

MEETING:	PLANNING COMMITTEE
DATE:	5 AUGUST 2015
TITLE OF REPORT:	<p>151344 - PROPOSED ALTERATIONS TO ROOF, REPLACEMENT OF EXISTING ROOF VENTS WITH NOISE SUPPRESSION LOUVRES. ACOUSTIC PANEL SURROUND AND SILENCERS TO CHILLER UNITS AT BPI FILMS, WORCESTER ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 0QA</p> <p>For: Mr Cooke per Mr Stephen Potter, Pomona Office, Kings Acre Road, Hereford, Herefordshire, HR4 0SN</p>
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=151344&search=151344
Reason Application submitted to Committee – Re-direction	

Date Received: 1 May 2015

**Ward: Leominster
East**

Grid Ref: 350151,258605

Expiry Date: 8 July 2015

Local Member: Councillor JM Bartlett

1. Site Description and Proposal

- 1.1 The site is on the western side of the Worcester Road, Leominster. Waterworks Lane adjoins the north-western boundary and Clinton Road sub-divides the two sites comprising the factory. The northern block of buildings which is the subject of this proposal and more recently erected building, predominantly used for warehousing the plastic film produced is in the southern block. There are silos on the northern side of Clinton Road, a proposal for 3 silos on the southern side of Clinton Road i.e. adjoining the warehouse has not been implemented. There are industrial units on the eastern side of Worcester Road.
- 1.2 The proposal has two elements. The first relates to the roof of the northernmost building which houses extrusion units. Two extrusion units have been de-commissioned and will be replaced by one unit. The roof of the building is proposed to be altered by pushing the roof up by 2.9 metres near to the eaves and then with a very shallow roof joining the ridge on the north-western side. This roof section will be 33.5 metres long. The roof alteration will be no higher than the existing ridge. The sides of the roof projection formed will be in a matching colour and have an enhanced with enhanced acoustic insulation core. The south-east profile which already has 12 louvre panels will be replaced by new noise suppression louvres and supplemented by 6 further louvre panels.
- 1.3 The second element relates to a chiller unit on the south-western side of this building. This chiller unit is, in two blocks but is not visible from outside of the site i.e. from Waterworks Lane.

It is proposed to erect 3 metres high acoustic panels around the units and silencers around the 20 fans that project from the top of the two blocks of units.

2. Policies

2.1 National Planning Policy Framework (NPPF)

The following sections are of particular relevance:

Introduction	-	Achieving Sustainable Development
Section 3	-	Supporting a Prosperous Rural Economy
Section 7	-	Requiring Good Design
Section 11	-	Conserving and Enhancing the Natural Environment
Section 12	-	Conserving and Enhancing the Historic Environment

2.2 Herefordshire Unitary Development Plan (HUDP)

S1	-	Sustainable Development
S2	-	Development Requirements
S4	-	Environment
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood Risk
DR9	-	Air Quality
DR13	-	Noise
E8	-	Design standards for employment sites
T8	-	Road Hierarchy

2.3 Herefordshire Local Plan Core Strategy

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS5	-	Employment Provision
SS6	-	Addressing Climate Change
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
E1	-	Employment Provision
LD1	-	Local Distinctiveness
SD1	-	Sustainable Design and Energy Efficiency
SD2	-	Renewable and Low Carbon Energy
ID1	-	Infrastructure Delivery

2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/unitary-development-plan>

3. Planning History

3.1 P140671/F - 3 no. 1000 tonne silos on Clinton Road. Approved 28.8.2014.

3.2 N121335/F - Demolition of units 8, 9 and 10. Erection of warehouse extension, alterations to highway.

3.3 N121242/F - 3 new silos. Approved 21 9.2012.

- 3.4 NC2006/4029/F - Upward extension of existing buildings to install new machinery. Approved 21.2.2007.
- 3.5 NC2006/0504/F - Alterations to existing factory, installation of new machinery requiring aside roofing above. Approved 11.4.2006.
- 3.6 940491/F - Raising existing roof in extrusion department (Bonar Polythene Films Ltd.). Approved 20.9.1994.

4. Consultation Summary

- 4.1 Transportation Manger comments are awaited
- 4.2 Environmental Health and Trading Standards Manager has submitted the following comments:
 - 1. Environmental Protection has a history of noise complaints regarding this BPI Films site, which have been investigated over a number of years. The main complaints alleged a low frequency hum emitted from the factory was causing disturbance during the night. From our records the low frequency noise has been reported to disturb a few residents in the immediate area and up to 2 km from the factory.
 - 2. In November 2013 the Environmental Protection Service opened a new investigation into this complaint, where a thorough and impartial investigation was undertaken over 9 months. The investigation was conducted by competent and fully authorised Environmental Health Officers of Herefordshire Council. The method of assessment was both subjective (officers expert opinion) in accordance with the statutory noise nuisance assessment under the Environmental Protection Act 1990 and objective (taking and assessing sound measurements), in accordance with the BS 4142 assessment, NRNA45 Salford Low Frequency Assessment. Also consideration was made to the WHO Community Noise Guidelines. The sound level meters used were fully compliant with the BS 4142 requirements. The sound monitoring was carried out during night-time hours when the noise was reported to cause the disturbance predominantly and in the vicinity of complainant properties, identified within zones from the BPI Factory.
 - 3. The findings of this investigation did not identify a Statutory Nuisance at any premises monitored. The BS 4142 assessment, however, identified that general factory sound levels in Waterworks Lane within a 100m zone of BPI Films did indicate a significant adverse impact was likely. Within a 100m to 500m zone of the BPI Films factory an adverse effect was identified as likely. For all other zones outside of the 500m zone the BS 4142 assessment was not deemed as an appropriate assessment method as the BPI Factory sound was not sufficiently audible and discernible above the general residual sound of the area.
 - 4. All the NRNA45 Salford Low frequency assessments carried out inside the complainant properties did not identify a low frequency sound above the Criterion Curve.
 - 5. The officers identified a low frequency tone was audible to varying degrees outside the complainant properties. It was noted the general factory sound was clearly audible and a dominant sound within the 500m zone of the factory. However this area has historically been an industrial area and the sound was noted to be constant throughout the 24/7 BPI operation. This was an important factor when assessing the context of the area in relation to the sound witnessed. Outside the 500m zone of the factory the sound of traffic on the A49 and in Leominster was identified to be the dominant low frequency sound for the majority of the monitoring time. Hence, the factory sound was not deemed to be sufficiently loud to cause a significant adverse impact on the area, even though it was

just audible. Further from the BPI source, 1km and over, the weather conditions and traffic movements significantly impacted on the audibility of the sound; ranging from inaudible to just audible when monitoring outside of complainants' properties.

6. BPI Films were informed of the findings and recommended to review their noise controls to ensure 'best practical means' and 'best available techniques' were being applied to their Leominster site. In response to this request BPI contracted Nova Acoustics Ltd to assess the sound from the factory.
7. The supporting document, Nova Acoustics Ltd letter dated 24/04/15, identified two priority sound sources for improvement; to upgrade the high level untreated louvres to acoustic louvres and to fit silencers and screens to the chillers at the rear of the factory with expected sound reduction levels specified. From their assessment they highlighted that 'these two key areas are expected to see the most significant reduction in noise levels from the site and are deemed as the most effective and most practical method of reducing noise from site'.
8. In addition to these proposals we advised BPI to consider upgrading the acoustic attenuation properties of the building fabric of the new roof cladding proposed in this application. In response, BPI have included an upgrade of this cladding with Eurobond panels, with the specification included in their supporting documents.
9. The Company's planned equipment upgrade within the factory i.e. the replacement of two internal extrusion machines with a new 'state of the art' machine, does not form a part of this application, as it is our understanding the BPI do not require planning permission to carry out this work. However, we have considered this upgrade in our assessment of this application. BPI have given assurances the new equipment is quieter than the two machines it is replacing. Therefore the anticipated impact on the factory sound emissions would be minimal to negligible from the replacement machinery.
10. It is essential that the proposed changes to the premises are constructed appropriately to contain production sound and in this case reduce sound emissions where possible, so as to protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy. BPI's proposals state that this application is the Company's opportunity to bring about an improvement to the factories sound emissions to benefit their environmental noise profile.

Having considered the information provided, we have no adverse comments to make against this application as the proposals would appear to improve the current issue with regards to environmental sound. A reduction in environmental sound levels would be supported.

5. Representations

5.1 Leominster Town Council responded as follows:

Council had received three letters of objection to planning application P151344, the contents of which were duly noted. Verbal representations were also received.

