

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2021/0766

Date: 27-08-2021

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2021/0766, THE OLD POST OFFICE STATION ROAD ROSSETT WREXHAM

**OUTLINE APPLICATION FOR CHANGE
OF USE OF A GROUND FLOOR SHOP (CLASS A1) INCLUDING THE GROUND
FLOOR OF ASSOCIATED DWELLING AND REAR GARDEN (CLASS C3) TO A
RESTAURANT/COFFEE/SHOP/TAKEAWAY (CLASS A3). INTERNAL
ALTERATIONS TO FIRST FLOOR (CLASS C3)
THE OLD POST OFFICE STATION ROAD ROSSETT**

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.

A25N - DUST MANAGEMENT ADVICE (SCHEME NOT REQUIRED BY CONDITION)

The Applicant is advised that under the Environmental Protection Act 1990, 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 Planning & Regulatory Department on 01978 292 040 for further advice and information.

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 approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

When designing such a system, it is recommended that reference to the following guidance should be made: EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Update to the 2004 report prepared by NETCEN for DEFRA).

ZP04 - AIR HANDLING / EXTRACTION PLANT BS4142 ASSESSMENT

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.

ZP09 - SOUNDPROOFING OF A BUILDING (BETWEEN FLOORS/WALLS)

No part of the development shall commence until a scheme of noise insulation and attenuation measures between the ground floor and first floor residential accommodation (in compliance with Building regulations guidance: part E - resistance to the passage of sound) has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented in strict accordance with the scheme prior to first occupation / use of the development and shall thereafter be retained as such.

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.

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.

F04N - 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 Planning & Regulatory Department on 01978 298 989 for further advice and information.

A32N - FOOD PREMISES – FOG ADVIC

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

.....

Head of Planning and Regulatory