

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/20/03664	Your Ref:	APP/20/01003
EH Case Officer Extn:	44 6666	Date:	03 December 2020
DC Case Officer:	Selina Donophy		
DC Case Officer Extn:	6698		
Application Number:	APP/20/01003		
Site Address:	2 Market Parade, Havant, PO9 1QE		
Proposed Development:	Change of use from A1 Retail, to Class E Hot Food Takeaway (Sui Generis).		

Observations / Comments:

I refer to the above application under the Town & Country Planning Acts passed to this Service for comment.

I have perused the plans & documentation provided by the applicant and have no objection in principle to this application.

There are neighbouring residential properties adjacent and opposite this site and as such I believe there is potential for noise nuisance especially from any extract units, cold room compressors / condensers, air conditioning units and / or similar such plant. As no noise survey / assessment has been submitted at this time, we have no knowledge of existing background noise levels, and what if any mitigation measures may be required, especially at night.

Furthermore there is the potential for odour nuisance, and as such I also would need to know what measures are intended to be incorporated into the extraction system to mitigate any such nuisance.

On the planning application form it is stated that times of operation are proposed as 11:00 to 01:00 Monday to Sunday inclusive, whereas on the Planning statement, times are given as being similar to other hot food establishments in the vicinity i.e. Monday to Thursday 11:00 to midnight & Friday to Sunday inclusive will be 11:00 to 01:00. This will need to be clarified.

There is also no mention of whether a delivery service to customers will be operated. If this is to take place, clarity will be required as to where the delivery drivers will operate from and until what time will they operate. This aspect may need conditioning.

If the Committee were of a mind to approve this application I would ask that the following conditions and informatives be applied to any consent granted :-

Condition 1: Noise from plant and equipment

No development shall take place until an acoustic assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the existing background levels, has been submitted to and been approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant / engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason: In order to safeguard the amenities of nearby residential occupiers in terms of noise and / or vibration.

Condition 2: Equipment shall be installed to suppress and disperse fumes and/or smell produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the use continues. Details of the equipment to be installed, shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

Reason: To ensure that ANY unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

Condition 3: The extraction equipment installed in pursuance to Condition (No.2) above shall be regularly maintained to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority and shall not be resumed until the system has been restored to full working order. Documentary evidence including receipts, invoices and copies of any service contracts in connection with the use and maintenance of the extraction equipment, shall be kept and made available for inspection at the premises by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected.

Condition 4: It is recommended that deliveries to this premises / store are only made during the hours of 08:00 to 20:00.

Reason: To protect the amenities of occupiers of adjoining properties.

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 8.00 – 18.00 and Saturday: 8:00 – 13.00.

This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding Dust Control:

You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.

Please do not hesitate to contact me if you wish to discuss any of the above matters raised or would like further explanation.

A handwritten signature in black ink, appearing to be 'M. Moss', written in a cursive style.

Mr. Mark Moss

Regulatory Officer, Environmental Health