

From: [Matthew Rhodes](#)
To: [Planning \(HPBC\)](#)
Cc: [Rosie Dinnen](#)
Subject: HPK/2024/0385 - Environmental Health Consultation#
Date: 26 November 2024 17:09:31
Attachments: [image001.png](#)

Dear Rosie

Application number	HPK/2024/0385	Application type	Full - MINOR
Site address	28A , High Street , Buxton , Derbyshire , SK17 6EU	Proposal	Retrospective application for the amendment to the front elevation of the shop to accommodate a change of use from a restaurant/ cafe, use class E(b) sale of food and drink on the premises, to Mixed Use of E(b) and Sui Generis for hot food to be eaten on the premises and takeaway. Proposed illuminated signage to front elevation.

ADVICE TO LPA:

The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted.

IF THESE CONDITIONS ARE NOT TO BE ADOPTED REFUSAL IS RECOMMENDED

CONDITIONS:

The change of use to a hot food takeaway incorporates an extension of hours of operation, this increases noise exposure and odour to the residential accommodation above. For this reason, conditions 1 and 2 are recommended. Alternatively, hours of opening could be limited to 23:00

1. NSD10 - ACOUSTIC INSULATION FOR FLAT OVER COMMERCIAL

No part of the development hereby permitted shall be brought into use until full details of a sound insulation scheme has been submitted to and approved, in writing by the Local Planning Authority. The scheme shall adequately demonstrate a system of sound insulation between commercial and residential uses, that is designed to achieve an airborne sound insulation value of no less than:

- Airborne Sound Insulation 53 DnT,w+Ctr dB
- Impact Sound Insulation 64 L'nT,w dB

The approved scheme shall then be implemented prior to the permission being brought into use, to the written satisfaction of the Local Planning Authority, and maintained in use for the life of the development.

2. FED08 - FUME EXTRACTION – Odour

Prior to the use hereby permitted commencing, a report detailing a scheme for the installation of equipment to control the emission of fumes and odour from the premises shall be submitted to and approved in writing by the local planning authority. The report shall demonstrate compliance with, and be consistent with EMAQ Industry Guidance, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018)". The approved schemes shall be implemented in full. All equipment installed as part of the odour control scheme shall thereafter be operated and maintained to ensure compliance with EMAQ (2018) and in accordance with the manufacturer's instructions.

Inlet ventilation provision shall be of an adequate capacity, capable of achieving 40 air changes per hour in the kitchen and connected to a variable fan speed control switch.

3. FED09 - FUME EXTRACTION - NOISE CONTROL

Prior to the use hereby permitted commencing, a report detailing the noise emissions from the proposed extract ventilation system shall be submitted to the Local Planning Authority for approval. This shall incorporate noise assessment and monitoring undertaken in-line with BS4142.

Where significant loss of amenity is identified in the approved report the cooking equipment extract shall be fitted with effective silencers in accordance with an acoustic specification to be agreed with the Local Planning Authority. The approved silencers shall be installed prior to commencement of the use of the development hereby approved and subsequently maintained.

The extraction system serving cooking equipment shall incorporate anti-vibration mounts and flexible couplings to prevent structure-borne noise to adjoining occupiers.

INFORMATION:

Illuminated advertising isn't really a technical issue for EH; it's simply a case of comparing the figures supplied by the applicant with an appropriate standard.

Standard – the following is widely adopted

Professional Lighting Guide 05: The brightness of illuminated advertisements (2015) – Institute of Lighting Professionals.

Unfortunately, I don't have access to a copy of this but these are the recommended levels for EZ3 and 4

SIZE OF ADVERTISE- MENT	AREA TYPE / ZONE	PROFESSIONAL LIGHTING GUIDE 05 MAXIMUM LUMINENCE LEVEL
Up to 10 m2	Suburban / Zone 3	600 cdm2
Over to 10 m2	Suburban / Zone 3	300 cdm2
Up to 10 m2	Urban / Zone 4	600 cdm2
Over 10 m2	Urban / Zone 4	300 cdm2

ENVIRONMENTAL ZONES:

The ILP recommended that in their Development Plans, Local Planning Authorities specify the following environmental zones for exterior lighting control.

Category Examples

E1: Intrinsically dark areas National Parks, Areas of Outstanding Natural Beauty, etc

E2: Low district brightness areas Rural or small village locations

E3: Medium district brightness areas Small town centres or urban locations

E4: High district brightness areas Town/city centres with high levels of night-time activity

Illuminated advertising is probably not appropriate for EZ 1 and EZ2, but that's very much a matter for the planning officer to decide.

Matthew Rhodes

Environmental Health Officer (Pollution and Environment)

High Peak Borough Council and Staffordshire Moorlands District Council

www.highpeak.gov.uk | Follow HPBC on [Twitter](#) | [Facebook](#)

www.staffs Moorlands.gov.uk | Follow SMDC on [Twitter](#) | [Facebook](#)



Do you really need to print out this Email? Be green - keep it on the screen.

This email is intended for the addressee(s) only and may contain sensitive, privileged or confidential information that could be protectively marked. If you are not the addressee please do not use the information in any way. If you have

received this email in error please notify the sender immediately and delete it from your system. Thank you.

The Council may be required to disclose this email or any responses to it under the Freedom of Information Act 2000.
The way in which we handle personal information is set out in our privacy notice and is available at
<https://www.highpeak.gov.uk/YourData>
