

MEMORANDUM



From: Ian Jones
Public Protection Service Manager

To: Mathew Philips
Head of Service Planning
Development

Our Ref:

Your Ref: P/2023/0846

Date: 15-05-24

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2023/0846, CHAPTER COURT RHOSDDU ROAD WREXHAM

NEWID DEFNYDD I DDEFNYDD CYMYSG - DOSBARTH A3 (BWYTAI A CHAFFIS) A DOSBARTH D2 (YMGYNNULL A HAMDDEN), DARPARU ARDAL ADLONIAANT NEWYDD AC ADEILADU TREFNIANT MYNEDIAD NEWYDD / CHANGE OF USE TO MIXED USE - CLASS A3 (RESTAURANTS AND CAFES) AND CLASS D2 (ASSEMBLY AND LEISURE), PROVISION OF EXTERNAL ENTERTAINMENT AREA AND CONSTRUCTION OF NEW ACCESS ARRANGEMENT

Dust Management

Dust Management Report Ref: AS-19-1170-RPT-01 Rev 0 Dated 14 October 2019 by Richard Andrews Architects details mitigation methods in chapter 4. I recommend that these be conditioned.

RPT1 - REPORT REVIEW

Report 'Chapter Court, Wrexham, Environmental Noise Survey' Dated 12 February 2020 Ref: 9928.RP01.ENS.0 By RBA Acoustics considers noise from both construction and operational use of the proposal:

Construction: The report states that 'The most appropriate measures for the development will need to be determined in due course dependent on the proposed construction techniques and programmed'

I recommend that such be conditioned on any planning permission to be provided prior to the development starting.

Operational use: The report recommends noise limits for both day and night times from plant noise (Table 2) and entertainment noise (Table 3) so as to minimise any disturbance to nearby residential accommodation. I recommend that these limits be conditioned on any planning permission with the additional requirement for that the entertainment noise is measured over a 15 minute averaging period i.e LAeq(15min)

It should be noted, however, that this location is sufficiently close to permitted residential properties on Hope Street that noise will be a significant planning consideration. Such that the noise levels proposed in the above report as controls are unlikely to be met by live bands playing at the proposal. If this is not limited by planning condition there is realistic possibility that residential receptors would experience a statutory noise nuisance in which case entertainment noise would be restricted by legal notice.

A23N - 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.

p.p.



Ian Jones
Public Protection Service Manager