From: Bruce Reynolds
Sent: 19 November 2009 11:49
To: Hannah Barker
Subject: ADC/0404/09 Application to vary conditions 2 and 3 of SU/14/96 to enable unrestricted use for hot food takeaway (Class A5) and to extend opening hours to midnight

Dear Hannah

I have now had the opportunity to review the above application and would make the following comments.

The original reason for the 1030pm closing would have been to avoid noise problems that could be caused by customers arriving after pub closing time. Since the new Licensing Act, there has been a relaxation in opening hours, but the closest pub (The Waterside Inn) still only has opening hours of up to 2340 on Sunday – Thursday and 0040 hours on Friday and Saturday with alcohol sales ceasing at 2300 and 0000 hours respectively. I would feel that allowing opening until midnight would be very likely to cause community disturbance due to late night customers from pubs. In addition, opening hours beyond this would mean that kitchen extract systems are on for longer and likely to cause noise problems to nearby flats.

I also note that the two other takeaway outlets have closing times of 2300 (Loon Fung) and 2230 (Taj Mahal) and that granting permission until midnight would also lead to the other takeaways requesting similar hours and so exacerbate the problem. An extension to no later than 2300 hours would probably be acceptable for such a residential area with flats above, etc.

In respect of the removal of restrictions on the type of food to be cooked, I would bring the applicants attention to the requirements of the 2005 DEFRA “Guidance on the control of odour and noise from commercial kitchen exhaust systems”. The current extract would be unsuitable for other types of food due to the height of the flue in comparison to the flats above 7 Ferry Road, the unsuitable ‘Chinese hat’ termination and the lack of odour abatement. If you were minded to approve the development, then I would ask that details of the revised kitchen extract system (including odour and noise treatments) should be forwarded to the Council for their approval in writing prior to the commencement of works. I would further note that the position of the flats above 7 Ferry Road, the very small distance between the properties and the direction of the prevailing wind means that there would need to be a significant increase in height of the flue as a minimum.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

Bruce Reynolds
Senior Environmental Health Officer
Adur District Council

Tel: (01273) 263098: Fax: (01273) 263014 : e-mail : bruce.reynolds@adur.gov.uk
---
Domestic & Pollution Team
Housing, Health & Community Safety
Room 116, Civic Centre, Ham Road, Shoreham-by-Sea, West Sussex BN43 6PR

You can visit Adur DC's website at: http://www.adur.gov.uk

Please consider the environment, only print out this e-mail if absolutely necessary.