

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2025/90362 - 597 Wakefield Road, Waterloo, Huddersfield, HD5 9XP		
Installation of extraction canopy to rear		
Responding Date: 20 March 2025	Responding Officer: Mohammed Nasim	Responding Ref: WK202506610
<u>Comments</u> <u>Noise</u> The applicant has submitted an undated and unreferenced Extract Ventilation Statement from nma which has highlighted a calculated figure but offers no supporting evidence to determine this conclusion. It is therefore rejected and a condition is recommended for a Noise Impact Assessment to be submitted which will need to show the results of a BS4142 assessment and offer any mitigation measures if required. <u>Odours</u> The applicant has submitted an undated and unreferenced Extract Ventilation Statement from nma which scored the impact risk as high based upon the EMAQ <i>Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems</i> risk assessment. Mitigation measures are specified and it is imperative these are installed and maintained as per the schedule in Section 5 of the EMAQ document. <u>Waste Water</u> A condition is recommended for a scheme to control fats, oils and grease from entering the wastewater drainage system. <u>Construction</u> A condition is recommended to control the hours of construction for the proposed installation in order to protect the amenity of neighbouring properties. <u>Recommended Conditions</u> NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises - Condition Before construction work commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by 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 the nearest 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 including details of all necessary noise attenuation The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be		

thereafter retained.

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.

NF4 Competent Person - Footnote

All noise assessments should be carried out by a competent person. The applicant 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.

OC2 Implement agreed Kitchen Extract Scheme - Condition

Before any food cooking commences the kitchen extract system as specified in the Extraction Ventilation Statement by nma 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.

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, and environmental well-being and to comply with LP44 of the Local Plan and paragraph 120 of the NPPF.

CSC1 Construction Site Working Times - Condition

No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan

CSF1 Construction Sites working times – Footnote

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 Section 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.