

38/2004/214

J D WETHERSPOON PLC

**EXTENSION OF KITCHEN EXTRACT DUCTWORK AT THE COAL ORCHARD, 30
BRIDGE STREET, TAUNTON**

22621/24925

FULL PERMISSION

PROPOSAL

The proposal comprises extending the existing kitchen extract ductwork at the Coal Orchard Public House. The ductwork will run along a flat roof section of the building located to the rear of the site. The works are proposed in order to stop the ingress of cooking smells into the adjacent gym.

CONSULTATIONS AND REPRESENTATIONS

ENVIRONMENTAL HEALTH OFFICER has the following observations due to the possibility of odour and noise nuisance arising from the ductwork. Pervious complaints have been made to this department about both odour nuisance arising from the present extraction system. Odours arising from cooking should not be detectable at the facade of any residential or other odour sensitive premises. Noise from any air extraction system should not exceed background noise levels by more than 3 dB(A) for a 2 minute leg, at any time when measured at the facade of residential or other noise sensitive premises. Equipment shall be installed to effectively suppress and disperse fumes and/or smell produced by cooking and food preparation, and the equipment shall be 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. Such approved equipment shall thereafter be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The extraction equipment installed 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.

HAMMETS WHARF LEASEHOLDERS ASSOCIATION our concerns are about noise nuisance and fumes. Vents should not face south or east. We would like you to set acceptable levels for noise and fumes, and our suggestion would be that they should be limited to waking hours and to a level that cannot be noticed on our site. There have been problems in the past due to noise and we hope you consult your Environment Department. This Association speaks for all 23 flats and there are other dwellings in the vicinity who will also have a view.

3 LETTERS OF OBJECTION have been received on the following grounds: we already experience noise and would object to further noise and possible odour problems; application is not detailed enough, unable to see from plan where extract discharge will be in relation to nearby dwellings; the original application for a licenses premises stated there would be no noise problems for nearby residents; what is the need to extend the

existing arrangement which already causes an environmental problem; Wetherspoons leads to an added hazard of rubbish, leading to a possible increase in rat population.

POLICY CONTEXT

Policy S1 (General Requirements) stipulates that developments should not cause nuisance to properties due to noise or odour, nor harm the visual amenities of any given area.

ASSESSMENT

There is sufficient information to determine the application. Conditions are suggested to ensure full working details of the proposal are submitted and approved prior to installation. Environmental Health recommend conditions which should ensure that the proposal will not cause nuisance to nearby residents due to noise or odour. Whilst the appearance of the scheme is not ideal, it is to the rear of the building, and it is not considered likely to harm the visual amenities of the area sufficiently to justify refusal. Other objections raised do not seem to relate directly to the current application. For these reasons the proposal is deemed to be acceptable.

RECOMMENDATION

Permission be GRANTED subject to conditions of time limit, materials, colour of ductwork to be agreed, odours not detectable to noise sensitive premises, noise level, full details of equipment to be submitted and equipment to be regularly maintained. Notes re: works to be carried out in accordance with approved plans.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: 356468 MR A GRAVES

NOTES: