

GD 03

Information for Developers

Version: 1.02

**City Wide Support - Environmental Protection
December 2015**

SCOPE AND PURPOSE:

Scope of this Guidance:

This guidance document provides developers with information related to Manchester City Council policy on discharging planning conditions imposed by the City Wide Environmental Protection Team. Reference is also made to relevant supporting information and guidance documents, which developers should also refer to when submitting supporting information associated with discharging a planning condition.

This document covers hours of site working, fumes/odours and lighting.

- For noise related matters please see our separate information for developers document

For Contaminated Land planning issues please see our separate information for developers document located at:

- http://www.manchester.gov.uk/downloads/file/11878/planning_guidance_in_relation_to_ground_contamination

For Waste Issues please see:

- Waste Storage and Collection Guidance for New Developments - http://www.manchester.gov.uk/info/10076/commercial_waste-information_and_advice/3156/waste_storage_and_collection_guidance

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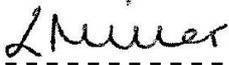
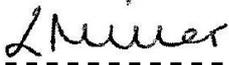
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Overview

The Environmental Protection Team review planning applications for all of Manchester in order to make an assessment on the grounds of disamenity to neighbours. Factors which are regularly considered are noise (during construction and post development), fumes and odours. Planning conditions will be applied to sites as a means of controlling potential disamenity. The Council will need to be satisfied that the conditions have been met before the conditions can be discharged by the planning department. This will normally be through the submission of supporting information.

Reference should also be made to the new National Planning Policy Framework which came in force in March 2012.

In order to assess submitted information, the City Wide Environmental Protection Team would expect a developer to demonstrate that due consideration has been given to the guidance contained within this document.

IMPORTANT

This Guidance Note is written to serve as an informative and helpful source of advice. Readers must note that legislation, guidance and practical methods may be subject to change. This Council has taken all reasonable precautions to ensure the information is correct. However, the Council, its officers, servants, or agents, will not accept any liability for loss or damage caused by any person relying on this information, or for any errors or omissions in the information provided.

1.0 Planning Process and Conditioning

The Environmental Protection Team (EP) routinely reviews planning applications and supporting information for sites which could give rise to disamenity to neighbours. The planning process also looks to minimise conflict between domestic, commercial, industrial or agricultural interests. This information is received both internally from the Council's Planning Department, and directly from developers and consultants. This guidance aims to explain the procedure for the processing and review of these applications electronically.

This process allows the EP to:

- Ensure consistency in the processing and review of all planning applications.
- Process all information received regarding a particular planning application.
- Monitor key performance indicators.

1.1 *Impacts relevant to the City Wide Environmental and Public Protection Team*

Noise - – see separate guidance document:

Atmospheric pollution - smoke, dust, fume, gases, odours.

Light – e.g. security lights and flood lights.

Contaminated Land – see separate document:

- http://www.manchester.gov.uk/downloads/file/11878/planning_guidance_in_relation_to_ground_contamination

Waste – see separate document

- Waste Storage and Collection Guidance for New Developments - http://www.manchester.gov.uk/info/10076/commercial_waste-information_and_advice/3156/waste_storage_and_collection_guidance

1.2 *Informatives and Notes*

The use of 'informatives' and 'notes' attached to planning consents can draw the applicant's attention to other relevant matters such as statutory obligations and can assist the applicant with additional information. They can also propose improved environmental practice/activities that may assist in developments achieving the highest environmental standards.

Construction Works

If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact Environmental Health to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss appropriate working times etc.

Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ Tel: 0161 234 5004, email: contact@manchester.gov.uk

Licensing

The applicant should be aware that under the Licensing Act 2003 the carrying on of a licensable activity (this includes the provision of late night refreshment between 23.00 – 05.00, supply of alcohol, music, dancing, plays, films and indoor sporting events) on or from premises requires a premises licence from Manchester City Council as Licensing Authority. Information regarding premises licence can be obtained from:

The Licensing Unit, Manchester City Council, Hammerstone Road, Gorton, Manchester, M18 8EQ. Tel: 0161 234 5004 or e-mail premises.licensing@manchester.gov.uk

Noise

The applicant's attention is drawn to the need to contact Environmental Health where any noise related conditions have been attached to this Planning Approval, in order to discuss specific and technical requirements.

Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel: 0161 234 5004, E-mail: contact@manchester.gov.uk

Fume

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document.

PPC Permits

The industrial/commercial activity is likely to require a Permit under the Pollution Prevention and Control Regulations 2010.

Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel: 0161 234 5004, E-mail: contact@manchester.gov.uk

The following chapters outline what is expected when the most common informatives and conditions are attached to a planning application.

2.0 Construction Works

Informative

If the development is to involve noisy construction works for a prolonged period the applicant is requested to contact the Environmental and Public Protection Team to discuss the nature of the construction phase. The reasoning behind this is to establish a site contact and discuss appropriate working times etcetera.

Contact: Manchester City Council, City Wide Environmental and Public Protection, 1 Hammerstone Road, Gorton, Manchester, M18 8EQ Tel: 0161 234 5004, email: contact@manchester.gov.uk

2.1 Hours of operation

Manchester City Council (MCC) guidelines state that construction work should normally take place only between the following hours:

- Monday - Friday*: 7.30am - 6pm
- Saturday*: 8.30am - 2pm
- Sunday / Bank holidays: No work

*Workforce may arrive on site 30 minutes prior but no working outside these times, unless changed by prior agreement. Noise to be kept to a minimum in the first hour.

2.2 Prior Consent Application

The Control of Pollution Act (CoPA) 1974 allows a person intending to carry out building works to apply for prior consent in advance, which specifies how the work is to be carried out i.e. outside of the hours listed above.

Contractors that intend to carry out works out of the specified daytime hours will need to contact the Council (0161 234 5004) for approval before commencing any such work activities.

This can either be by applying in accordance with CoPA Section 61 where an application form can be completed on our website:

- http://www.manchester.gov.uk/info/412/pollution_control-noise/2956/noise/9

Or it can be way of a written notification. All such requests must be logged with Contact Manchester.

2.3 Further Information

Further information on controlling pollution from construction sites can be found in the following MCC leaflet which is downloadable from our website:

- https://cms.manchester.gov.uk/download/15267/controlling_pollution_from_construction_sites

4.0 Fume

Informative

Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document.

Contact: Manchester City Council, City Wide Environmental and Public Protection, 1 Hammerstone Road, Gorton, Manchester, M18 8EQ Tel: 0161 234 5004, email: contact@manchester.gov.uk

The most common planning applications with odour implications will be restaurants, hot food take-aways and similar establishments where food is cooked.

The Department of Environment, Food and Rural Affairs' (Defra) Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, January 2005 provides a means by which appropriate mitigation measures can be defined for each specific site. **Compliance with this guidance should be the minimum requirement.**

From this guidance the following points should be adhered to:

- The aim of any ventilation/extraction is to ensure that no nuisance, disturbance or loss of amenity is caused by odour, fumes, food droplets or noise to nearby properties.
- A suitably qualified and experienced person with specialist knowledge of ventilation schemes should undertake the design and installation of a ventilation system.
- In circumstances where the end user of the premises is unknown, or where the specific type of food to be cooked is unknown, the installation should be designed to achieve the highest level of odour control in order to cater for a worst case scenario.

A check list form has been provided in Appendix A

It may therefore be reasonable to expect planning applications to be supported by an appropriate odour impact assessment (OIA), and for suitable mitigation measures identified in this assessment to be included within the proposed development. Planning conditions will then be based around compliance with the implementation of the designed mitigation plant. Consideration will also be given to conditions requiring on-going maintenance and servicing, as outlined in the Guidance. While such conditions may be difficult to subsequently enforce under the planning process, any blatant breaches could lead to statutory nuisance complaints, and would be very good evidence that best practical

means were not being used, and could be considered to be supportive evidence in justifying any decision to serve and enforce an abatement notice.

4.1 Proactive and Reactive Control Measures

The following table has been extracted from the Defra (2005) Guidance, which includes the operations commonly associated with requiring odour controls.

Table 1: Common sources of odour and associated control measures.

