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Date: 20-Oct-2023
Our Ref: 2023/92573

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge conditions 3 (marking out of parking), 4 (entry signs), 6 (kitchen ventilation), 7 (noise), 8 (external lighting), 9 (CCTV), 10 (vehicle recharging), 11 (Operational Management Plan) on previous permission 2021/91172 for change of use from former petrol filling station, car and van repairs/part sales and car sales pitch to hot food take-away (sui generis)
Crown Motors, Waterloo Road, Waterloo, Huddersfield, HD5 0AH
Application Number: 2023/92573**

I write with reference to your application to discharge the conditions for the above development as submitted on 29-Aug-2023.

Condition 3

This is a prescriptive condition which does not require the submission of further details for approval. The following has however been submitted:

- Photographs of the car park marked out into bays (submitted 29th August and 17th October)

Based on the photographs supplied, the layout appears to be in accordance with the collection bays, customer and staff spaces and electric delivery vehicle bays shown on the drawings that are referred to in the condition, with the caveat that only three of the parking spaces are visible and that the case officer has not checked any measurements on site. On the assumption that all aspects of the layout match those shown on the relevant drawings, their retention will ensure compliance with this condition.

Condition 4

This is, again, a prescriptive condition which does not require the submission of further details for approval. The following has been submitted:

- Photographs showing (i) turn left arrow just inside entrance and other directional arrows within site; (ii) painted “no entry” marking and flowplate at egress.

The above appear to accord with what is shown on the relevant drawings. The photographs do not however show the extent of the kerbing to stop right turning vehicles at the Wakefield Road exit or the “Delivery Vehicles Only” markings. The “No Entry” and “No Right Turn” signs were not shown, although the pole to hold these signs is visible on the photographs. It is therefore unclear as to whether the signage has been installed or whether the new kerbing complies with what is shown on the drawings and I am unable to confirm that the requirements of this condition have been complied with in full.

Condition 6

The following has been submitted:

- Engineering drawings from Inox
- A document titled “Odour Risk Assessment – with retro fit items” (dated 02/10/2023) (project no. 12387) by Inox.

The assessment score of 17 in the Odour Risk Assessment indicates an impact risk low-medium, based on dispersion, proximity to the nearest receptors, size of kitchen and cooking type, and recommends a canopy baffle filter, with the option to install grease bloc filters, and UV ozone injection units.

Officers disagree with the assessment score and consider the impact risk to be high which requires a high level of odour control. Officers also disagree that the nearest sensitive receptor to the development is more than 100m away from the kitchen discharge, and the cooking type does not appear to reflect the published menu. Considering these factors, officers require clarification and a revised odour risk assessment.

This condition cannot be discharged at the present time.

Condition 7

The following has been submitted

- Noise Assessment authored by DRUK Limited dated 01 June 2023 Ref DRUK/ACC/RS/GBFCMSHDTTA/3103. It assesses the existing noise climate in the vicinity of the takeaway food business and the likely noise emissions from the business.

A BS4142 assessment was conducted on a worst-case scenario based upon the installed and commissioned kitchen extraction unit and, although tables 21 and 22 both refer to 4 Waterloo Road, they show a low impact and this is accepted. The report concludes (section 10) that the installation of the external roof mounted air handling equipment, including the indicated attenuation measures relating to the supplementary air supply and extraction equipment, would result in no impact upon noise-sensitive receptors.

The report fulfils the requirements of parts (a) and (b) of the condition, and subject to the noise attenuation measures referred to being installed before the takeaway is brought into use and thereafter retained, the condition will be complied with.

Condition 8

The following has been submitted.

- Data sheet for a Visage LED 3 luminaire along with an unreferenced lighting plan which shows the lux levels up to the boundary of the development site.

The submitted details are inadequate as they fail to show the lux levels at the facades of the nearest residential properties and this will be required to ensure there is no loss of amenity to the occupiers.

This condition cannot therefore be discharged at the present time.

Condition 9

The following has been submitted.

- Plan, reference 4A, showing the proposed location of CCTV cameras.

The details submitted are considered acceptable and are hereby approved. Subject to the CCTV scheme thus approved being installed within the site before the development is first brought into use and thereafter retained and operated in accordance with the manufacturer's instructions at all times when activities are being carried out on site, this condition will be complied with.

Condition 10

The following has been submitted:

- Photographs of an installed electric vehicle charging point (EVCP).

This condition is not worded in such a way as to require further information to be submitted. The technical data for the Project EV EVCP (S/No TMG0C4109) however shows it meets with the requirements of the condition.

Provided that both the charging points (one for delivery vehicles and one for staff cars) are installed in accordance with the submitted details before the development is brought into use and thereafter retained, this condition will be complied with.

Condition 11

The following has been submitted:

- Operational Management Plan (OMP) which sets out health and safety policies; servicing contractor and vehicle details; servicing frequency, timing and duration; refuse collection and recycling; vehicle delivery procedures and noise.

Officers are satisfied that the information provided with the application fulfils the requirements of Condition 11. To ensure compliance with the condition, operation of the proposed development, monitoring and recording of findings, must be in full accordance with the OMP for the first 12 months of operation and, in the case of servicing times, at all times thereafter.

Yours faithfully

Mathias Franklin
Head of Planning and Development