

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/18/00639	Your Ref:	APP/18/00059
EH Case Officer Extn:	44 6666	Date:	23 April 2018
DC Case Officer:	Mrs Emma Chisnall		
DC Case Officer Extn:	6523		
Application Number:	APP/18/00059		
Site Address:	260 London Road, Waterloo, PO7 7HG		
Proposed Development:	Change of use of no.260 from A1 classification (retail units) and no.262 from Sui Generis (Betting Office and Pay Day Loan shops) to A3/A5 Classification (Restaurants and Cafes/Hot food takeaways). 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 07/05/2018.		

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:

The addition of an extraction system to serve a hot food take-away, could lead to a detrimental loss of amenity if not nuisance, to nearby residential properties due to odour, noise and vibration. In this case from the drawing viewed, it would appear that mirror image take aways are being considered, which would indicate a doubling up of extraction units?

There is residential accommodation directly above this shop and within a distance of 25 metres.

Detail has been provided relating to the proposed method to be utilized for the control of odours from the extraction system. This is suggested to be by an integrated electrostatic precipitator and an odour control unit, which if implemented, should suffice in the control of odours. However, dependent on the cuisine to be prepared, it may still require a high rise flue outlet to the proposed extractor unit, if not being currently planned.

However there is very little other detail concerning the proposed extraction system other than detail provided which relates to the proposed type of fan to be used and comparative sound pressure levels of the different models, at 3 metres distance. The

drawing submitted also shows the extractor outlet terminating at the kitchen window; is this the terminal outlet? A ventilation system with silencer is mentioned in the design & access statement, but no silencer (nor details of the expected reduction levels) is indicated on the submitted drawings. Also there is no clear indication provided as to anti-vibration measures, noise reductions or predictions of noise impact, especially in terms of BS4142:2014 in relation to the nearest residential receptors

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.

Contamination / Pollution / Construction Risk

It is noted that works consist of internal alterations & minor exterior only, not entailing construction groundworks. The property was constructed on brownfield land, so some made ground would be expected at the site, but prior landuse is likely to be residential or commercial (retail); negligible risk with respect to continuing commercial use. Existing buildings were constructed between 1961 & '66, so Asbestos is likely to have been used extensively at original construction, and is likely to still be present within building fabric,

particularly in ducting & suspended ceilings, but also potentially in flooring, sanitaryware/plumbing/plasterwork and electrical installations. This is considered to be a H&S issue adequately regulated by the Control of Asbestos & Construction Design & Management regulations, and not material to planning. Asbestos within buildings is not contamination, it is 'potential pollution', harmful to construction staff and neighbours if inadequately identified or improperly handled.

I would recommend the applicant commission a pre-conversion Asbestos survey to identify any Asbestos Containing Materials within the property that might be disturbed during construction works, in order that these may be appropriately managed. You may wish to include this as an informative on any notice of positive determination of this application.

In dealing with any complaints about construction related dust, Environmental Health will assume the applicant to be fully aware of the asbestos risk when making any enforcement decisions.

ADDITIONAL INFORMATIVES:

Additional 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.

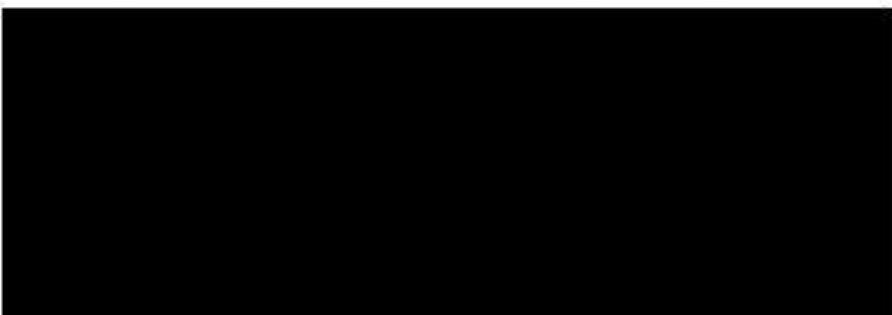
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance

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