wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

**MEMORANDUM**

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

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

**Our Ref:**

**Your Ref: P/2025/0236**

**Date:** 19-03-2025

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**Town and Country Planning Act 1990**

**Town and Country Planning (General Development Procedure) Order 1996**

**Re: P/2025/0236, 11 LORD STREET, WREXHAM, LL11 1LH**

**ADDASU'R LLAWR CYNTAF I 1 FFLAT AC 1 FFLAT UN YSTAFELL AC ADDASU RHAN O'R LLAWR GWAELOD I 1 FFLAT UN YSTAFELL A CHADW UNED FASNACHOL AR Y LLAWR GWAELOD / CONVERSION OF FIRST FLOOR TO 1 NO APARTMENT AND 1 NO BEDSIT AND PARTIAL CONVERSION OF GROUND FLOOR TO 1 NO BEDSIT WITH RETENTION OF GROUND FLOOR COMMERCIAL UNIT**

EN10 - SOUNDPROOFING OF A BUILDING (BETWEEN FLOORS/WALLS)

No part of the development shall commence until a scheme of noise insulation and attenuation measures between each of the bedsits and also between the bedsits and the retail premises below. in compliance with Building Regulations Guidance: Part E - Resistance to the Passage of Sound, has been submitted to, and approved in writing by, the Local Planning Authority. The measures as are approved shall be fully implemented in strict accordance with the scheme prior to first occupation / use of the development and shall thereafter be permanently retained.

EN08 - NOISE SURVEY

The proposed dwellings are situated in a busy commercial area with retail shops surrounding the premises including deliveries to the front and rear of the property. In addition the impact from patrons coming and going as a result of the city center night time economy may have an adverse impact on the occupants and the design if any windows may require specific attention.

I therefore recommend that a noise survey is carried out prior to determination of the application reflecting by the following proposed condition as follows. The benefit of carrying this out prior to determinaton may be to ensure that the scheme is deliverable and the noise climate does not lead to a recommendation for refusal under TAN 11.

No part of the development shall commence until a noise survey has been carried out, and a detailed report of the survey findings has been submitted to, and approved in writing by, the Local Planning Authority. The noise survey shall determine noise levels for both Day (07:00 – 23:00 hours) and Night (23:00 – 07:00 hours), 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 in the vicinity of the proposed development site and the impact upon the existing or proposed accommodation, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing or occupants of the proposed accommodation hereby approved.

The measures as are approved shall be fully implemented prior to the first occupation / use of the development.

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.

INF24 - 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.

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**Head of Service Public Protection**