

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: Shawn Fleet Planning
Control Manager

Our Ref:

Your Ref: P/2022/0024

Date: 28-01-2022

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2022/0024, UNITS 3 AND 4 BORDER RETAIL PARK WREXHAM

CODI FFENS 4.8M A NEWID DEFNYDD YR IARD GWASANAETH YN Y CEFN I GANOLFAN ARDDIO ALLANOL / ERECTION OF 4.8M FENCE AND CHANGE OF USE OF REAR SERVICE YARD TO EXTERNAL GARDEN CENTRE UNITS 3

A28N - ILLUMINATION / LIGHTING STAT NUISANCE ADVICE

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.

ZP15 -EXTERNAL LIGHTING

The application states that there will be security and safety lighting in the external garden centre, this has the potential to cause a light nuisance at nearby residential properties. Prior to commencement of the development, a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting as is approved shall be installed in strict accordance with the scheme prior to first use of the development and shall thereafter be permanently retained in a fully operational condition.

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;
- c) Design of columns and any proposed hoods.

It is recommended that guidance on design best practice should be sought from the website of the Institution of Lighting Professionals: <https://www.theilp.org.uk/resources/free-resources/ilp-guidance-notes/>

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.

A26N - TAN11 NOISE SURVEY ADVICE

The development sites external garden centre is in close proximity to residential properties and the developer is therefore required to carry out a noise survey in order to determine noise levels for both day (07:00 – 23:00 hours) and if applicable night (23:00 – 07:00 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings shall include:

a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon nearby residential properties / gardens, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the nearby residential properties / gardens.

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Head of Planning and Regulatory