Odour Source	Proactive/Planned Measures	Reactive Control Measures
Sewage Treatment.	Closed-containment process over high emission areas. Odour control systems/filters.	Retrospective covering and chemical dosing. Scheduled odour control maintenance and management plan.
Food Processing and commercial kitchens.	Ventilation design. Extraction and filtration system. Vents located away from residents.	Retro-fit of ventilation system. Restricted opening hours.
Paints and Solvents.	Ventilation design. Solvent extraction and recovery system. Vents located away from residents.	Retro-fit of ventilation system. Restricted operating hours. Closed containment of solvents.
Industrial/chemical processes.	Ventilation design. Extraction and filtration system. Vents located away from residents.	Retro-fit of ventilation system and abatement plant. Restricted opening hours. Suitable storage of odorous materials.
Storage and spills.	Design of containment and covered areas for moving liquid.	Use of absorbants and bunds to control run-off and emissions.

4.2 Notification of odour controls

Where odour issues are likely to arise in relation to a new development, applicants should be encouraged to discuss their proposals with Officers of both the LPA and the EPP Department.

Benefits of early communication between interested parties include:

- Reduced time spent by the Local Authority regulating through the consent or permit determination and ongoing compliance monitoring;
- Less of the operator's management time addressing neighbour complaints and local authority liaison;

- Avoidance of costly and possibly inappropriate retro-fitting of odour control measures on the site;
- Avoidance of costly and time consuming litigation; and
- Reduced stress and anxiety experienced by neighbours right from project inception through to operation of the installation.

Where applicants have not adequately addressed odour concerns and where there is significant risk of unacceptable odour exposure to neighbouring properties, the local authority has the discretion to refuse any application for a permit or planning consent.

4.3 Minimum ventilation rates

The following points have been taken from the Defra (2005) Guidance;

- An internal ambient air temperature of 28°C maximum.
- Maximum humidity levels of 70%.
- Internal noise level should be between NR40 – NR50.
- Dedicated make up air system to be approximately 85% of the extract flow rate.
- Minimum air change rate of 40 per hour (bases on canopy and general room extraction).

4.4 Minimum requirements for Canopies

The following points have been taken from the Defra (2005) Guidance.

4.4.1 Velocity requirements

- Light loading – 0.25 m/s (applies to steaming ovens, boiling pans, *bains marie* and stock-pot stoves).
- Medium loading – 0.35 m/s (applies to deep fat fryers, bratt pans, solid and open top ranges and griddles).
- Heavy loading – 0.5 m/s (applies to chargrills, mesquite and specialist broiler units).

4.4.2 Material of construction

- A material that would comply with the food hygiene requirement is stainless steel.

4.4.3 Grease filtration

- Have a minimum performance the same as a baffle filter.
- Be easy to clean.

4.5 *Minimum requirements for Duct Work*

The following points have been taken from the Defra (2005) Guidance;

- All ductwork should be Low Pressure Class 'A' and constructed in accordance with HVCA Specification DW/144 with a minimum thickness of 0.8mm.
- Duct velocities should be as follows:

	Supply (m/s)	Extract (m/s)
Main Runs	6-8	6-9
Branch Runs	4-6	5-7
Spigots	3-5	5-7

- All internal surfaces of the ductwork should be accessible for cleaning and inspection. Access panels should be installed at 3.0m centers and should be grease tight using a heat proof gasket or sealant.
- Duct work should not pass through fire barriers.

4.5 *Minimum requirements for Odour Control*

The following points have been taken from the Defra (2005) Guidance.

4.5.1 Objectives

- For new premises or premises covered by planning conditions restricting the impact of odour, the system shall be designed to prevent harm to the amenity.

- For existing premises not covered by planning conditions restricting the impact of odour, the system shall be designed to avoid statutory nuisance and shall comply with the principles of Best Practical Means.
- To achieve these objective the odour control system shall include an adequate level of:
 1. Odour control; and
 2. Stack dispersion.
- The overall performance of the odour abatement system will represent a balance of 1 and 2.

4.5.2 Discharge Stack

- Discharge the extracted air not less than 1 m above the roof ridge of any building within 20 m of the building housing the commercial kitchen.
- If 1 cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1 m above the roof eaves or dormer window of the building housing the commercial kitchen. Additional odour control measures may be required.
- If 1 or 2 cannot be complied with for planning reasons, then an exceptionally high level of odour control will be required.

