Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92519 Butchers Arms, 38, Town Gate, Hepworth, Holmfirth, HD9 1TE		
Alterations to extraction system (Within a Conservation Area)		
Date Responded: 14th March 2024	**Responding Officer:** RM	**Responding Ref:** WK/202406152

Odours

In our previous comments of 9th November 2023, we raised the following concerns:

- the level of odour mitigation required based on the outcome of the risk assessment
- no details had been provided regarding the component parts that will make up the kitchen extract system
- no ongoing maintenance programme to control odours
- the location of the extraction flue

Since then, a further Odour Risk Assessment (ref: 5206-2r1) (dated 16th February 2024) by Redmore Environmental has been submitted. The results of the revised odour risk assessment indicate that the odour risk is classified as very high. This is based on dispersion, proximity of receptors, the size of kitchen and the cooking type. As such the design specification for the proposed extraction system has been reviewed. Emissions will be extracted via two dedicated canopies and transferred through plenum units with internal grease filters, followed by an Ecovery Innovations Controlled Ozone injector system to remove odours. A fine dust filter is also to be installed to remove particulate matter. The extract air will be discharged via a vent on the south- western façade of the building. The release point is to be positioned above first floor level below the eaves of the building.

The report concludes that subject to the implementation of the proposed extract system including the fine dust filter and maintenance schedule, the potential for odour impacts will be reduced.

Although it would be preferable for the extract flue to discharge vertically via a high velocity jet cowl, we understand that due to its location within a conservation area that this may not be possible. Therefore, we accept the proposals for the kitchen extract system, and recommend the following condition.

Recommendations

In addition to those dated 9th November 2023.

OC2 Implement agreed Kitchen Extract Scheme - Condition

Before any food cooking commences the kitchen extract system as specified in the Odour Risk Assessment (ref: 5206-2r1) (dated 16th February 2024) by Redmore Environmental shall be installed. The kitchen extract system shall operate at all times during the preparation and cooking of food and be maintained in accordance with the manufacturer's instructions and as specified in the report.

Reason: To ensure the proposed development does not cause harmful odour pollution within either a public area or 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

Kirklees Council has 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.