

MEMORANDUM

From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2018/0790

Date: 03-10-2018

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2018/0790, LAND NORTH OF AND ADJACENT TO JOLLY MASONS INN ROCK ROAD RHOSYMEDRE WREXHAM

ERECTION OF 2 BEDROOM DETACHED DWELLING

Environmental Protection

ZP06 - PROTECTION OF AMENITY FROM NUISANCE

All works in relation to the implementation of this permission, including deliveries to and/or leaving the site, shall 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.

ZP07 - TAN11 NOISE SURVEY REQUIRED (TO BE SUBMITTED)

No part of the development shall commence until a noise survey in order to determine noise levels from the nearby railway line for both day and night has been carried out, and a detailed report of the survey findings together with a detailed scheme of noise attenuation and or noise insulation measures has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.

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 Environment and Planning Department on 01978 292040 for further advice and information.

A21N - EPA 1990 NOISE NUISANCE ADVICE

The applicant is advised that compliance with condition no. @@ does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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 Environment and Planning Department on 01978 292040 for further advice and information.

Contaminated Land

ZP02A - Verification Report - Contaminated Land

As per previous correspondence we would recommend the following site specific condition is applied to the planning permission if granted to ensure the gas protection measures are installed as agreed.

The site shall not be occupied/used until a Validation Report has been completed, submitted and approved in writing by the Local Planning Authority, in respect of the gas protection measures submitted with the planning application.

.....

Head of Planning and Environment