wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
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MEMORANDUM

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

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

Our Ref:

Your Ref: SC/2026/0001

Date: 28-04-2026

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1996

Re: SC/2026/0001, LAND ADJACENT TO SEWAGE DISPOSAL WORKS FIVE FORDS, BEDWELL ROAD, CROSS LANES, WREXHAM, LL13 0PA

COPING OPINION FOR OUTLINE PLANNING APPLICATION FOR THE ERECTION OF BUILDINGS (USE CLASSES B2, B8, B1 (C)) INCLUDING LAND FOR ECOLOGICAL MITIGATION AND ASSOCIATED INFRASTRUCTURE, INCLUDING MEANS OF ACCESS, WITH MATTERS RESERVED RELATING TO APPEARANCE, LANDSCAPING, SCALE AND LAYOUT RESERVED FOR FUTURE DETERMINATION

INF26 - ILLUMINATION / LIGHTING Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting. 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.

RPT1 - REPORT REVIEW

Report 'Air Quality Assessment, Sesswick Way, Five Fords, Wrexham' Reference: 8180r1 Date: 17th April 2025 has considered the impact from dust during the construction phase and transport during the operational

phase:

Construction: The report has shown that there is a low potential for dust soiling and human health impacts from the construction and proposed a mitigation scheme in line with recommendations from the Institute of Air Quality Management. These conclusions and recommendations are accepted and I recommend that the mitigation scheme detailed in section 5.6 of this report be required by planning condition.

Operational: The report has considered the potential for adverse impact from the traffic pollutants (Nitrogen Dioxide, Particulate matter 10µm & 2.5µm). The report has modelled that there will be a negligible impact on ait quality for these pollutants which returns a not significant overall conclusion. These conclusions are accepted and I therefore have no objection to this application on the basis of air quality, with the imposition of teh above planning condition for construction dust mitigation.

RPT 2 - REPORT REQUIRED

(WCBC 53)

Due to the presence of sewage works near to the proposal I recommend the following reports accompany any planning application:

1) A detailed report of the odour levels arising in the vicinity of the proposal, with particular emphasis on the sewage treatment works.

2) Due to the proposed B2 & B8 usage, A noise survey shall be carried which the EIA scoping document accompanying this application has confirmed. A detailed report of the survey findings submitted to, and approved in writing by, the Local Planning Authority. The noise survey shall determine noise levels for both Day (07:00 – 23:00 hours) and Night (23:00 – 07:00 hours), having regard to Planning Policy Wales (PPW) Guidance, Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings shall include:

a) Noise levels arising from day / night time activities from the proposed development site and the impact upon the existing nearby sensitive receptors, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing noise sensitive receptors.

The report should also assess the impact from the demolition and construction phase on nearby noise sensetive receptors.

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.

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Head of Service Public Protection