

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93574 Lockwood Road, Lockwood, Huddersfield		
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: 1 st December 2021	Responding Officer: Shirley Reynolds	Responding Ref: WK/202135862
<u>Comments</u> We have reviewed this application and make the following comments and recommendations. Odours The application is for a change of use to provide 2 hot food take away units with residential accommodation to the first floor above. Our concern is with odours and noise caused during the food preparation and cooking process and the impact that this will have on the amenity of the residents living near to the development and future residents of the proposed accommodation above. No detailed information has been submitted regarding the proposed kitchen extract ventilation system, including measures to control odours and noise and how this is to be maintained. Therefore, it will be necessary for a condition to control the noise and odours relating to the kitchen extraction system. Noise The development has the potential to cause noise and impact the amenity of residents, due to noise from the kitchen extract system, from people working in the premises and from customers visiting the takeaway late at night or from delivery drivers. No information has been provided regarding the insulation that will be provided between the proposed business units and the proposed residential units. The proposed development introduces new residents into an area with high traffic volumes and noise associated with traffic on a busy main road. Therefore, a condition is necessary to provide a noise report to protect the amenity of the residents of the proposed first floor accommodation. Hours of Use No information has been provided regarding the hours of use, it will therefore be necessary for a condition to restrict the hours of use so as not to impact the amenity of nearby residents. Food Safety The plans do not adequately demonstrate the provision of an intervening ventilated space to the toilet accommodation in the proposed food units. Toilets are not allowed to directly communicate with a room used for food cooking/preparation or open food storage. A condition is necessary to ensure compliance with food safety legislation. Drainage at Food Premises The proposal is for 2 hot food takeaways where there is the potential for fats, oils and grease to enter the drainage network, due to food preparation and from dish-washing areas. Therefore, it will be necessary for a condition requiring a scheme to prevent such pollution		

entering the drainage network.

Recommended Conditions

OC1 Kitchen Extract Scheme - Condition

Before food cooking commences details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours.
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours.
- Details showing the proposed location of all the major components of the extract system.
- The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be at nearby noise sensitive locations.
- The proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure the proposed development does not cause harmful odour pollution at neighbouring premises 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.

Footnote

Detailed advice is available in “Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by EMAQ Sep 2018 which is an update of “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” by DEFRA 2005.

NA1 Noise Report Required Before Determining the Application (new noisy development near existing residential)

Before the application can be determined, details of a noise assessment by a suitably competent person must be submitted in writing to the Local Planning Authority. The report shall include:

- a) an assessment of all noise emissions from the proposed development
- b) details of existing background and predicted future noise levels at the boundary of noise sensitive premises
- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development with noise attenuation/insulation measures as appropriate
- d) a written scheme of any necessary noise attenuation measures and demonstrate how

nearby residents will be protected from noise from the proposed development. The assessment shall be appropriate for all times of day and night when the development will operate. The report should include any supporting calculations.

If the levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as conditions of consent.

NF4 Competent Person - Footnote

All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

HUC4 Hours of Use combined Open for Customers, Deliveries and Dispatches – Condition

The use hereby permitted shall not be open to customers outside the hours of 09:00 to 23:00 on any day of the week and there shall be no deliveries to, or dispatches from the premises outside these hours.

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

FS1 Food Safety

Prior to development commencing the applicant should supply details of the intervening ventilated spaces (IVS), that will be provided to the toilet accommodation in the proposed food units or provide details of why these IVS spaces are not required.

Food Safety-footnote

You can contact the Food Safety Team of Environmental Services for advice regarding food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk

DR08 Pollution Prevention (for food outlets including take-aways/restaurants)

Development shall not commence until a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first operation of the development and shall be retained throughout the lifetime of the development.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policy BE1(iv) and the NPPF.

