

**MEMORANDUM**

From: Rebecca Pomeroy**To: Shawn Fleet****Head of Service Public Protection
Planning Control Manager****Our Ref:****Your Ref: P/2022/0448****Date: 10-06-2022**

Town and Country Planning Act 1990**Town and Country Planning (General Development Procedure) Order 1996****Re: P/2022/0448, BALLSWOOD QUARRY GEGIN LANE LLAY WREXHAM****ESTYNIAD I'R ARDALOEDD ECHDYNNU O FEWN FFIN BRESENNOL Y CHWAREL A GANIATEIR /
EXTENSION TO THE EXTRACTION AREAS WITHIN THE EXISTING PERMITTED QUARRY
BOUNDARY****A26N - TAN11 NOISE SURVEY ADVICE**

The findings and recommendations of report 'NOISE ENVIRONMENTAL SCHEME Planning Application for 2No. Changes to the Limits of Extraction within the Existing Permitted Planning Boundary of Ballswood Quarry Relating to Planning Permission ref. P/2016/0110 at Ballswood Quarry, off Gegin Lane, Llay, Wrexham LL12 0NU' dated February 2022 by Kedd Limited are not accepted due to the following:

1) Paragraph 5.2.1 states 'Noise limits shall apply to any privately owned, occupied residential property' then paragraph 5.2.2 states that 'Noise limits do not apply to properties which are in the direct control of the applicant'. It is my view that occupiers of residential properties as well as other sensitive receptors, regardless of the owner be afforded equal protection. Therefore the noise limits as conditioned shall apply at any sensitive receptor.

To comply with Minerals Technical Advice Note (Wales) 1: Aggregates (MTAN1), I recommend the following be conditioned on any planning application:

The rating level of any noise generated by reason of this development shall not exceed 55 dB(A) where background noise levels exceed 45 dB(A). Where background noise is less than 45 dB(A) the noise level shall not exceed the background level (L90) by more than 10 dB(A). 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.

The other aspects of the above report are accepted.

ZP11 - DUST MANAGEMENT SCHEME REQUIRED BY CONDITION

The findings of report 'DUST AND AIR QUALITY ASSESSMENT Planning Application for 2No. Changes to the Limits of Extraction within the Existing Permitted Planning Boundary of Ballswood Quarry Relating to Planning Permission ref. P/2016/0110 at Ballswood Quarry, off Gegin Lane, Llay, Wrexham LL12 0NU' Dated February 2022 by Kedd Limited are accepted.

To comply with Minerals Technical Advice Note (Wales) 1: Aggregates (MTAN1) I recommend the following be conditioned on any planning application:

1) A buffer zone of no less than 100 metres shall be placed from sensitive receptors, The edge of the buffer zone shall be defined from the outer edge of the area where extraction and processing operations will take place, including site haul roads.

2) That the dust control methods outlined in section 4 'Dust Management' of the above report be conditioned.

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Interim Chief Officer Planning and Regulatory