4.6 Useful Documents

Reference should be made to the following documents for further information:

- Defra, 2005 – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems - <http://www.defra.gov.uk/publications/files/pb10527-kitchen-exhaust-0105.pdf>
- Defra, 2010 – Odour guidance for Local Authorities - <http://www.defra.gov.uk/publications/files/pb13554-local-auth-guidance-100326.pdf>

5.0 Light

Informative

The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Further advice can be obtained from:

The Institution of Lighting Professionals
Regent House
Regent Place
Rugby
Warwickshire
CV21 2PN

The Chartered Institution of Building Services Engineers
222 Balham High Road
London
SW12 9BS

This section deals with the prevention of light nuisance to neighbours as the result of the development i.e. from illuminated signs, security lighting, flood lighting etc.

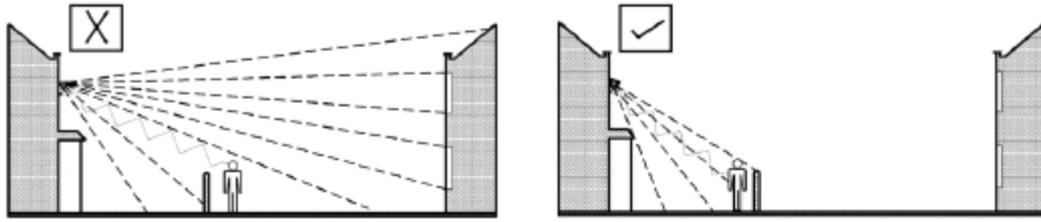
The main information that will be required includes:

- Details and positioning of lighting units.
- Type of lighting.
- Direction of lighting.
- Lighting levels.

Further information has been given below related to these points (taken from The Chartered Institution of Building Services Engineers Factfile No.7, October 2003).

5.1 Details and positioning of lighting

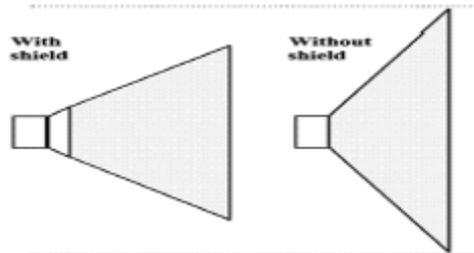
Lighting needs to be positioned to avoid glare and should not cause annoyance by unwanted light spill / intrusion into homes and other buildings (images taken from MCC Guidance Leaflet (2011), link given in section 5.5).



5.2 Type of lighting

Choosing the right lighting for the purpose not only controls the energy use and the spill of light past the intended target, but also affects the daytime appearance of the installation.

Some types of lights are very precise in their beam control while others are less so and have spill light which travels to areas and in directions not required.



The use of shutters and baffles may reduce night time light spill, but is likely to mean that the light fitting itself is less acceptable in appearance during the day unless it can be concealed from sight. In addition, these devices are likely to reduce the overall efficiency of the lighting system.

5.2.1 Building Lighting

When considering whether a building should be lit, its importance as an individual entity, its position in the immediate surroundings and the view of it from the wider surrounds should be considered.

If it is worthy of lighting then it must be considered whether the whole building or only parts of it should be lit or whether certain key features only should be enhanced. The colour of light source should be selected in relation to the materials of the building itself and of the surrounding lit environment.

The times of operation also need to be established. A photo cell can bring the lighting on after dusk but when should it be switched off? Does the building need to be lit every day of the week or for all of the year?

5.2.2 Signs and Advertisements

Not all advertising sites or signs require to be illuminated. If for instance an advertising site within a town shopping area can be seen between buildings from a nearby site of historic interest or residential area then it may appear intrusive at night.

The brightness of an advertisement should be designed in relation to its surroundings. In a city centre an advertisement may need greater levels of illumination to stand out than in a less well lit suburb.

Advertising and signage need only be lit while there are people around to view them. It is quite reasonable to restrict the times that such signs or adverts are lit.

By their nature large advertising poster panels are so positioned or have facilities incorporated that allow safe access to the top of the panel for pasting-up new posters. This generally allows access for re-lamping top mounted lights.