APPLICATION: P151344 SITE: BPI Films, Worcester Road, Leominster HR6 0QA
DESCRIPTION: Proposed alterations to roof, replacement of existing roof vents with noise suppression louvres. Acoustic panel surround and silencers to chiller units
COMMENT: Council wishes to recommend refusal of this application due to concerns regarding the noise assessment reports carried out to date and wishes to submit the following comments and recommendations to the Planning Authority:

Prior to any planning approval being granted Herefordshire Council is urged through its Environmental Health Department to commission an independent noise report that addresses the requirements of BS4142:

- The work undertaken by the University of Salford Acoustic Research Centre on behalf of DEFRA should be used to help advise the independent noise report which should have a focus on the disturbance of low frequency noise.
- Following any works which may be undertaken at this site a further noise assessment report should be undertaken to assess whether any improvements had been achieved and identify additional action required to address any issues identified.

5.2 11 letters of objection have been received. The points raised can be summarised as follows:

- Lower frequency noise heard every night, sleepless nights.
- Undulating pulsating, not a constant 'hum' it is not constant impulsive tonal noise, sound travels through buildings.
- Building should be fit for purpose.
- Will be more fan noise.
- Lower frequency resonating noise, not addressed by this proposal i.e. sub 63HZ.
- Monitoring undertaken by HCC's EHOs flawed, wrong equipment.
- Need independent certification of improvements/noise abatement.
- Louvres will not work, noise will still be heard miles away. More holes in the roof.
- Oversight in 2006/7 by HCC as regards control of noise pollution, need to go back pre-2006 levels.
- New plant needs planning approval by virtue of earlier approval – DCNC2006/4029/F restricting new plant- should be in description.
- Impose conditions 7-10 of Circular 11/95.
- Needs to be BS4142 compliant.
- Restrict use to daytime only.
- Why not provide more insulation to chiller unit.
- Needs Environmental Impact Assessment and Flood Risk Assessment.
- No mention of flood risk.
- Increased traffic on A44.
- Building affects TV reception.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

6.1 In accordance with the Town and Country Planning Act 1990 (as amended) the principal considerations in the determination of this application are the acceptability of development in the street scene, the impacts of noise upon neighbouring amenity, the impact on the road network and the landscape as well as the flooding and drainage implications and the contribution of this proposal to the local economy.

6.2 The first issue is one of the key issues relating to the proposal and that is whether or not planning approval is required for the replacement extrusion unit. Planning approval is not required for the new unit given that the current proposal effectively supplants the planning approval granted in February 2007 (Reference DCNC2006/4029/F). Therefore, the issues relate to the new profile and the sound dampening measures proposed for the chiller unit. Details for the new plant are not required.

Further information on the subject of this report is available from Mr A Prior on 01432 261932

- 6.3 The change in roof profile will not detract from the amenity of the site or indeed the wider locality. This is given that the building involved is well screened from view from Worcester Road by a line of trees and by existing buildings and silos when viewed from Clinton Road, to the south. Therefore, the roof extension accords with Policies S2, DR1 and E8 of the Herefordshire Unitary Development Plan.

Noise

- 6.4 The main focus of representations received relates to low and high frequency noise emanating from the factory, this is particularly at night. This is a matter that has been the subject of monitoring by the Environmental Health Department in accordance with BS4142. The proposed measures which include improved acoustic measures to the roof, the replacing of existing louvres and sound dampening around and on the chiller units are measures that have been brought about by communication between Environmental Health and acoustic engineers acting on behalf of the applicant. Therefore, as regards this issue it pivots on whether or not what is proposed will improve the existing situation. The measures proposed as part of this application will have a positive impact and therefore the proposal in this respect accords with Policies DR2, DR7 and E8 of the Herefordshire Unitary Development Plan.

Highways

- 6.5 There are no highways issues relating to this application

Environmental Impact Assessment

- 6.6 This proposal does not require an Environmental Impact Assessment given the size of the proposal.

Flood Risk Assessment

- 6.7 An assessment was submitted as part of this application and given that the proposal relates to the roof space of an existing building and the provision of acoustic panels off the ground around two existing chiller units, there is no requirement for a Flood Risk Assessment.

