

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2025/44/91826/W
Site Address:	former Lloyds Bank, 22, Carr Lane, Slaithwaite, Huddersfield, HD7 5AN
Description:	Discharge of details reserved by conditions 3 (drainage scheme), 5 (noise), 6 (sound attenuation measures), 7 (noise management plan) and 8 (kitchen extract system) on previous permission 2023/93076 for external alterations to former bank building to form restaurant, installation of extract ventilation system (class Eb) (within a Conservation Area)
Recommending Officer:	Joshua Merriman

DECISION – DISCHARGE OF SPLIT DECISION

I hereby authorise the split decision of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 28-Aug-2025

DISCHARGE OF CONDITIONS

Reference No. 2025/91826

Site Address: former Lloyds Bank, 22, Carr Lane, Slaithwaite, Huddersfield, HD7 5AN.

Proposal: Discharge of details reserved by conditions 3 (drainage scheme), 5 (noise), 6 (sound attenuation measures), 7 (noise management plan) and 8 (kitchen extract system) on previous permission 2023/93076 for external alterations to former bank building to form restaurant, installation of extract ventilation system (class Eb) (within a Conservation Area).

The merits of the application have previously been assessed under reference 2023/93076 and permission granted for external alterations to former bank building to form restaurant, installation of extract ventilation system (Class Eb) (within a Conservation Area).

The applicant is now seeking to discharge Conditions 3 (Drainage Scheme), 5 (Noise), 6 (Sound Attenuation Measures), 7 (Noise Management Plan), and 8 (Kitchen Extract System).

Comments from KC Environmental Health have been added in the assessment of each condition below.

ASSESSMENT

Condition 3 (Drainage Scheme)

3. The development shall not be brought into use until a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dishwashing 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 policy LP44 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

Assessment of Condition 3

As part of the application the following has been submitted: -

- Application Forms
- Grease Trap Spec

Comments received from KC Environmental Health are as follows:

“The applicant has submitted a copy of an e-mail from Marshall Catering Equipment dated 21 May 2025 which states they will be installing a Mechline GreasePak unit on top of the underground grease trap. An internet search

(GreasePak - Mechline) reveals the product prevents the build-up of Fat, Oils, Grease and Starches (FOGS) and this is accepted."

It is therefore concluded that the scheme submitted for Condition 3 is acceptable, in accordance with Policy LP44 of the Kirklees Local Plan and Policies within Chapter 15 of the National Planning Policy Framework.

This condition is therefore recommended to be discharged.

Condition 5 (Noise)

5. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

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.

Assessment of Condition 5

As part of the application the following has been submitted: -

- Application Forms
- External plant noise emission assessment

Comments received from KC Environmental Health are as follows:

"The applicant has submitted a Noise Assessment authored by DRUK Limited dated 25 June 2025 Ref DRUK/ACC/RS/FGRBRCLS/3260.1 which addresses both conditions. A BS4142 assessment has been conducted which shows a low impact as shown in table 3. The findings of the report are accepted."

Condition no.5 is a compliance condition which is required to be adhered to, the submitted detail is noted and appears to satisfy the requirement of this condition.

Condition 6 (Sound Attenuation Measures)

6. The development hereby approved shall not be brought into use until all works which form the sound attenuation measures as specified in the Noise Assessment authored by DRUK Limited dated 25 March 2024 Ref DRUK/ACC/RS/FGRBRCLS/3260 v3 shall be completed and thereafter retained.

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.

Assessment of Condition 6

As part of the application the following has been submitted: -

- Application Forms
- External plant noise emission assessment
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Comments received from KC Environmental Health are as follows:

“The applicant has submitted a Noise Assessment Noise Assessment authored by DRUK Limited dated 25 June 2025 Ref DRUK/ACC/RS/FGRBRCLS/3260.1 which addresses both conditions. A BS4142 assessment has been conducted which shows a low impact as shown in table 3. The findings of the report are accepted.”

Condition no.6 is a compliance condition which is required to be adhered to, the submitted detail is noted and appears to satisfy the requirement of this condition.

Condition 7 (Noise Management Plan)

7. The development hereby approved shall not be brought into use until a Noise Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail the measures that will be undertaken to effectively control noise arising at the premises from all likely noise sources so that it does not have an adverse impact on nearby residents. The plan shall include a scheme to deal with noise from:

- music and other amplified sound at the premises
- loud voices from customers at the premises including those at outside smoking areas and those leaving the premises
- closure of doors
- disposal of glass bottles
- outdoor equipment such as chillers, and air conditioning plant
- deliveries of supplies to the premises and removal for waste from the premises

The development hereby approved shall not be brought into use until the approved Noise Management Plan has been fully implemented. The approved plan shall be retained thereafter.

