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COUNTY BOROUGH COUNCIL
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MEMORANDUM

From: **Ian Jones**
Head of Service Public Protection

To: **Matthew Phillips**
Head of Service Planning Development

Our Ref:

Your Ref: P/2024/1020

Date: 10-07-2024

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2024/1020, 1 SALOP ROAD, WREXHAM, LL13 7AF

PROPOSAL: NEWID DEFNYDD TIR I GREU UNED GOLCHI CEIR A GOSOD TEIARS / CHANGE OF USE OF LAND TO CREATE CAR WASH AND TYRE FITTING UNIT

RPT 2 - REPORT REQUIRED

It is noted that the Design and Access Statement acknowledges under the noise and lighting heading the presence of neighbouring residential premises and has considered measures to limit any impact. However, this section still has concerns relating to noise and lighting from the proposed operations of car washing and tyre fitting. This section is unable to make any recommendations without noise and light report that assess the impact of all activities on site on neighbouring properties.

Noise

The noise survey shall determine noise levels for both Day (07:00 – 23:00 hours) and Night (23:00 – 07:00 hours) as applicable, having regard to Planning Policy Wales (PPW) Guidance, Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings shall include:

a)Noise levels arising from day / night time activities at the proposed development site and the impact upon the existing accommodation, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the neighbouring accommodation.

With a view to achieving:

The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

Lighting

The provided lighting diagram quantifies the anticipated light levels within the boundary of the development but does not reference light spill in both the horizontal and vertical plane on neighbouring properties. The diagram or separate scheme should be provided so as to show there will be no light spill from the proposal.

A23N - BURNING OF WASTE

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;

- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

A22NA – MINOR DEMOLITION CONSTRUCTION NOISE

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise

Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

A25N - DUST MANAGEMENT (SCHEME NOT REQUIRED BY CONDITION)

The Applicant is advised that under the dust from construction and / or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated, and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

A30N - HAND CAR WASH

Effluent and run-off from vehicle washing and cleaning activities can damage the environment and pollute rivers, streams and groundwater. The applicant is advised to seek the advice and approval of Natural Resource Wales (0300 065 3000) as the regulator of releases to ground and surface water, and also Dwr Cymru / Welsh Water on 0800 052 0145 as they are responsible for the control of releases into the public sewer.

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Head of Service Public Protection