5.2.3 Car parks and loading bays

Public car parks that are used in the evening almost always need lighting for safety and security, but some private car parks may not be used in the evenings and could have minimal or no lighting installed. In some factories it may be possible to designate a smaller area of the car park for the night shift and leave the rest of the car park unlit. Some lights may need to be left on after hours for security reasons.

High mast lighting of open car parks and internal lighting of open sided multi-storey car parks can often be seen from afar. Care must be taken in the selection of equipment to minimize this visual intrusion.

For loading docks and external packing or storage areas, safety is most important and good quality lighting is needed. Well designed and located lights can provide the necessary task and safety levels whilst minimizing spill and glare.

BS 5489-1:2013 gives guidance on the selection of appropriate lighting levels for urban and rural environmental zones.

5.2.4 Sports lighting

Do pitches need to be used at night; if so for how long? Can matches or training finish at a set time? Do training pitches need to be used at weekends? Do all pitches at a training ground need to be lit?

For sports areas where training and matches take place variable level lighting can be installed so that lower light levels may be used during training sessions.

The daytime appearance of the poles or towers must be considered. If it is unacceptable during the daytime, columns can be used which can be lowered into the ground by hand or hydraulically when not in use.

BS12193:2007 Light and Lighting – Sports Lighting should be consulted when designing lighting for sporting events and stadia.

5.3 Direction of lighting

The position of the lighting equipment not only determines the lit appearance of the building, area or object being lit, but affects the visibility of the lighting from the surrounding area, and the spill of light into the night sky and onto adjoining properties.

Where high mounting heights result in lighting being mounted on high columns or towers these may be visually intrusive during the day. Lighting at high level can normally be seen from a great distance, especially in rural areas. In areas frequented by pedestrians high mounting heights can give unnatural shadows and should if possible be avoided.

There may be conservation restrictions on mounting luminaires on or by listed buildings or in conservation areas.

Lighting from sunken pits will reduce the visual impact of the installation during the day, but may result in more dispersal of light into the night sky unless accurate aiming and baffling are used. Often unsightly lighting equipment can be screened from normal directions of view with planting or other devices.

Lighting from above, where aesthetically acceptable, will minimize light spill into the sky, but will be more visually intrusive on the surroundings.

5.4 Lighting levels

The designed lighting levels should be determined after due consideration of the location and environment in which the task is being performed and frequency of that task being undertaken.

Guidance on the selection of appropriate lighting levels can be found in:-

BS EN 5489 Part 1:2013

BS12193:2007 Light and Lighting - Sports Lighting

Society for Light and Lighting - LG06 The Outdoor Environment

Society for Light and Lighting - Code for Lighting 2012

5.5 Supporting Information

Reference should be made to the following documents for further information:

- MCC Leaflet – How to avoid and deal with light nuisance - [https://cms.manchester.gov.uk/download/15376/how to avoid and deal with light nuisance](https://cms.manchester.gov.uk/download/15376/how-to-avoid-and-deal-with-light-nuisance)

- The Institution of Lighting Professionals – Guidance notes for the reduction of obtrusive light - <https://www.theilp.org.uk/resources/free-resources/>

The Defra website also provides further links for information:

- <http://www.defra.gov.uk/environment/quality/noise/artificial-light-pollution/>

6.0 Human Remains/Burial Sites

If you have been made aware through means such as historical records that the site is on or adjacent to an existing or former burial ground that may contain human remains, you must contact Environmental Health at the earliest opportunity.

If at any time during site investigation works, ground-works or excavating on a site within the boundary of Manchester City Council you discover human remains, suspected human remains or bones of an unknown type you must stop all works, secure the area and contact the Police and Environmental Health for advice. Environmental Health can be contacted through the City Councils contact centre on 0161 234 5004.

7.0 Licensing

The applicant should be aware that under the Licensing Act 2003 the carrying on of a licensable activity (this includes the provision of late night refreshment between 23.00 – 05.00, supply of alcohol, music, dancing, plays, films and indoor sporting events) on or from premises requires a premises licence from Manchester City Council as Licensing Authority. Information regarding premises licence can be obtained from:

The Licensing Unit, Manchester City Council, Hammerstone Road, Gorton, Manchester, M18 8EQ. Tel: 0161 234 5004 or e-mail premises.licensing@manchester.gov.uk

8.0 PPC Permits

The industrial/commercial activity is likely to require a Permit under the Pollution Prevention and Control Regulations 2010.

