

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2021/0551

Date: 28-06-2021

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2021/0551, LAND WEST OF WREXHAM GOLF CLUB HOLT ROAD LLAN Y PWLL WREXHAM

CODI 1 UNED MANWERTHU GYRRU TRWODD (DEFNYDD DOSBARTH A1) AC
UN BWYTY GYRRU TRWODD (DEFNYDD DOSBARTH A3) / ERECTION OF 1
DRIVE THROUGH RETAIL UNIT (CLASS A1 USE) AND 1 DRIVE THROUGH
RESTAURANT (CLASS A3 USE)

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.

ZP03 - (ODOUR) KITCHEN EXTRACTION DETAILS REQUIRED

Report "AIR QUALITY ASSESSMENT on behalf of EG GROUP LTD for

HOLT ROAD, WREXHAM" Dated 17th May 2021 (Report Number 1025580) makes several recommendations for the control of cooking odour (sections 11.3 and 11.4). I recommend that any planning permission that may be granted should be conditioned to require confirmation of which, or equivalent techniques, will be used:

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).

AIR QUALITY

The findings of report "AIR QUALITY ASSESSMENT on behalf of EG GROUP LTD for

HOLT ROAD, WREXHAM" Dated 17th May 2021 (Report Number 1025580) that there "would be no significant impact on local air quality affecting existing residents near to or on the roads subject to increased vehicle generation arising from the development" are accepted.

ZP11 - DUST MANAGEMENT SCHEME REQUIRED BY CONDITION

The Dust Management Plan as detailed in Appendix E of Report "AIR QUALITY ASSESSMENT on behalf of EG GROUP LTD for HOLT ROAD, WREXHAM" Dated 17th May 2021 (Report Number 1025580) is accepted and I recommend that it be conditioned on any planning permission that may be granted.

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.

.....

Head of Planning and Regulatory