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/2025/0427

Date: 19-06-2025

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2025/0427, LAND AT ERLAS PARK, CEFN ROAD, WREXHAM, LL13 9TT

CAIS AMLINELLOL AR GYFER CODI HYD AT 900 O ANHEDDAU (MAE YMDDANGOSIAD, TIRLUNIO, CYNLLUN A GRADDFA YN FATERION A GEDWIR YN ÔL) / OUTLINE APPLICATION FOR ERECTION OF UP TO 900 DWELLINGS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED)

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.

RPT1 - REPORT REVIEW

NOISE

Report 'NOISE ASSESSMENT on behalf of HARWORTH ESTATES INVESTMENTS LTD for the site at ERLAS PARK, WREXHAM' Dated: 14 FEBRUARY 2025 Ref: NA_102716-2_V5 by Miller Goodall has considered potential impact of noise on the development and discussed noise from Cefn Road, Wrexham Trailer Storage and Wrexham Rugby Club.

Road Noise: Monitoring demonstrated that during day time the majority of the proposed site falls within Noise Exposure Category (NEC) A of Technical Advice Note (TAN) 11 and so does not require mitigation. The western side along Cefn Road is however NEC B and is therefore in need of mitigation. For night time, monitoring has shown more properties fall within NEC B. It is of note that monitoring position (MP)8 (on the side of Cefn Road showed NEC D for night time monitoring and therefore would make this part of the site unsuitable for residential development. However, the report has confirmed that this was based on a 15 minute monitoring period during rush hour and is not an accurate reflection of the full night time period. MP9 which was close to MP 8 was carried out for the full 8 hour night time monitoring period and its results are considered more representative than those of MP8. This is supported by his section.

The report explains that it is not possible to provide a robust mitigation scheme as the final site layout is not yet set. However, it does make recommendations relating to external amenity areas adjacent to Cefn Road (paragraph 7.1.8). The report has concluded that the site is suitable for residential development with appropriate mitigation in place.

Wrexham Container Storage: The report has confirmed that no activity was observed during the either the 2022 or 2024 monitoring period and has concluded that noise associated with this site is unlikely to be significant. There does not appear to have been any discussions with the site owner or operator to confirm the extent of any activities on this site.

Wrexham Rugby Club: No activities were observed at the club during the survey, however, the club has been contacted and a breakdown of the average number of events and details of the premises licence has ben provided. The report has confirmed that based on the early site layout plan that there is / are property/ies that could be affected by noise from the clubhouse and/or on the pitch and commented that a full assessment can be required.

Recommendations

In order to demonstrate that the impact from noise can be adequately mitigated against to protect the future occupants I recommend that a follow up report be required pre-determination and once the site layout has been finalised that:

1. Confirms the site areas in need of mitigation (via a noise contour plot of the site).

2. Proposes mitigation so as to achieve the internal noise levels as defined in BS8233.

3. Proposes mitigation to ensure noise levels in any external amenity areas are no greater than 50 dB, A higher limit of up to 55dB can be used but will need supporting evidence to demonstrate why a lower limit cannot be achieved, as per BS8233.

4. I recommend that the applicant (agent) confirm with the owner / operator of Wrexham Container Storage the extent of operations at the site so as to conclusively show that noise from this premises will not impact on the proposals, via monitoring if applicable, or if this isn't the case that a scheme of mitigation be submitted to the LPA for approval.

5. Noise sources from activities at Wrexham Rugby Club should be determined and if required and scheme of mitigation submitted so as to meet the noise limits in BS8233 (see points 2 & 3 above).

Report 'Chapter 11 Noise and Vibration' has considered the impact from the construction and operational phase.

Vibration: Is primarily attributed to piling activities, the report has commented that piling is not anticipated for the site and so has been scoped out of any further consideration

Noise: The report has considered noise from both construction vehicles and activities as well as the operational phase of the development. However, with regards to construction the report has commented that:

Detailed and specific information regarding construction activities and associated plant to be used to construct the Proposed Development is not available at this stage. Therefore, modelling of noise generated by construction activities has been undertaken based on an assumed list of plant and equipment based on conservative estimates of construction rates and processes

Construction noise: Modelling has demonstrated that the predicted increase in construction traffic along Cefn Rod will have a negligible impact for receptors for current noise levels from this road and are therefore concluded to be not significant.

Construction Activities: The report has predicted that residences that border the site could experience a major adverse impact from construction when close to their properties. As the construction moves further away any impact will lessen. The report has predicted that this disturbance could last up to ten days and hence mitigation is required. The report has recommended mitigation (paragraph 11.78) which are in line with the relevant British Standard.

Recommendations

So as to minimise the ion the amenity of sensitive receptors in close proximity to the proposal I recommend:

1) A condition on any planning permission requiring a scheme for piling to be agreed with the LPA prior to carrying out such activity.

2) The construction mitigation method detailed in paragraph 11.78 has confirmed the requirement for a solid barrier close to sensitive receptors and whereas the height has been confirmed the material hasn't. So as to assess the suitability of the proposed barrier the applicant should be asked to provide details of its material, construction and expected attenuation. The remaining details in the proposed mitigation are acceptable and I will be recommending they be conditioned once the solid barrier details are confirmed.

AIR QUALITY

Report 'AIR QUALITY ASSESSMENT on behalf of HARWORTH ESTATES INVESTMENTS LTD for ERLAS PARK, WREXHAM (PARC ERLAS, WRECSAM) Dated 17TH JANUARY 2025 Ref: 102716-2V3 by Millar Goodall has considered impacts on air quality from the construction and operational phases of the proposal:

Construction: The report has recommended a scheme of mitigation for construction dust that is in line with the accepted guidance form the Institute of Air Quality Management.

Operation: Modeling has shown that the predicted levels of teh traffic pollutants from occupancy of the proposal re all significantly lower than their regulatory limits and has therefore concluded that no mitigation is required. This conclusion is support by this section.

Recommendations:

So as to protect amenity of sensitive receptors neighboring the proposal I recommend:

1) The dust management scheme detailed in appendix D be conditioned on any planning permission

EN11 - DUST MANAGEMENT SCHEME

No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to, and approved in writing by, the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

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