Conclusion

- 6.8 The primary focus of representations received relates to the noise generated by this factory and a perception that nothing should be allowed until such time as this matter is resolved. However, the technical advice produced in relation to the existing factory over a 9 month period provides data that does not substantiate grounds for refusing this application indeed the measures proposed for sound dampening in relation to the chiller unit and upgrading existing louvres and insulating the roof space are encouraged. Therefore, taking this issue and the other issues raised highlighted above, your officers can only reasonably recommend conditional approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time-limit-for-commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C02 Matching external materials**

Informative:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

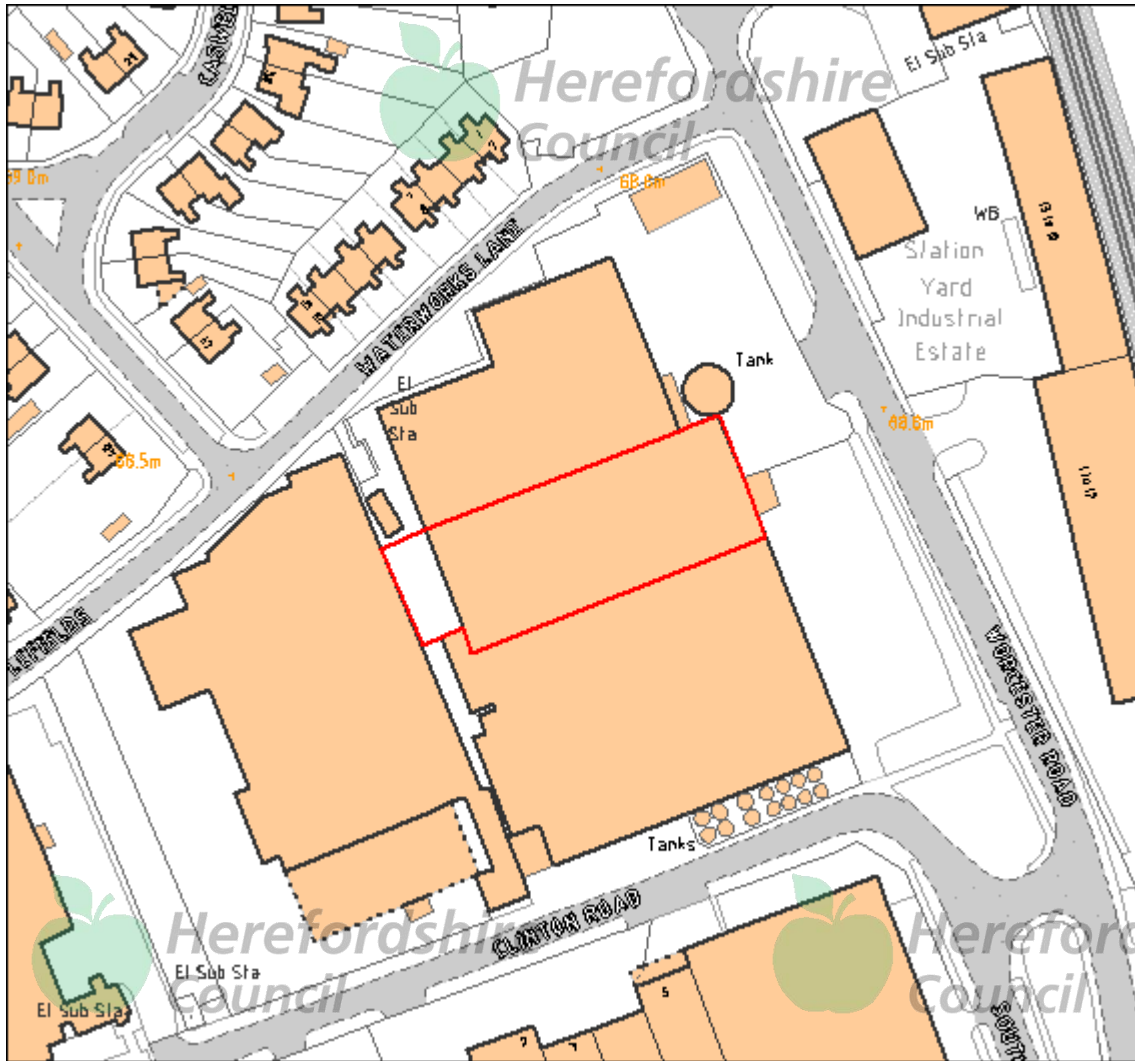
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 151344

SITE ADDRESS : BPI FILMS, WORCESTER ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 0QA

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Further information on the subject of this report is available from Mr A Prior on 01432 261932