



MEMORANDUM

From: Ian Jones

**Head of Service Public Protection
Service Planning Development**

Our Ref:

Date: 22-05-2024

To: Matthew Phillips

Head of

Your Ref: P/2024/0266

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2024/0266, WEIR AT FELIN PULESTON ERDIGG WREXHAM

**DYMCHWEL A GWAREDU CORED GONCRID A GWAITH CYSYLLTIEDIG, GOSOD 4
NODWEDD GWIRIO GWELY AFON, AILRADDIO A LLEDU SIANEL YR AFON / DEMOLITION
AND REMOVAL OF CONCRETE WIER AND ASSOCIATED WORKS, INSTALLATION OF 4 BED
CHECK FEATURES, REGRADING AND WIDENING OF RIVER CHANNEL**

A25N - 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.

RPT 2 - REPORT REQUIRED

This section has concerns about the impact of noise and vibration from the proposed works on nearby residential properties. I recommend that a report into the impact of demolition and construction noise and vibration be required by condition prior to the commencement of any demolition / construction:

No part of the development shall commence until a noise and vibration 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 if applicable 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 accommodation, and
- b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing accommodation hereby approved.

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

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.

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Head of Service Public Protection