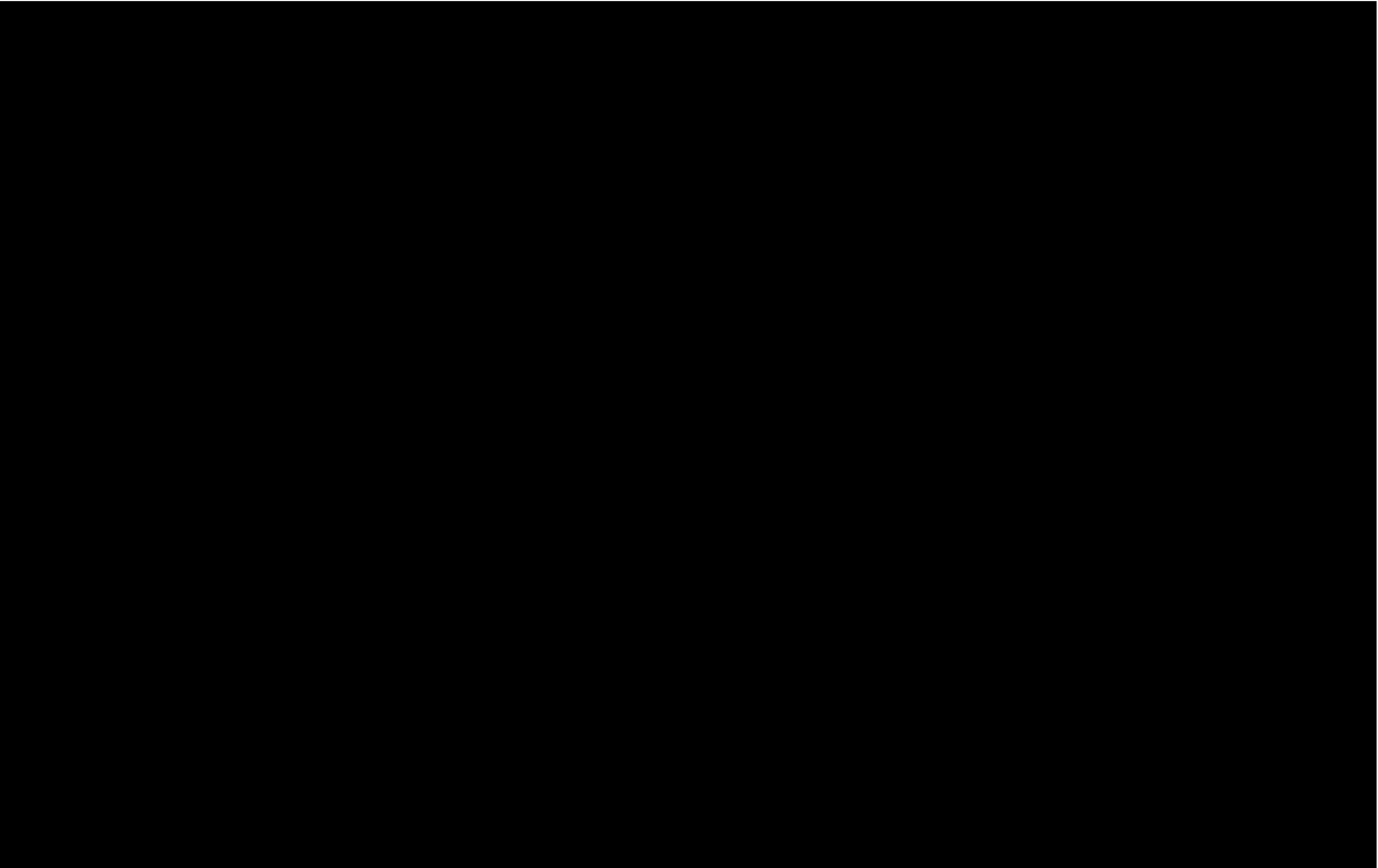




From: Carol Reynolds <Carol.Reynolds@arun.gov.uk>

Sent: 24 February 2022 13:21

To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Cc: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: EP/3/22/PL: Change of temporary outside seating area to the rear of the restaurant to be a permanent seating area for the consumption of food and beverages for our customers to use all year round.

Environmental Health:

Further complaints have been received by this Department. Other nearby residents have come forward to state how a period of trial operation of an outdoor seating area at Ristorante Al Mare, (conditionally granted under Planning Application EP/60/20/PL) was detrimental to the amenity. Customer conversations were easily audible, both to the west and east of the site, much of the time when the outdoor seating area was in use. This meant that neighbours could no longer have reasonable enjoyment of their gardens and in fact had to close their windows to prevent noise intrusion.

It is noted that the current application, as opposed to Planning Application EP/60/20/PL makes no reference to the outside Barbeque and Pizza Oven which remain in place despite the Condition that the site should be returned to its previous condition, on or before the end of the trial period 12 February 2021. It would be reasonable to infer that such outdoor cooking facilities would be brought into use should the current Planning Application be granted. I consider such use as likely to cause odour detriment which will restrict the reasonable use of neighbouring properties. The fact that there is a garage immediately behind this equipment on the restaurant site, will serve to limit dissipation of odour, fumes, etc in this case.

This application also seeks to increase the provision of outside lighting in order to facilitate the proposed use. This again has potential to be detrimental to the amenity of nearby sensitive receptors.

Our position remains, that the current Planning Application has real potential to cause detriment to the amenity of (very) nearby sensitive receptors and is likely to lead to complaint of people noise, odour

and/or smoke and possibly light nuisance and further necessary action by this Department. These problems would be difficult to mitigate, on which basis I would recommend that the application should be refused.

Should the Planning Department be minded to grant planning permission in this case, then previously suggested, very closely restricted hours of operation should be applied.

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

For further information please contact the Environmental Health Department on (01903) 737555

Kind regards

Carol Reynolds

Senior Environmental Health Officer
Environmental Health Department

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Please note my normal working days are Tuesday to Friday

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