

MEMORANDUM



From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2020/0435

Date: 08-09-2020

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2020/0435, UNIT 2 WREXHAM BUS STATION LORD STREET WREXHAM

GOSOD PERIANNAU AC AMGEAD AR Y TERAS LLAWR CYNTAF / INSTALLATION OF PLANT AND ENCLOSURE ON FIRST FLOOR TERRACE

Environmental Protection

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.

A26N - TAN11 NOISE SURVEY ADVICE

The noise report "The Co-operative, Lord Street, Wrexham, LL11 1LF, Plant Noise, Impact Assessment" by NSL Reference 89261 dated 21st May 2020 makes the following summary which I recommend are conditioned:

7.3. All proposed plant and associated pipework will be fitted with suitable vibration isolation mounts in order to control structure-borne sound transmission to the adjoining premises.

7.4. As the store potentially introduces a change in the character of noise within the building, it is recommended that a sound insulation assessment is made of the separating floor between the store and the offices above. Acoustic treatment of the floor of the store and back of house may also be required to control structure-borne noise due to trolley and roll cage movement.

The report also makes the following statement:

3.1. The area around the store is predominantly commercial, with no residential dwellings within the immediate area.

Similar statements are made throughout the report and used as justification for employing a different noise standard.

WCBC Planning Dept. have advised of the following residential properties or granted planning permissions for residential developments:

Above 6 Lord Street

P/2018/0267 - 16 to 30 King Street

P/2018/0267 - Triinty House, Trinity Street.

I would therefore recommend that the following condition be attached to any planning permission:

The development site is in close proximity to residential properties / extant planning permission and the developer is therefore required to carry out a noise survey in order to determine noise levels for both day (07:00 – 23:00 hours) and night (23:00 – 07:00 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 day/night time activities in the vicinity of the proposed development site and the impact upon the sensitive receptors (with particular reference to Trinity House) and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

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.

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Head of Planning and Regulatory