

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/00563	Your Ref:	APP/18/01291
EH Case Officer Extn:	44 6666	Date:	01 April 2019
DC Case Officer:	Tina Pickup		
DC Case Officer Extn:	44 6461		
Application Number:	APP/18/01291		
Site Address:	71 Forestside Avenue, Havant, PO9 5SJ		
Proposed Development:	Change of Use of part ground floor of retail unit (A1) to provide Class A5 (Hot food takeaway), alterations to shopfront, installation of new doors to side and rear elevations and installation of extract duct to rear elevation. 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 19/04/2019.		

Observations / Comments:

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

I have perused the documentation provided by the applicant, and can advise I would have no objection in principle to this application.

With regard to the hot food take-away, the addition of a suitable extraction system will likely be a necessity, which in turn could lead to a detrimental loss of amenity if not nuisance, to nearby residential properties due to odour, noise and vibration. There will also be residential accommodation within a distance of 10 metres. Dependent on the cuisine to be prepared, a high rise flue outlet to the proposed extractor unit, may be a requirement. Noise and vibration mitigation measures will also need to be considered.

Documentation provided by the applicant suggests the installation of a JAG Services type system, utilizing pre-filters & carbon filters, ducting with an upward discharge cowl outlet to finish above the flat roof. An acoustic silencer in the ducting and anti-vibration mounts are also proposed to be utilized.

If this application were to receive a positive decision, I would request that Conditions and informatives as per those below be added to any positive decision notice:

Condition 1: No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include, Location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance / pollution.

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 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 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 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:

A scheme shall be provided and agreed in writing with the Local Planning Authority, which specifies the provisions to be made for the control of any noise and vibration emanating from the extraction system. The agreed measures shall be put in place, before the development hereby permitted commences.

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

INFORMATIVES:

Hours of Work:

You are hereby advised 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

Dust Control:

You are hereby advised 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.

Bonfires

No bonfires to take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.

This is in order to protect the occupants of nearby residential properties from smoke pollution.

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

I would also advise that the above comments shall in no way prejudice any comments made by my colleague, Jonathan Driver, Environmental Control Officer.

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

Mr. Mark Moss

Regulatory Officer, Environmental Health