

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/18/00711	Your Ref:	APP/18/00176
EH Case Officer Extn:	44 6666	Date:	03 May 2018
DC Case Officer:	Mrs Emma Chisnall		
DC Case Officer Extn:	6523		
Application Number:	APP/18/00176		
Site Address:	10 Rails Lane, Hayling Island, PO119LL		
Proposed Development:	Change of use from Class A1 to Class A5 and installation of external fume extraction system at rear.		

I attach a copy of the above application that has *amendments*. Any views you should wish to make should be returned to me no later than 11/05/2018.

Observations / Comments:

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

I have perused the enclosed plans / documentation provided by the applicant and have no objection in principle to this application. There is residential accommodation within 25 metres of the proposed take-away. The extract system as shown on the drawings provided, should suffice in terms of extraction capability, and the use of pre-filtration and thereafter carbon filtration should reduce the odour output to acceptable levels as long as the recommended change-out periods are adhered to.

With regards to the potential noise aspect of the extract system, my concern is that it is advised in the 'e-mail with amendments', that the 'noise will be reduced to an acceptable threshold level'; as there has been no noise survey / assessment done at this time, we have no knowledge of existing background noise levels, to be able to establish whether NOAEL or even LOAEL (Lowest Observable Adverse Effect Level) in terms of BS4142:2014, will be achieved, especially later at night. I note the use of a silencer is proposed; however there is no indication as to what the expected sound output drop to be achieved by this unit, will be.

It is noted that anti-vibration measures are to be used to mitigate potential vibration issues.

Whilst I have no objection in principle to this application to change the Class use, 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 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.

Condition 4 If any equipment is to be installed such as refrigeration and / or air conditioning units, schemes shall be agreed in writing with the Local Planning Authority and approved in writing by the District Planning Authority prior to any development taking place.

Reason: To protect the occupants of nearby residential properties from noise and vibration nuisance.

In terms of Condition 3 & 4 above, details, including acoustic performance and proposed acoustic attenuation, of all types of fixed plant, machinery and equipment associated with air moving plant, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and approved by the Borough Planning Authority before installation. This may require the submission of an acoustic survey.

N.B. All plant machinery and equipment installed or operated in connection with the

carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not, at any time, increase the background noise levels as measured according to British Standard 4142: 2014 at any adjoining or nearby residential property. Noise generated from delivery vehicles and times of delivery.

Condition 5: Deliveries shall only be received on this site between the hours of 07:00am – 20:00pm Monday to Friday and 07:00am – 19:00pm Saturdays and not at all on Sundays and recognised public Holidays.

Reason: In the interest of the amenities of occupiers of nearby residential properties.

Condition 6: 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 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 properties from light disturbance.

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.

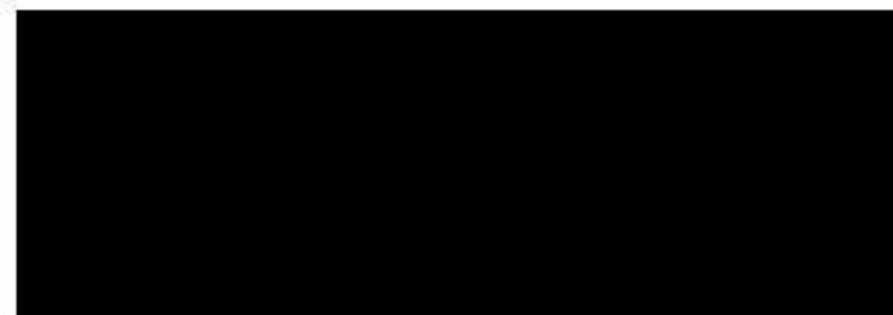
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

Regarding 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.



Mr. Mark Moss
Regulatory Officer, Environmental Health