MEMORANDUM

From: **Roger Mapleson**
Head of Service Public Protection

To: **Matthew Phillips**
Head of Service Planning Development

Our Ref:

Your Ref: P/2026/0085

Date: 23-03-2026

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: P/2026/0085, LAND WEST OF, TUDOR DRIVE, PENLEY, WREXHAM, LL13 0JN

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RPT 2 - REPORT REQUIRED

(WCBC 53)

Due to the presence of noise sensitive receptors, a Noise Management Plan for the operation of machinery used to move timber (including loaders, telehandlers, chippers, or similar equipment) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- Hours of operation
- Location of machinery use
- Noise-reduction measures (acoustic bunds, silencers, operational controls)
- Procedures for responding to noise complaints
- The approved plan shall be implemented and adhered to at all times.

this is required to protect the amenity of nearby sensitive receptors. I recommend that the requirements of the agreed plan be subject to a planning condition.

Additionally, a condition should be placed to enforce that no machinery associated with the movement, processing, or handling of timber shall operate outside the hours of:

07:30 to 18:00 Monday–Friday

08:00 to 14:00 Saturday

No operations on Sundays or Bank Holidays

To safeguard residential amenity and comply with the statutory notice served on the property owner on the 17th June 2021.

INF23 - BURNING OF WASTE

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 the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

INF22 – MINOR DEMOLITION 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 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 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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Head of Service Public Protection