

BR/86/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Installation of external flue duct from first floor kitchen The Unicorn, 76 High Street, Bognor Regis
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	<i>As above</i>
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None
BOUNDARY TREATMENT	Walling to rear.
SITE CHARACTERISTICS	Large public house. Rear fire escape.
CHARACTER OF LOCALITY	Mixed residential and commercial, the buildings to the rear of the site are a restaurant onto Waterloo Square and a house, with a Methodist Church to the site ^{side} . High Street is characterised by shops.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
BR/158/76	External fire escape.	Approved Conditionally 7/4/76

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Bognor Regis Town Council	No objection.
Local Groups	None
Other	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Environmental Health	No objections on food hygiene or health and safety grounds. There is however insufficient information regarding the control of odour and noise from the extraction system. Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems Appendix B details the information required to support planning applications for commercial kitchens.
Conservation Officer	No objection – will not be readily seen therefore there would be no adverse affects on the Conservation Area or the appearance

BR/86/07**CONSULTATION RESPONSES**

CONSULTEE	SUMMARY OF RESPONSE
Conservation Area Advisory Committee	of a building on the Local List. No comment.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary Building/Structure of Character Within Designated Conservation Area Class 'B' Road

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : DEV! Arun District Local Plan : GEN7, AREA2, GEN22
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PLANNING POLICY GUIDANCE

PPS 1 - Delivering Sustainable Development PPG 15 - Planning and the Historic Environment
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POLICY COMMENTARY

The above policies combine to describe the development control criteria against which all proposals will be determined by the Authority particularly with regard to the effect on neighbours and the street scene.
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COMMENT ON CONSULTATION RESPONSES

Noted.

COMMENT ON REPRESENTATIONS RECEIVED

None

ASSESSMENT OF PROPOSAL**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

<p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-</p> <p><i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i></p> <p>The proposal is considered to conflict with relevant Development Plan policies in that there is insufficient information submitted with the application regarding the control of odour and noise from the extraction system to determine whether there are any adverse affects on</p>
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BR/86/07**ASSESSMENT OF PROPOSAL****DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

neighbouring residential properties.

(The site also lies within a Conservation Area and Section 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In the exercise, with respect to any buildings or other land in the Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".)

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

There would not be any adverse effects on the visual impact of the extraction flue, because of its proposed location it would not be seen from the street scene.

However, the application has not submitted the required information regarding the control of odour and noise from the extraction system. Details of the information required are found in the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" (NetCen/DETRA – Jan 2005) Annexe B. Information required is the number of meals to be served daily, method of cooking, type of meals, proposed hours of operation, full details of proposed odour arrestment plant including filters, design of capture system, system operation, parameter data on noise produced by the system, including sound power levels or sound pressure levels at given distances and octave band analysis of the noise produced by the system and data on noise produced by the air input fan.

Therefore it is recommended that the application is refused for the reasons set out overleaf.

BOGNOR REGIS

BR/86/07/

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first floor kitchen.

The Unicorn
76 High Street
Bognor Regis

RECOMMENDATION

Refuse

- 1 On the basis of the information available the Local Planning Authority is not satisfied that the proposed development can be undertaken in a satisfactory manner that would protect the residential amenities of neighbouring properties. The proposal is therefore contrary to policy GEN7 and GEN22 of the Arun District Local Plan.

- 2 **INFORMATIVE:**

The District Council's Environmental Health Officer states that details regarding the control of odour and noise is required as per the guidance in "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, appendix B" NetCen/Defra - Jan 2005.