

MEMORANDUM

From: Ian Jones Public Protection
Service Manager

To: David Williams Planning
Control Manager

Our Ref:

Your Ref: P/2018/1063

Date: 27-12-2018

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2018/1063, LAND WEST OF BRYN ISA VICARAGE LANE GRESFORD WREXHAM

PROPOSED RESIDENTIAL DEVELOPMENT FOR 44 NO. RESIDENTIAL DWELLINGS (OF WHICH 25% - 11 NO. WILL BE AFFORDABLE), PUBLIC OPEN SPACE, LANDSCAPING, MEANS OF HIGHWAY AND PEDESTRIAN ACCESS, LOCAL HIGHWAY AND PEDESTRIAN INFRASTRUCTURE IMPROVEMENTS ALONG VICARAGE LANE, FOUL SEWERAGE PUMPING STATION AND NEW OFF-STREET PARKING PROVISION FOR EXISTING RESIDENTS

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.

A21N - EPA 1990 NOISE NUISANCE ADVICE

The applicant is advised that compliance with condition no. @@ does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

ZP06 - PROTECTION OF AMENITY FROM NUISANCE

All works in relation to the implementation of this permission, including deliveries to and/or leaving the site, shall 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.

A22N - Construction Noise

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. Failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Environment and Planning Department on 01978 292040.

Contaminated Land - No Comments

No Comments

ZP11 - DUST MANAGEMENT SCHEME REQUIRED BY CONDITION

No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

A24N - DUST MANAGEMENT SCHEME (SCHEME REQUIRED BY CONDITION)

Applicants are advised that compliance with condition no. @@ does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the 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.

.....

Head of Planning and Environment