wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
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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/2025/0011**

Date: 21-01-2025

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2025/0011, SAINT DAVIDS CHURCH, BROAD STREET, RHOSLLANERCHRUGOG, WREXHAM, LL14 1RD

DYMCHWEL YR EGLWYS A NEWID EI DEFNYDD ER MWYN CREU BUSNES GWERTHU CEIR AR GYFER HYD AT 22 O GEIR A GOSOD SWYDDFA UNLLAWR AC UNED DOILEDAU / DEMOLITION OF CHURCH AND CHANGE OF USE TO FORM CAR SALES BUSINESS FOR UP TO 22 CARS AND INSTALLATION OF SINGLE STOREY OFFICE AND TOILET UNIT

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.

INF26 - ILLUMINATION / LIGHTING Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting. RPT 2 - REPORT REQUIRED

Due to the presence of @@@@ near to the proposal. This section is unable to make a recommendation without an @@@@

assessment which should consider the odour levels in the vicinity of the proposed development has been submitted to and approved in writing by the Local Planning Authority.

for the pollutants @@@@ has been carried out and a report of the findings submitted to, and approved in writing by, the Local Planning Authority. The assessment shall:

a) Use appropriate modelling methods, as described in 'Local Air Quality Management Technical Guidance LAQM TG (16)', and

b) Provide a detailed scheme so as to comply with objective levels in the Air quality (Wales) regulations.

The approved scheme shall be fully implemented prior to first occupation / use of the development and shall thereafter be permanently retained in an effective condition.

Environmental Protection - No Comments

1) Advice to applicant: noise has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If noise from operational use of the proposal is found to be causing a nuisance than an Abatement Notice may be served and the applicant is advised to consider this when designing the operational aspect of the proposal.

2) Further to the above, given the predominantly residential nature of the area and so as to protect residents amenity I recommend that any mechanical or body work on the vehicles be prevented by suitably worded condition.

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.

RPT1 - REPORT REVIEW

Document 'General Demolition Method Statement For St. David's Church, Rhosllanerchrugog.' Has detailed a construction method statement to control dust, noise and vibration. The findings of this document are accepted and I recomend the requirements be conditioned on any planning permission.

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Head of Service Public Protection