wrexham
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/2024/1554**

Date: 03-12-2024

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2024/1554, HYDRO ALUMINIUM DEESIDE LTD, BRIDGE ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9PS

CYFLEUSTER DIDOLI DEUNYDD AILGYLCHU METEL ARFAETHEDIG, GWAREDU TOMEN O BRIDD, ESTYNIAD I IARD GONCRID, TIRLUNIO A GWAITH CYSYLLTIEDIG MEWN EIDDO BUSNES PRESENNOL/PROPOSED METAL RECYCLING SORTING FACILITY, SOIL HEAP REMOVAL, CONCRETE YARD EXTENSION, LANDSCAPING AND ASSOCIATED WORKS AT EXISTING BUSINESS PREMISES

RPT1 - REPORT REVIEW

1) Report Noise Impact Assessment, Hydro Deeside, Wrexham Industrial Estate. Reference: 50-790-R1-3 Dated: October 2024 by e3p have modelled the impact from predicted noise levels at the proposals are nearby sensitive residential receptors and concluded that during both day and night time that the modelled noise levels are below the background noise levels. The report concluded that there is not expected to be any adverse impact upon existing residential receptors due to the proposed operations. This conclusion is

accepted and I have no objection to this application on the basis of noise. The report based it findings on a background noise level of 44 dB LA90 and I therefore recommend that this limit be conditioned on any planning permission:

The rating level of any noise generated by reason of this development shall not exceed 44 dB LAeq level at any time at nearby noise sensitive premises., The noise levels shall be measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

2) Air Quality Assessment Site: Proposed Industrial Development Bridge Road, Wrexham. Reference: 16-685-R3-1 Dated: May 24 by e3p has consider dust during the construction phase and also air quality (NO2, PM10 and PM2.5) from traffic during operational phase:

a) The construction phase. Following the criteria outlined in relevance guidance the report has determined there to be a medium risk of dust soiling and a low risk of health impact.as such mitigation has been detailed in section 5.2.3 of the report in line with guidance from the Institute of Air Quality Management. This mitigation is accepted and I recommended that the requirements of Table 2 be condition for the construction phase on any planning permission.

b) Consideration of the number of additional HGV movements assonated with the development has been given and concluded to not exceed the levels requiring further investigation. This conclusion is accepted.

I have no objection to this appliaction based on Air Quality.

INF22 – 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.

INF23 - 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.

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Head of Service Public Protection