

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/15/00174	Your Ref:	APP/15/00032
EH Case Officer Extn:	44 6666	Date:	11 February 2015
DC Case Officer:	Richard Nash		
DC Case Officer Extn:	44 6538		
Application Number:	APP/15/00032		
Site Address:	36-38 North Street, Emsworth, PO10 7DG		
Proposed Development:	Part single storey, part two storey rear extension; rear external stair with access to first floor terrace area; removal of chimneys; installation of air conditioning units and ventilation flue.		

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 object to the proposals for the following reasons:-

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

There is residential accommodation within a distance of 25 metres, so, from an Environmental Health perspective, I have to object to the use of this site for any use within Use Class A3, even though I believe this was a restaurant previously.

There is a fair bit of detail provided, concerning the proposed extraction system, noise reduction, odour reduction and filtration; but insufficient information regarding anti-vibration measures, or predictions of noise impact on the nearest residential properties and the proposed opening and closing times.

I also have a query with regard to the 'Proposed kitchen extraction system' drawing. It would appear the drawing shows 'tandoori' ovens on ground and first floors with extraction hoods on both floors with the upper hood ducting dropping down to join up with the main extract system at its base. However there is no first floor kitchen depicted on the drawings?

Clearly this site is in a town centre location where residents could not reasonably expect the same freedom from the effects of nearby commercial premises that might be expected in a mostly residential area.

Therefore, if the Committee were of a mind to approve this application I would ask that the following conditions 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 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 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.

I would point out that the requirement to keep documentary evidence regarding maintenance of the extraction system in Condition 2 above, rather than merely adding it as a suggestion in a note, is included as a result of the outcome of Planning Appeal Ref: T/APP/X1735/A/99/1024801/P4 in respect of 341 Milton Road, Cowplain.

Condition 4: No works or ancillary operations associated with the construction of the development which is audible at the site boundary or at such other place as may be agreed with the Local Planning Authority, shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times

Monday to Friday – 8.00 a.m. – 6.00 p.m.

Saturday – 8:00 a.m. – 13.00 p.m.

Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from noise disturbance.

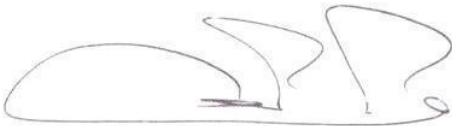
Condition 5: Construction/demolition works. The commencement of the development shall not take place until a programme for the suppression of dust during the construction/demolition of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction/demolition unless any variation has been approved by the Local Planning Authority.

Reason: In the interests of residential amenity.

Condition 6: During the site demolition, clearance and construction phase of the development hereby permitted no bonfires shall be allowed on the site. Furthermore best practicable means shall be used to prevent dust emissions from demolition, clearance and construction works for example by the use of water to suppress dust where required.

Reason: To protect the amenity of adjoining residents and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 23.

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 blue ink, appearing to read 'Mark Moss', with a stylized, flowing script.

Mark Moss
Senior Environmental Health Officer