

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/02272	Your Ref:	APP/19/01033
EH Case Officer Extn:	44 6666	Date:	04 November 2019
DC Case Officer:	Tina Pickup		
DC Case Officer Extn:	44 6461		
Application Number:	APP/19/01033		
Site Address:	31 Elm Grove, Hayling Island, PO11 9EA		
Proposed Development:	Change of Use of Ground Floor Retail Shop unit (A1) to allow for flexible use of Financial & Professional Services (A2), or Restaurants and Café (A3) or Hot Food Takeaway (A5) use. I attach a copy of the above application that has been received under the Town and Country Planning Acts. Any views you should wish to make should be returned to me no later than 20/11/2019		

Observations / Comments:

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

I have read the enclosed documentation provided by the applicant in relation to allow for flexible use of Financial & Professional Services (A2), or Restaurants and Café (A3) or Hot Food Takeaway (A5) use, for the ground floor commercial unit and can comment as follows:

Whilst I would have no objection in principle, this type of usage would normally encompass the addition of a ducted extraction system which, dependent on the type of food to be prepared, could lead to a detrimental loss of amenity if not nuisance, to nearby residential properties due to odour, noise and vibration. Other plant can also include chiller and / or air conditioning / heating units and so forth. In this case, from the drawings viewed, it would appear that there is existing residential accommodation directly above this shop and within a distance of 25 metres.

No detail has been provided at this time, relating to the proposed method/s to be utilized for the control of odours from such an extraction system. This may require a high rise flue outlet to the proposed extractor unit.

There is no indication provided as to anti-vibration measures, noise reductions or predictions of noise impact, especially in terms of BS4142:2014, in relation to the

nearest residential receptors. The rating levels of any plant & equipment, must be at least 5 dB below the existing background levels.

I would therefore suggest the following condition be included if this application is to be viewed positively:

Condition 1: Odour, noise and vibration from extraction and other plant equipment:

No development shall start on site until details have been submitted to and approved in writing by the Planning Authority addressing the proposed kitchen ventilation / extraction system that will be used on the site, including the required maintenance regime for the system. Such details should also include any other plant as previously mentioned above. The details shall be prepared by a competent person for the purpose of assessing potential odour and noise/ vibration nuisance to surrounding properties. The agreed details shall be fully implemented before the use hereby approved is commenced and the equipment shall be installed, operated and maintained in accordance with the approved details and shall be retained thereafter.

Reason: To ensure that the residential amenity of the area is not detrimentally affected by the use of the site.

Note: "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" produced by Department of Environment Food and Rural Affairs, has now been withdrawn, but can still be viewed as a reference document.

Furthermore, I have noted that the times of operation for A3 & A5 are given as up to 23:00 and 24:00 respectively. Dependent on the type of operation / tenant that may occupy the ground floor unit, there is potential for noise issues, be those from customers late at night, delivery vehicles delivering to or from the site and / or operation of the premises. I would suggest clarification of any set business time limits in place for this area.

In respect of delivery of goods to the premises, I would recommend these should only take place between the hours of 08:00 to 20:00 Monday to Saturday, and 10:00 to 16:00 on Sundays and public holidays, to protect residential amenity.

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 read 'Mark Moss', with a large, sweeping loop at the end.

Mr. Mark Moss
Regulatory Officer, Environmental Health