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 Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

Assessment of Condition 7

As part of this application the following has been submitted: -

- Application Forms
- Noise Management Plan

Comments received from KC Environmental Health are as follows:

“The applicant has submitted a Noise Management Plan from Rumpus dated 15 July 2025. It addresses the sources of noise and the measures to be undertaken inc music, customer & staff behaviour, outdoor areas, deliveries and waste along with management controls. The submitted information is accepted.”

It is therefore concluded that the scheme submitted for Condition 7 is acceptable, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework. This condition is therefore recommended to be discharged.

Condition 8 (Kitchen Extract System)

8. The development hereby approved shall not be brought into use until details of a kitchen extract system have been 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. The effective stack height (discharge height plus plume rise) must be high enough to ensure that adequate dilution takes place before the plume interacts with the nearest sensitive receptor.
- Details showing the proposed location of all the major components of the extract system.
- 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.
- 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 applicant must ensure this aspect of the condition complies with the detail within the Noise Assessment authored by DRUK Limited dated 25 March 2024 Ref DRUK/ACC/RS/FGRBRCLS/3260 v3).

The development hereby approved shall not be brought into use until the approved extract system has been installed in accordance with the approved details. The extract system shall be retained thereafter.

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 policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

Assessment of Condition 8

As part of this application the following has been submitted: -

- Application Forms
- EMAQ Specification
- External plant noise emission assessment

Comments received from KC Environmental Health are as follows:

“The applicant has submitted an EMAQ Report authored by Purified Air dated 14 August 2024 Ref EH29812Rev4. The risk assessment scores the odour at 38 indicating a high level of odour control is necessary. It proceeds to highlight a proposal for an ESP followed by UV ozone system to achieve the same level of control as point 1 (Fine filtration or ESP followed by Carbon filtration). The submitted drawings from HMA Ventilation show the installation of 2no. ESP systems and 1no. UVO system.

The submitted Noise Assessment authored by DRUK Limited dated 25 June 2025 Ref DRUK/ACC/RS/FGRBCL/3260.1 addresses the noise aspect of the kitchen extract system and is accepted.’

The response of the Environmental Health Team goes on to set out the maintenance regime is not submitted as part of the submitted scheme.

The submitted information is accepted insofar as it relates to the requirements of the condition other than the requirement for an ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

In this case the submitted scheme fails to show the maintenance regime required to ensure there is no loss of amenity through a failure to maintain the installed mitigation measures.

It is therefore concluded that the scheme submitted for Condition 8 is not acceptable and would not ensure the scheme is in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

DECISION LETTER TEXT

Condition 3:

You have submitted the following: -

- Application Forms
- Grease Trap Spec

The scheme submitted is accepted, and this condition is discharged on the basis of the submitted scheme. It is a requirement of condition no.3 that the scheme shall be implemented prior to first operation of the development and shall be retained throughout the lifetime of the development.

Condition 5:

You have submitted the following: -

- Application Forms
- External plant noise emission assessment

Condition no.5 is a compliance condition which is required to be adhered to, the submitted detail is noted and appears to satisfy the requirement of this condition.

Condition 6:

You have submitted the following: -

- Application Forms
- External plant noise emission assessment

Condition no.6 is a compliance condition which is required to be adhered to, the submitted detail is noted and appears to satisfy the requirement of this condition.

Condition 7:

You have submitted the following: -

- Application Forms
- Noise Management Plan

The scheme submitted is accepted, and this condition is discharged on the basis of the submitted Noise Management Plan. It is a requirement of this condition that the development shall not be brought into use until the

approved Noise Management Plan has been fully implemented and that it be retained thereafter.

Condition 8:

You have submitted the following: -

- Application Forms
- EMAQ Specification
- External plant noise emission assessment

The scheme submitted fails to show the maintenance regime required to ensure there is no loss of amenity through a failure to maintain the installed mitigation measures. the maintenance regime will need to be in line with the EMAQ Guidance as set out in the [response](#) of the Environmental Health Team.

Should further information be submitted within 21 days of the date of this letter, in relation to this condition, this can be considered as part of this application.