



MEMORANDUM

From: Ian Jones

To: Matthew Phillips

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

Head of

Our Ref:

Your Ref: P/2023/0899

Date: 13-02-2024

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2023/0899, BERWYN MILL WORKSHOP NEW ROAD GYN CEIRIOG WREXHAM

**ESTYNIAD AR WEITHDY/STORFA BRESENNOL / EXTENSION TO EXISTING
WORKSHOP/STORE**

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.

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.

RPT1 - REPORT REVIEW

Report 'Noise Impact Assessment for Warehouse, Expansion for Theo Davies & Sons, Glyn Ceiriog, Wales' by Crimson Remote Servies Ltd. Dated 18th December 2023. Has considered two noise aspects from the proposal:

1) Expanding current as is operations. The sound levels for this scenario have modeled the sound pressure levels to be below the background levels at the worst affected noise sensitive receptor and therefore should have no adverse impact.

2) Installing an external dust extraction system. The report has demonstrated that regardless of where such a system was located on the site there will be an adverse impact on the nearest sensitive receptor. The report then suggests possible mitigation options. It is noted in the accompanying planning statement (dated 18-12-23) that the proposal is now to site the extraction system within the building, for which the acoustic report predicts will result in no adverse impact based on it being at worst having the same sound pressure levels.. It is not clear from the supplied documentation whether this is a replacement for the existing extractor or in additional unit. In the event that this is an additional extraction unit it should not alter the conclusion under point 1 above of no adverse impact being anticipated.

The findings of the report are accepted and I have no objection tot his development relating to noise.

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.

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Head of Service Public Protection