

Officer Report

Application Number:	P/FUL/2022/05225		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	91 Cheap Street Sherborne Dorset DT9 3LS		
Proposal:	Continue use of the building as a takeaway (sui generis), retain enhanced extract plant.		
Applicant name:	Star grill kebab		
Case Officer:	Cass Worman		
Ward Member(s):	Cllr Andrews		
Publicity expiry date:	8 September 2023	Officer site visit date:	Previous
Decision due date:	28 April 2023	Ext(s) of time:	

1.0 Scheme of Delegation following objection from Town Council and request for application to be considered by Committee from Cllr Jon Andrews.

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- The extract equipment has been upgraded and cleaned, and reports prepared by suitably qualified professionals demonstrate that the level of effectiveness of the equipment is satisfactory to successfully remove odours from the site. Environmental Health Officers are satisfied with the findings of the report and agree that subject to the premises being operated in accordance with the necessary measures required for cleaning & maintenance, and operating the extract with the doors & windows closed, that odours will be satisfactorily mitigated.
- Environmental Health have confirmed that previously reported issues with noise from plant and equipment on the premises have been satisfactorily dealt with - the submitted acoustic report indicates, and it is agreed by Environmental Health Officers, that the extract plant serving the development can be expected to suitably limit adverse noise impact.
- Conditions limiting opening hours & ensuring that premises is operated in accordance with maintenance schedule and operating procedures (e.g. keeping all doors shut during opening & regular cleaning & maintenance

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schedule) would in officer opinion, prevent significant harm to neighbouring residential amenity.

- The planning process should not seek to replicate and/or obviate other regulatory mechanisms such as statutory nuisance & parking violations - anti social behaviour & poor parking behaviour cannot be successfully controlled through the planning system; Officer opinion is that with the conditions proposed, the operation of the premises would not result in significant harm to neighbouring residential amenity to warrant refusal of the application.
- The modifications undertaken to the previously installed extract equipment on the flat roof does not result in a more significant impact on the setting, nor character & appearance of the listed building, and its visual impact is therefore acceptable.
- The applicants have been compliant throughout the abatement notice & planning application process. The Management Plan demonstrates a commitment by the proprietors to operate the business in recognition of its location in close proximity to residential neighbours. Now that the appropriate ventilation apparatus has been installed, it is Officer opinion that the business should be given suitable opportunity to demonstrate that it can successfully operate in this location.

4.0 Key planning issues

Issue	Conclusion
Principle of development	A hot foot takeaway would be acceptable in a town centre location, if it can be demonstrated that its operation does not result in significant harm to neighbouring residential amenity
Scale, design, impact on character and appearance	The visual impact of the extract equipment is limited to the rear of the premises & considered to be acceptable. There is existing consent for the section of equipment which lies horizontal along the flat roof - the vertical flue section which has been added is required to facilitate the required noise & odour mitigation.
Impact on amenity	Reports prepared by suitably qualified professionals demonstrate that the level of effectiveness of the plant is satisfactory to successfully remove odours from the site & mitigate noise from the plant, subject to the premises being operated in accordance with the necessary measures required for cleaning & maintenance, and operating with the doors closed. Environmental Health Officers concur with the reports & assessments submitted, and that operating with the proposed maintenance & operating schedule (secured via condition) would ensure no significant harm to residential amenity

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Impact on heritage assets	There is existing consent for the section of equipment which lies horizontal along the flat roof, which results in less than substantial harm to the setting of the listed building. The addition of the vertical section does not cause any further substantial harm, and the public benefits of its installation is therefore considered to outweigh the harm. The flue is not key in any significant viewpoints from the Conservation Area and is confined to the rear flat roof section of the building – the Conservation Officer has no objections to the installation.
Economic benefits	Continued support for a town centre business
Access and Parking	Reports of poor parking behaviour associated with the business are noted, however the planning system should not (and in this instance cannot) duplicate other regulatory measures, such as parking restrictions - Vehicle users are responsible for complying with any extant parking restrictions, and infringements are enforceable by the Police & Traffic Wardens

5.0 Description of Site

Ground floor former shop unit, which was previously operated by Tamburino's as a Pizza café/restaurant & takeaway, following granting of application WD/D/18/002725 in March 2019.

The premises lies at the bottom of Cheap Street, the town's main shopping street, at the junction of Cheap Street and South Street. It lies within the designated Secondary Shopping Frontage.

The building is Grade II listed, and forms a group with the adjoining buildings at nos. 87 - 93. Dating from the early C19, it is constructed of stone (painted) with a clay tiled roof and was at one time a butchers shop. The interior and shop front are modern.

Prior to occupation by Tamburino's, the ground floor unit was in retail use.

The upper floors are understood to be vacant/used for ad hoc storage – there is no access to the upper floors from the ground floor of the application site.

