken to minimise noise, however the chainsaws are likely to be audible. We apologise for this inconvenience.

It has been our intention to inform residents of all such works when possible but should you have any further questions please call our Public Liaison Officer, Tracey Waygood on 01626 357729 who will assist you. Should you need to make an urgent call during the night time work Tracey can be contacted on 07435 763 276.

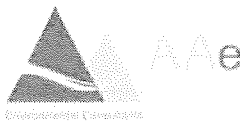
Yours sincerely,

Jim Watson  
Project Director  
A380 South Devon Link Road Project Team





Rev.	Details	Drawn	Date
		Chkd.	

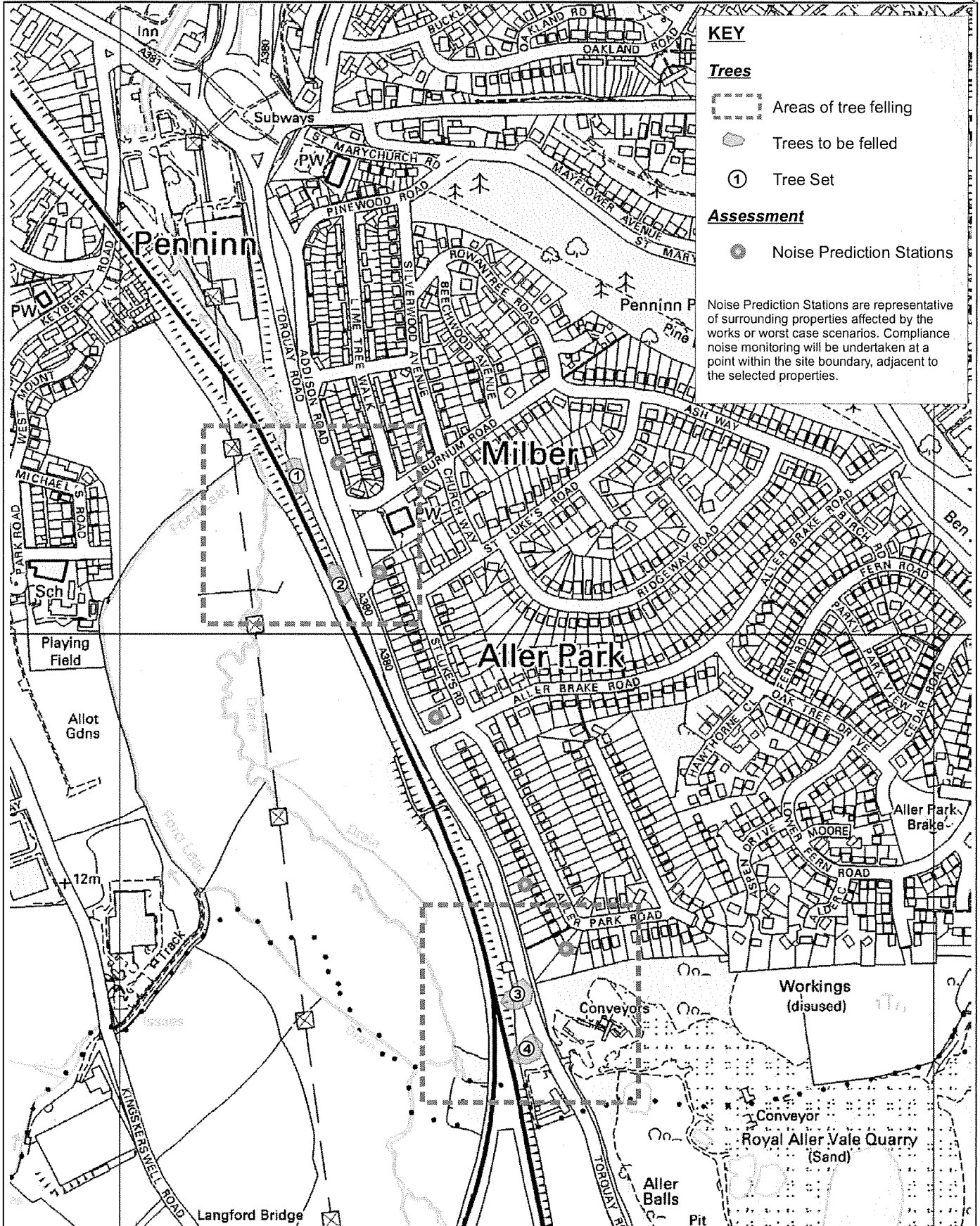


**AA Environmental LLP**  
 Units 4 to 8  
 Cholswell Court  
 Shippon, Abingdon  
 Oxon OX13 6HX  
 T: 01235 536042  
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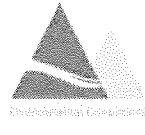
Project  
**123213 - A380 Kingskerswell Bypass**

Title  
**Out of hour works:  
 Tree Felling**

Scale	Date	Drawn	Chkd.	Drw. No.	Rev.
NTS	Jan' 2013	RC	ML	Figure 1.2	



Rev.	Details	Drawn	Date
		Chkd.	

 <p><b>AA Environmental LLP</b> Units 4 to 8 Cholswell Court Shippon, Abingdon Oxon OX13 6HX</p> <p>T: 01235 536042 F: 01235 523849 info@aae-llp.com www.aae-llp.com</p>	<p>Project</p> <p>123213 - A380 Kingskerswell Bypass</p>	<p>Title</p> <p>Out of hour works: Tree Felling</p>
	<p>Scale</p> <p>NTS</p>	<p>Date</p> <p>Jan' 2013</p>
		<p>Chkd.</p> <p>ARB</p>
		<p>Drw. No.</p> <p>Figure 1.1</p>
		<p>Rev.</p>