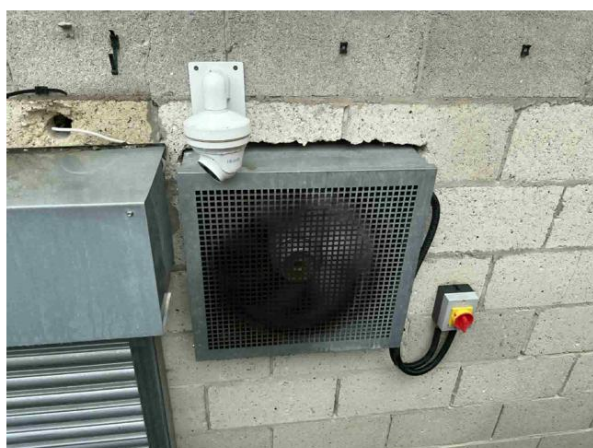


Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2025/92743 - adj, 17, Hillhouse Lane, Fartown, Huddersfield, HD1 6EF
Variation of condition 13 (hours of operation) on previous permission 2019/93483 for erection of 4 A1/A3 ground floor units, 3 B1 offices and ancillary space, a free standing ATM and car park to vary the hours of use for units 1 and 2.
Date Responded:
Monday, 27 April 2026
Responding Officer:
HK
Responding Ref:
WK/202608934

Thank you for consulting Environmental Health on the above application.

The applicant has submitted a Noise Impact Assessment, Ref: NIA/1517/26/617/v1.0, dated 13th March 2026, prepared by RP Acoustics Limited. The submitted noise impact assessment has undertaken baseline noise monitoring to determine the late-night noise climate at the nearest noise sensitive receptor and measured noise levels from the “*Unsilenced air intake fan continuous, broadband character*”. A photograph of the air intake was provided within the assessment (Picture 1 below):

APPENDIX 4
UNSILENCED AIR INTAKE



(Picture 1)

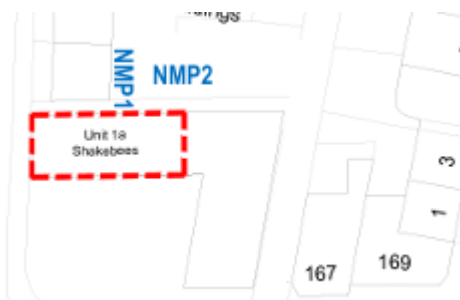


(Picture 2)

The measured noise level of the “*Unsilenced Air Intake*” was identified as 56dB L_{Aeq}. However, as can be seen in the above ventilation extraction system (Picture 2), the air intake and the ventilation extraction system are not the same equipment. It is not clear where the “*Unsilenced Air Intake*” is positioned in relation to the noise monitoring positions or the nearest residential receptor. However, as can be seen in picture 2 (above), it is the ventilation extraction system that is within close proximity to the noise sensitive receptor that poses a potential noise impact.



(Picture 3)



(Picture 4)

Furthermore, following the discharge of planning condition 15 for the kitchen extract ventilation system, an officer from the pollution team has witnessed noise from the kitchen ventilation extraction system which was considered to be “intrusive” during a site visit. It is not clear if the installed system is of kitchen canopy, pre-filters, electrostatic precipitator, bifurcated extract fan, outside noise attenuators and a high velocity roof cowl which is to terminate 1m above the apex of the roof is identical to those detailed in the drawing titled Mechanical Services Kitchen Ventilation Layout (drawing no. M001) (dated: Jan 23) by Shearstone Mechanical Building Services Consultancy and whether the kitchen ventilation extract system is cleaned and maintained in accordance with the manufacturers instructions such that noise levels from the system are higher than anticipated?

Additionally, the report justifying the extended opening hours, dated August 2025, prepared by UH Design Architectural Services states that:

“The applicant’s stated reason is to align trading hours with nearby commercial premises whose operating hours extend to 01:00–02:00, and to allow the unit to trade competitively in the local evening economy”.

1. The majority of the later trading hours in the vicinity do not extend to “01:00–02:00”, of the 2 that do, they operate from a roadside position, not set back from the roadside.
2. The premises ShakeBees and Shawarma’s have not previously existed, introducing a potentially odorous and noise generating use in such close proximity to a residential dwelling, changing the nature of noise within the vicinity of the property. Whilst the applicant has installed odour and noise mitigation measures within the kitchen extraction system, such systems cannot entirely remove the potential for noise and odours being emitted into the locale. They will require ongoing cleaning and maintenance to enable their satisfactory operation.

In summary, the introduction of the development has brought a potentially odour and noise generating business-use (the agent of change), into very close proximity to residential dwellings that previously would not have experienced either.



The impact of the position of the kitchen extraction system has not been considered by the applicant in relation to their residential neighbours, and it was not clear from the information submitted with application 2023/90216 for the discharge of condition 15, the proximity of the neighbours dwelling and windows to the installed system. This does not allow for optimal

dilution of odours from the point of discharge and brings a noise source not previously experienced into very close proximity.



Environmental Health do not consider the location of the hot food take away development is appropriate for extended operational hours due to the impact this will have on the amenity of the neighbouring residential dwellings. We recommend that the hours of operation condition remains.