

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2021/1057

Date: 15-11-2021

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2021/1057, LAND OPPOSITE OF ST PETERS CLOSE LLAY NEW ROAD RHOSROBIN WREXHAM

CODI 92 ANNEDD GAN GYNNWYS DARPARU CYLCHFAN AR FFORDD NEWYDD LLAI, FFYRDD MYNEDIAD MEWNOL, MAN AGORED CYHOEDDUS, ARDAL CHWARAE A CHADW LLWYBR TROED SY"N BODOLI / ERECTION OF 92 DWELLINGS INCLUDING PROVISION OF ROUNDABOUT ON LLAY NEW ROAD, INTERNAL ACCESS ROADS, PUBLIC OPEN SPACE, WILDLIFE AREA, PLAY AREA AND RETENTION OF EXISTING FOOTPATH ROUTE

A22NA – CONSTRUCTION / DEMOLITION SITE 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 292 040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

A23N - BURNING OF WASTE ADVICE

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 such a 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 Planning & Regulatory Department on 01978 292 040 for further advice and information.

AIR QUALITY

As the proposed development has the potential to bring increased traffic to the area an Air Quality assessment for the road traffic pollutants Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) shall be carried out and submitted to the LPA for approval prior to any development taking place. The assessment shall use appropriate modelling methods, as described in 'Local Air Quality Management Technical Guidance LAQM TG(16)'. The report shall include an assessment of the Air Quality at the proposed development and on existing receptors near to the proposed development. The assessment shall also consider the cumulative impact from the neighboring development along the A483.

Prior to undertaking the modelling it is advised to contact the Councils air quality officer to discuss existing monitoring data that may be available and confirm which nearby receptors should be included in the assessment.

A26N - TAN11 NOISE SURVEY ADVICE

The findings of report LAND AT LLAY, NEW ROAD, RHOSROBIN - PROPOSED RESIDENTIAL DEVELOPMENT, NOISE ASSESSMENT On behalf of SG Estates Report No: P21-297-R01v02 Dated October 2021, are not accepted. In particular the paragraphs which discuss outdoor amenity (Nos 4.1 to 4.3). Evidence has not been provided to show that the upper guideline limit of 50 dB LAeq cannot be achieved at relevant receptors. Therefore the applicant should either provide details of why this limit cannot be achieved or recommend a scheme that will achieve it.

The report's other conclusions with regards to mitigation to achieve noise limits inside relevant dwelling are accepted

ZP11 - DUST MANAGEMENT SCHEME REQUIRED BY CONDITION

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.

.....

Head of Planning and Regulatory