Contact: Manchester City Council, Environmental Health, Hammerstone Road, Gorton, Manchester, M18 8EQ, Tel: 0161 234 5004, E-mail: contact@manchester.gov.uk

References

BS 4142, 1997, Method for rating industrial noise affecting mixed residential and industrial areas.

BS 5489-1, 2013, Code of Practice for the design of road lighting, Part 1: Lighting of roads and public amenity areas.

BS 8223, 1999, Sound insulation and noise reduction for buildings Code of practice.

BS12193, 2007, Light and Lighting – Sports Light.

Communities and Local Government, 2012, National Planning Policy Framework.

Defra, 2005, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems.

Defra, 2010, Odour guidance for Local Authorities.

MCC, 2011, How to avoid and deal with light nuisance (leaflet).

The Institution of Lighting Professionals, 2011, Guidance notes for the reduction of obtrusive light.

WHO, 2000, Guidelines for Community Noise.

Appendix A Information Required to Support Planning Applications for Commercial Kitchen Exhaust Systems

This form has been developed in line with the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems – DEFRA 2005

The following points from the guidance should be adhered to:

- The aim of any ventilation/extraction is to ensure that no nuisance, disturbance or loss of amenity is caused by odour, fumes, food droplets or noise to nearby properties.
- A suitably qualified and experienced person with specialist knowledge of ventilation schemes should undertake the design and installation of a ventilation system.
- In circumstances where the end user of the premises is unknown, or where the specific type of food to be cooked is unknown, the installation should be designed to achieve the highest level of odour control in order to cater for a worst case scenario.

Information Required:

<p>1. Information on Premises</p> <ul style="list-style-type: none"> – No of meals to be served per day. – Method of preparation and cooking. – Type of food served. 	
<p>2. Plans and Drawings</p> <ul style="list-style-type: none"> – Scaled plan showing internal arrangement of premises and dimensions/location of the ventilation system. – Scaled plan showing dimensions and route of external exhaust duct work. <p>The location and type of all filters and the location of the fan must be clearly marked.</p>	
<p>3. Pre-filters</p> <ul style="list-style-type: none"> – Copy of manufacturer's product data sheet. – Dimensions and nature of pre-filter media. – Manufacturer's recommendations on frequency and type of maintenance. 	
<p>4. Electrostatic precipitators (where proposed)</p> <ul style="list-style-type: none"> – Copy of manufacturer's product data sheet. – Dimensions of ESP and flow rate rating. – Manufacturer's recommendations on frequency and type of maintenance. 	
<p>5. Carbon filters (where proposed)</p>	

<ul style="list-style-type: none"> - Copy of manufacturer's product data sheet. - Dimensions on filter panel. - No. of filter panels in filter bed. - Nature of carbon (including product type). - Frequency of replacement of units. - Dwell time. 	
<p>6. Odour counteractant or neutralizing system (where proposed)</p> <ul style="list-style-type: none"> - Copy of manufacturer's product data sheet. - Counteractant or neutralizing chemical to be used. - COSHH data sheets for chemical to be used. 	
<p>7. Cooker Head</p> <ul style="list-style-type: none"> - Length the cooker hood overhangs the appliances. 	
<p>8. System operation</p> <ul style="list-style-type: none"> - Extract rate in m³/s 	
<p>9. Flue Design</p> <ul style="list-style-type: none"> - Height and velocity of final discharge. <p>Discharge should be min. 1m above roof ridge level. Where this is not possible additional filters will be required. Final discharge should be vertically upwards and unimpeded by flue terminals.</p>	
<p>10. Maintenance</p> <p>Schedule of maintenance must be provided including details for:</p> <ul style="list-style-type: none"> - Cleaning of washable grease filters. - Frequency of inspection and replacement of all filters proposed. - Inspection and servicing of fans. 	

Additional Notes:

- Air inlets must not permit pests to enter kitchen (e.g. fly screens can be used).
- The method for supplying make up air into the kitchen must not result in its contamination (e.g. separate provision must be made for ventilation of a toilet).
- There must be sufficient access points to permit adequate cleaning of all the ductwork.