

Consultation Response from KC Environmental Health – Pollution & Noise Control		
2021/91678		
Robertos, Robertos, The Old Post Office, 15 Market Place, Batley, WF17 5DA		
Erection of canopy (within a Conservation Area)		
Date Responded: 9 December 2021	Responding Officer: Kevin Ellam	Responding Ref: WK/202141503
I have reviewed the information submitted by the applicant and recommend the following planning condition: NOISE No loudspeakers used to relay singing, speech and amplified music shall be positioned outside the premises of the building. Internal loudspeakers shall not be positioned so that the sound they produce is directed through external doors, windows or any other openings in the structure. HOURS OF USE The proposed use of the outdoor seating area hereby permitted shall not be open to customers outside the hours of 09.00 to 22.00 Monday to Saturday and 10.00 to 20.00 Sundays CONSTRUCTION CSC1 <i>Construction Site Working Times - Condition</i> Noisy construction related activities shall not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00hours, Saturdays With no noisy activities on Sundays or Public Holidays CSF1 <i>Construction Sites working times – Footnote</i> Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.		