



## MEMORANDUM

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

**To:** David Fitzsimon  
**Chief Officer**

**Our Ref:**

**Your Ref: P/2023/0384**

**Date:** 26-07-2023

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### Town and Country Planning Act 1990

### Town and Country Planning (General Development Procedure) Order 1996

**Re: P/2023/0384, LAND AT ARGOS CAR PARK PLAS COCH RETAIL PARK PLAS COCH  
WREXHAM**

**CODI BWYTY SY'N SEFYLL AR EI BEN EI HUN GYDA CHYFLEUSTER GYRRU DRWODD, MAES  
PARCIO, TIRLUNIO A GWAITH CYSYLLTIEDIG / ERECTION OF A FREESTANDING RESTAURANT  
WITH DRIVE THRU FACILITY, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS**

### **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.

### **RPT1 - REPORT REVIEW**

Report ODOUR CONTROL SPECIFICATIONS suggest that high velocity air removal is the means of odour control. Without providing further details as to why there are no means of odour removal prior to

exhaust. I therefore recommend that the odour condition be attached to any planning permission.

## 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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040 for further advice and information.

## 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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040 for further advice and information.

## 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.

## 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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

## A34N - FOOD HYGIENE REGULATIONS

You are advised that the premises should comply with the relevant Food Hygiene Legislation, and you are advised to contact Council's Food & Farming Team on [foodandfarming@wrexham.gov.uk](mailto:foodandfarming@wrexham.gov.uk) or 01978 298989 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](mailto: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.

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**Head of Service Public Protection**