

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/04018	Your Ref:	APP/21/01188
EH Case Officer Extn:	44 6666	Date:	29 November 2021
DC Case Officer:	Ms J Terzoudis		
DC Case Officer Extn:			
Application Number:	APP/21/01188		
Site Address:	1 Park Way, Havant, PO9 1HH		
Proposed Development:	Proposed extraction equipment to rear of unit, shopfront alterations, and variation of Condition 1 of Planning Permission 06/59412/008 to allow premises to open to the public from 11:00 to 23:00 each day of the week. 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 08/12/2021.		

Observations / Comments:

Site address: 1/ 3 Park Way, Havant PO9 1HH

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 this development could lead to a detrimental loss of amenity if not nuisance, to nearby residential properties due to odour and noise.

There is very little detail concerning any air moving equipment such as compressor / condenser units, the proposed extraction system, anti-vibration measures, noise reduction or predictions of noise impact, and / or odour reduction or filtration.

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: 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 adjoining residential occupiers. The details are needed prior to the start of work so that any mitigating measures can be incorporated into the build.

Condition 2:

Equipment shall be installed to suppress and disperse fumes and/or odours 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 (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: 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 / nuisance.

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 Bonfires:

You are hereby requested to ensure that no bonfires 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.

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 dark ink, appearing to be 'MR. MOSS', written in a cursive style.**Mr. Mark Moss**

Regulatory Officer, Environmental Health