

# MEMORANDUM



**From:** Ian Jones Public Protection  
Service Manager

**To:** David Williams Planning  
Control Manager

**Our Ref:**

**Your Ref:** P/2020/0128

**Date:** 18-03-2020

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## Town and Country Planning Act 1990

## Town and Country Planning (General Development Procedure) Order 1996

**Re: P/2020/0128, TESCO SUPERSTORE PLAS KYNASTON LANE CEFN MAWR WREXHAM**

## **INSTALLATION OF 1 X MEDIA EV CHARGER WITH SCREEN, 1 X FAST EV CHARGER AND 2 STEEL FLAGPOLES**

### **Environmental Protection**

#### **A22NA - MINOR DEVELOPMENT CONSTRUCTION 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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Environment and Planning Department on 01978 292040.

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#### **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.

#### **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.

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**Head of Planning and Regulatory**