

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2021/0616

Date: 13-07-2021

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2021/0616, THE DEPOT NINTH AVENUE LLAY WREXHAM

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(DOSBARTH B2) A CHODI ESTYNIAD (YN OL-WEITHREDOL) / CHANGE OF
USE OF BUILDING TO CLASS GENERAL INDUSTRIAL USE (CLASS B2) AND
ERECTION OF EXTENSION (IN RETROSPECT)**

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.

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.

ZP05 - NOISE GENERATION - BS4142 REQUIRED

The rating level of any noise generated by reason of this 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.

ZP14 -NO PANEL BEATING / PAINT SPRAYING

No panel beating or paint spraying shall be carried on at the premises at any time.

ZP17 - (BUND) STORAGE OF OILS, FUELS AND CHEMICALS

Any facilities above ground provided for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work must be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets must be discharged into the bund.

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.

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Head of Planning and Regulatory