



MEMORANDUM

From: Ian Jones
**Head of Service Public Protection
Planning**

To: Matthew Phillips
Head of Service,

Our Ref:

Your Ref: P/2023/0495

Date: 06-09-2023

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2023/0495, NORTH WALES REGIONAL TENNIS CENTRE PLAS COCH ROAD WREXHAM

2 GWRT TENNIS, RHOI WYNEB NEWYDD I'R CYRTIAU TENNIS PRESENNOL, LLIFOLEUADAU LED, MYNEDFA AR YR OCHR, ADDASIADAU I'R TO A'R CANOPI, NEWID FFENESTRI A DRYSAU, PANELI SOLAR A GORSAFOEDD PARCIO TRYDAN. / 2 TENNIS COURTS, RESURFACING OF EXISTING TENNIS COURTS, LED FLOODLIGHTS, SIDE ENTRANCE, ROOF ALTERATIONS AND CANOPY, REPLACEMENT WINDOWS AND DOORS, SOLAR PANELS AND ELECTRIC PARKING STATIONS

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) Acoustic report Wrexham Tennis Centre, Assessment of the proposed refurbished Tennis Centre including Padel Courts. Ref :ARR/C/3631.01 Dated 11th July 2023 by ADC Acoustics models that with mitigation the proposals will not exceed the current background levels.

However, at the time of writing the report the specific plant to be used in the proposal was not known. Additionally a comment was also made that there may be additional item of plant on the exterior of the proposal, namely a further air con condenser. The report was written based on a specific noise value from the various plant items. I would recommend conditioning any planning permission to require confirmation that the proposed plant meets the acoustic levels as detailed in the report and further that if an additional plant is used that it will not adversely affect the models predictions. Furthermore the modeled noise levels at the nearest sensitive receptors were based on a fence as detailed in the reports mitigation section is incorporated into the build. I recommend the mitigation and confirmation that any fence or screen fences predicted acoustic attenuation be provided prior to commencement of the development be conditioned an any planning permission.

2) Document PROPOSED EXTERNAL & TENNIS COURTS LIGHTING by CWC ref: 2951-CWC-XX-00-DR-E-6301 does not show the expected light spill from the development onto neighboring residential properties. I therefore recommend the inclusion of a condition requiring this on any planning permission.

A28N - ILLUMINATION / LIGHTING Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting. 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.

ZP15 -EXTERNAL LIGHTING

No part of the development shall commence until a scheme of external lighting has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall have regard to best practice guidance provided by the Institution of Lighting Professionals ([https://www.theilp.org.uk/resources/free-resources/ilp-guidance notes/](https://www.theilp.org.uk/resources/free-resources/ilp-guidance%20notes/)). The external lighting scheme as required must include the following:

- a) Location and height of proposed lighting,
- b) An Isolux diagram for the proposed lighting scheme to a distance that includes sensitive premises, and
- c) Design of columns and any proposed hoods.

The lighting shall be installed in strict accordance with the scheme as is approved prior to first use of the development, and shall thereafter be permanently retained in a fully operational condition.

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