

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**

**2025/91477 - 193-195 Wakefield Road, Scissett, Huddersfield, HD8 9JL**

**Change of use from retail unit (Class E) to hot food takeaway (sui generis) with installation of extract and ventilation equipment including rooftop plant, and external alterations**

**Responding Date:  
07 July 2025**

**Responding Officer:  
Mohammed Nasim**

**Responding Ref:  
WK202518880**

**Comments**

Noise

The applicant has submitted a Noise Assessment authored by Philip Acoustics dated May 2025 Ref 25020-002. It describes the proposal as a pizza takeaway and identifies the nearest noise sensitive receptors (NSRs) as the properties on New Street.

A background noise survey was conducted from 2130hrs on 07 May through to 0400hrs on 08 May 2025 from a single monitoring position as shown in Appendix B. A summary of the findings is given in Appendix C. Comment is made in para 4.3 that background noise levels were due to intermittent traffic on Wakefield Road and some low level noise from existing plant and equipment serving neighbouring commercial/industrial uses.

Based upon the measured levels, the report determines the maximum levels at the façade of the nearest NSRs, applying a stringent -5dB below background level as shown in table as shown in table 1. Based upon the drawings for the installed mechanical plant as shown in Appendix B, using the manufacturers data, table 3 shows it will meet with this requirement. Comment is made that all mechanical services plant must be installed on anti-vibration mounts as good practice.

The silencers are specified in section 7 for the supply air system along with the extract system and it is noted that no attenuation is required for the a/c or the cold room units.

The findings of the report are accepted.

Hours of Use

A condition is recommended to secure the proposed hours of use in the interests of protecting amenity.

Waste Water – Fats, Oil & Grease

A condition is recommended for the submission of a scheme to prevent fats, oils and grease from entering the waste water drainage system.

Construction

A condition is recommended to control the hours of construction in the interests of protecting amenity during this phase.

### **Recommended Conditions**

#### **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 Assessment authored by Philip Acoustics dated May 2025 Ref 25020-002 shall be completed. Any changes to the approved noise mitigation measures must be submitted to and approved in writing by the Local Planning Authority.

**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.

#### **HUC1 Hours of Use - Condition**

The premises, shall not be open for business including deliveries to or dispatches from the premises, outside of 1100hrs to 2300hrs daily.

**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.

#### **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 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.