

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93547 - IcuK Technologies, 110-112 Lockwood Road, Lockwood, Huddersfield, HD1 3QX		
Change of use to form no. 2 hot food takeaways (Sui Generis) at ground floor with ancillary office and store at first floor and sub division of first floor apartment to form no. 3 dwellings (C3)		
Responding Date: 12 October 2023	Responding Officer: Mohammed Nasim	Responding Ref: WK202331436
<u>Comments</u> The applicant has submitted an undated Extract & Ventilation statement dated 11 October 2023. An assessment has been undertaken as per Appendix 3 within the EMAQ Guidance Document - Control of Odour and Noise from Commercial Kitchen Exhaust Systems. The risk assessment indicates a high impact and the report states it will implement fine filtration or ESP followed by carbon filtration as per page vi of the guidance document. The submitted information is accepted and the applicant is advised to ensure the cleaning and maintenance schedules recommended within the guidance document are adhered to. <u>Recommended Conditions</u> NC1 Implement Agreed Noise Mitigation Measures – Condition Before the development is first brought into use, all works which form part of the sound attenuation scheme as specified in the Noise Impact Assessment authored by Environmental Noise Solutions dated 29 March 2022 Ref. NIA/10167/22/10267/v1/Lockwood Road – a) shall be completed; and b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework. NC7 Ventilation of habitable rooms if windows need to be kept closed - Condition Before construction commences, a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information: • Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system		

- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation scheme must demonstrate that the air intake is located away from the sources of noise and/or poor air quality.

All works which form part of the approved scheme for each apartment shall be completed prior to occupation of the aforementioned apartment and retained thereafter.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NF7 Footnote to accompany condition NC7

A ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NC10 - Noise from Fixed Plant & Equipment - Condition

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.