wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

MEMORANDUM

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

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

Our Ref:

Your Ref: **P/2025/0300**

Date: 04-04-2025

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2025/0300, CHRISTMAS FARM, LLAY ROAD, CEFN Y BEDD, WREXHAM, LL12 9UG

NEWID DEFNYDD TIR AR GYFER EI DDEFNYDDIO FEL FFERM GOED NADOLIG A CHANOLFAN HAMDDEN AWYR AGORED I GYNNWYS CANOLFAN CEIRW, PADLFYRDDIO, GWEITHGAREDDAU DWR AC YMESTYN Y LLYN PRESENNOL, CREU LLWYBR RHISGL, CODI ADEILAD I DDARPARU SWYDDFA, STORFA PEIRIANNAU AC OFFER, STORFA WELLT A GOFOD BAE SALWCH/MAMOLAETH AR GYFER CEIRW A CHREU MAES PARCIO, MYNEDIAD A THIRLUNIO SAFLE / CHANGE OF USE OF LAND FOR USE AS CHRISTMAS TREE FARM AND OUTDOOR RECREATION CENTRE TO INCLUDE REINDEER CENTRE, PADDLE BOARDING, WATER RELATED ACTIVITIES AND EXTENSION OF EXISTING LAKE, CREATION OF BARK FOOTPATH, ERECTION OF BUILDING TO PROVIDE OFFICE, MACHINE AND EQUIPMENT STORE, HAY/STRAW STORAGE AND SICK BAY/MATERNITY BAY SPACE FOR REINDEER, AND CREATION OF CAR PARK, ACCESS AND SITE LANDSCAPING

EN08 - NOISE SURVEY

Thedevelopment site is in close proximity to residential properties and thedeveloper is therefore required to carry out a noise survey in order todetermine noise levels for both day (07:00 – 23:00 hours) and night (23:00 –07:00 hours) having regard to Planning Guidance (Wales), Technical Advice Note(TAN) 11 – Noise and other relevant guidance. The report ofthe noise survey findings shall include:

a) Noiselevels arising from day/night time activities at the proposed development siteand the impact upon nearby accommodation, and

b) Adetailed scheme of noise insulation and / or attenuation measures so designedto safeguard the amenity of occupants of nearby residential properties.

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.

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.

INF28 - HORSE SHELTERS

There should be no burning of manure and soiled reindeer bedding at the site.

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. 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