

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2020/0703

Date: 20-11-2020

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2020/0703, GRESFORD POLICE STATION 76 CHESTER ROAD WREXHAM

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A26N - TAN11 NOISE SURVEY ADVICE

The application does not provide details as to the the number of children or their age range that will be present at the proposed development and whether exterior parts of the proposed development will be used.

As the area is a heavily residential area I would recommend the following condition be attached to any planning permission.

The development site is in close proximity to residential dwellings and the developer is therefore required to carry out a noise survey in order to determine noise levels for proposed operational 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 the proposed development site and the impact upon the neighbouring sensitive properties, and
- b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of neighbouring residential properties of the proposed accommodation hereby approved.

A23N - BURNING OF WASTE ADVICE

In the event that significant internal works are required I recommend the following condition to protect the amenity of neighbouring domestic residences

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

In the event that significant internal works are required I recommend the following condition to protect the amenity of neighbouring domestic residences

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.

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Head of Planning and Regulatory