

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/22/03242	Your Ref:	APP/22/00997
EH Case Officer Extn:	44 6666	Date:	20 December 2022
DC Case Officer:	Mr G Speller		
DC Case Officer Extn:	6514		
Application Number:	APP/22/00997		
Site Address:	318A London Road, Waterloooville, PO7 7DU		
Proposed Development:	Site Address: 318a London Road, Waterloooville Proposed Development: Proposed extraction system (upgrade to existing)		

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 and can comment as follows:

I have no objection in principle to this application. However I do have concerns which I will cover below.

I take it that the hand drawn plan showing the extraction system, is a depiction of what existed previously, when it was a sandwich and jacket potato food business, and that the drawing submitted showing the full layout of filtration, silencers & fans etc is what is being proposed.

I have concerns related to the potential for noise and odour from the proposed hot food take-away, in that there could be an impact on the residential receptors in the flats above the shop, especially since the extraction outlet is to terminate over the pavement at the front of the shop.

It is noted that no acoustic assessment has been provided with this application, that would clarify that the proposed extraction equipment and any relevant mitigation measures, will ensure that there will be no impact on any residential receptors above the shop, from any structure borne and / or air borne noise generated within and outside the proposed hot food take-away. Whilst it is advised that two silencers will be fitted either side of the fan; there is no indication as to what the level of noise drop is that will be achieved by these silencers. There is also no indication as to what anti-vibration mounts will be used to ensure no vibration issues to the flat/s above the shop.

Also the submitted floor plan which depicts the extraction system, indicates the filtration system will consist of 3 x baffle filters, a pro filter + carbon block x 3. There is no odour control report to support the above advising that what is proposed will adequately deal with any odours, particulates and smoke generated from the cooking process. Again I have concerns related to

the extract terminal point venting down onto the pedestrianised public area, plus the fact that there are residential properties directly above this shop. Normally with foodstuffs that have a higher fat content, the stack should vent at a higher level; in this case it is venting downwards at a low level.

I would also advise the applicant, that if this application were to be approved, that any future complaints received by this office related to noise or odour issues, and that are deemed to be at statutory nuisance level under current legislation, will require this office to take the necessary action to have the matter/s resolved.

I would further ask that the applicant advise the Local Planning Authority, as to the proposed Hours of Operation and that these be conditioned once agreed.

Therefore, 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 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 and it's operation 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 2 The extraction equipment installed in pursuance to Condition (No.1) 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 3 A scheme shall be agreed in writing with the Local Planning Authority, which specifies the provisions to be made for the control of noise and / or vibration, emanating from the extraction system. The agreed measures shall be put in place, before the development hereby permitted commences. The applicant will also need to ensure that there will be no impact from structure borne and / or air borne noise generated within the proposed hot food take-away, on nearest residential receptors, and provide the relevant details as to how this will be achieved.

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

Informatives:

Regarding Hours of Work:

You are hereby requested to ensure that no works or ancillary operations associated with any construction / installation 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 during this period.

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 'Mark Moss', written in a cursive style.

Mark Moss

Regulatory Officer, Environmental Health