



MEMORANDUM

From: Ian Jones

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

Our Ref:

Date: 21-12-2023

To: Matthew Phillips

Head of

Your Ref: P/2023/0846

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

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

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DOSBARTH D2 (YMGYNNULL A HAMDDEN), DARPARU ARDAL ADLONIAINT 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**

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 to 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.

ZP04 - AIR HANDLING / EXTRACTION PLANT NOISE LEVEL CONDITION

The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

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.

A32N - FOOD PREMISES – FOG ADVICE

Guidance on best management practice for catering outlet for the dispersal of fats, oils, grease and food waste, as issued by Water UK is available by contacting the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 298989 for further advice and information.

ZP16 - GREASE TRAPS

Prior to first use of the development a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents. The grease trap shall thereafter be permanently retained in a working condition.

ZP03 - (ODOUR) KITCHEN EXTRACTION DETAILS REQUIRED

No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to, and approved in writing by the Local Planning Authority. The system design shall have regard to the guidance set out in EMAQ Report - Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Update to the 2004 report prepared by NETCEN for DEFRA). The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

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Head of Service Public Protection