



MEMORANDUM

From: Ian Jones

**Head of Service Public Protection
Economy and Planning**

Our Ref:

Date: 04-09-2023

To: David Fitzsimon

Chief Officer

Your Ref: P/2022/1080

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2022/1080, KRONOSPAN LTD HOLYHEAD ROAD CHIRK WREXHAM

Amended Plans - CREU FFORDD FYNEDIAD NEWYDD, PARC LORIS, PONT BWYSO AC ADEILAD, MAES PARCIO, BLOC CYFLEUSTRAU, ARDALOEDD STORIO COED CRWN, IS ORSAF 132 KV A GWAITH ATEGOL / CONSTRUCTION OF NEW ACCESS ROAD, LORRY PARK, WEIGHBRIDGE AND BUILDING, CAR PARK, FACILITIES BLOCK, ROUNDWOOD STORAGE AREAS, 132 KV SUBSTATION AND ANCILLARY WORKS

ZP11 - 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.

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.

A22NA – 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

1) Report 'Proposed North Access Road and Lorry Park, Kronospan, Holyhead Road, Chirk Planning Application Ref: P/2022/1080 Air Quality Assessment: Addendum discusses changes to the scheme detailed in the original submission. This addendum concludes that the conclusions from the original air quality report remain valid in that the identified changes (adverse and beneficial) to air quality are not significant to human or ecological receptors. These findings are accepted.

The above report confirms the necessity for an Construction Environmental Management Plan (CEMP) and I recommend that one be required by the condition recommended with this response.

2) Report Proposed Lorry Park and Access Road, Kronospan, Chirk Lighting Assessment Prepared for: AXIS P.E.D. Ltd Date: July 2023 discusses the impact of the proposed lighting scheme on a range of receptors, this response focus' on the impact on residential receptors. The report concludes that with the mitigation detailed within it is predicted that the light levels will be compliant with recommended guidance from the Institute of Lighting Professionals. I therefore recommend that the mitigation methods be required by condition.

3) Report ENVIRONMENTAL STATEMENT CHAPTER 8.0 – NOISE AND VIBRATION REV A - JULY 2023' has considered the effects of noise and vibration on human receptors from the below activities with the following conclusions:

Construction phase - Not significant based on sound pressure levels and limited duration. Vibration levels are modeled to also be imperceptible to humans.

Construction Phase (road traffic) - Negligible due to the modeled increase in noise being imperceptible.

Operational noise has been considered for both daytime where modeling predicts there to be a not significant impact. Nighttime noise modelling has predicted an impact at several receptors and therefore confirmed that mitigation is required. As detailed later in the report.

Operational road traffic noise has been modeled to predict an improvement in the noise levels over a range from imperceptible to moderate positive effects for both day and nighttime. Vibration from HGVs on the local roads are predicted to be imperceptible.

Furthermore the report has considered the cumulative effects of the proposed development with other site developments and concluded that the operational impact has been modeled to have a neutral to minor effect on receptors.

the findings of the report are accepted and I further recommend that the noise mitigation methods detailed in the report be required by condition.

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Head of Service Public Protection