

Apologies for the delay, I actually went to the rest of the pollution team for this one.

I am not sure what the applicant means with regards to 'ifs'. Their application relates to a flue, which in its current position, is considered low level dispersal and we are advising against this. The flue is located further away from the applicant's own property, but disperses close to a neighbouring property. Whilst no smoke free zones currently exist within the Havant borough, this does not relieve operators / owners of wood burning or multi-fuel stoves / appliances, from ensuring that they do not cause nuisance to other residents within their neighbourhood. Issues with low level smoke dispersal are a problem regularly encountered by our team and we strongly recommend against low level dispersal. The measures that the applicant states that they have put in place are unlikely to offer much if any protection to nearby residential properties.

We are commenting in order to protect the occupants of nearby residential properties from smoke pollution, and also the applicants from potentially breaching current legislation.

The installation may well comply with HETAS and building control regulations, however that does not mean it will not cause a nuisance under the Environmental Protection Act.

Joseph, what is your view regarding the applicant extending the height of the flue? Ultimately the decision on this one lies with you as the planner, however, if the application is granted and a smoke nuisance complaint is received and substantiated by us, the applicant may be subject to an abatement notice under the Environmental Protection Act 1990 and would have to cease causing a nuisance. It may also be worth mentioning that closing windows does not offer full protection from the effects of smoke, plus occupiers of properties have a right to have their windows open should they wish at any time of year, this should not be impacted by other factors from neighbouring properties.

I hope that this is helpful.

Thanks,
Lisa



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