To the rear there is a single storey extension on top of which is an extraction unit which lies horizontal to the roof was installed by Tamburino's, granted via application WD/D/18/002725. This extract has been modified, with a vertical flue added to the apparatus.

The rear courtyard adjacent to the single storey extension is used for bin storage. The courtyard shares an intimate relationship with neighbouring properties in Johnson's Courtyard.

6.0 Description of Development

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The application is made for retrospective consent for change of use from Class E café/restaurant to hot food takeaway (sui generis) and installation of flue & external apparatus.

The application is retrospective, the hot food takeaway is currently operational & the additional section of flue & extracts have been installed.

The proposed opening hours are:

Sunday to Thursday 4:00pm to 10:30pm
Friday & Saturday 4:00pm to 11:00pm

7.0 Relevant Planning History

WD/D/18/000181 - Decision: GRA - Decision Date: 24/04/2018
Internal and external alterations to enable replacement of existing signage

WD/D/18/002650 - Decision: GRA - Decision Date: 30/01/2019
Display of non illuminated fascia sign and vinyl lettering signs to the windows.

WD/D/18/002720 - Decision: GRA - Decision Date: 30/01/2019
Internal and External Alterations to facilitate Change of use

WD/D/18/002725 - Decision: GRA - Decision Date: 19/03/2019
Change of use from A1 (Retail) to A3 (Cafe & Restaurant) with associated internal and external alterations

P/PARO/2022/04989 - Decision: INVALID - Decision Date: 30/08/2022
Want to change license from A3 to A5 we opened take away kebab shop and need A5 license. *Wrong Application Form submitted*

The application is made in conjunction with Listed Building Consent ref P/LBC/2023/00760 - Retain enhanced extract plant in association with use of the building as a takeaway

Planning Enforcement case ref EN/2022/00424

Environmental Health Premises ID 9772, Star Grill Kebab, Sherborne

8.0 List of Constraints

Application Site is Grade II listed:
NO 89 (MIDLAND BANK). NO 91 listed building grade G2. HE Reference: 1152151 -
Distance: 0

Within setting of other Listed buildings, including:

LB - Grade: II Listed Building: MIDLAND BANK List Entry: 1110777.0; - Distance:
15.96

LB - Grade: II Listed Building: 93, CHEAP STREET List Entry: 1110778.0; -
Distance: 3.04

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LB - Grade: II Listed Building: SAINTS JOHN BUILDING (THE PARADE) COMPRISING NO 92 CHEAP STREET (PREMISES OCCUPIED BY SENIOR AND GOODWIN) AND PREMISES OCCUPIED BY R E BATH TRAVEL SERVICES List Entry: 1110748.0; - Distance: 15.25

LB - Grade: I Listed Building: THE CONDUIT (THE PARADE) List Entry: 1110747.0; - Distance: 22.38

LB - Grade: II Listed Building: PREMISES OCCUPIED BY MR PEARSON List Entry: 1110717.0; - Distance: 16.81

LB - Grade: II Listed Building: ROSE COTTAGE List Entry: 1324376.0; - Distance: 24.06

LB - Grade: II Listed Building: PREMISES OCCUPIED BY PHILLIPS List Entry: 1110678.0; - Distance: 24.38

LB - Grade: II Listed Building: PREMISES OCCUPIED BY JOHNSONS OF SHERBORNE LTD List Entry: 1324395.0; - Distance: 18.27

CON - Application is within Sherborne Conservation Area - Distance: 0

Within Setting of Scheduled Monuments:

- Sherborne Abbey, remains of (List Entry: 1002383); - Distance: 66.51

- The Conduit Cross (List Entry: 1002673); - Distance: 16.34

LP - ECON4; ; Sherborne – Town Centre Distance: 0

LP - ECON 4; ; Cheap Street/Long Street, Sherborne – Secondary Shopping Frontage - Distance: 0

DESI - Nutrient Catchment Areas: Somerset Levels Hydrological Catchment (Phosphates) - Distance: 0

Grade II listed building (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within the Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

Sherborne Town Council

OBJECT - number of strong concerns expressed by local residents; including noise and smells generated from the premises, dangerous parking, anti-social behaviour and alleged late night operating beyond 11pm.

Sherborne East Ward Member – Cllr Jon Andrews

Request application is considered by North Planning Committee following complaints from local residents.

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DC - Env. Services – Protection – Environmental Health

No objection – submitted reports demonstrate (and it is agreed) that extraction plant will suitably limit adverse noise impact during proposed opening hours, and that the filtration system provides the required odour reduction, when operated & maintained in accordance with the maintenance schedule and proposed planning conditions.

DC - Conservation Officers

No objection - There is existing consent for the section of equipment which lies horizontal along the flat roof, which results in less than substantial harm to the setting of the listed building. The addition of the vertical section does not cause any further substantial harm, and the public benefits of its installation is therefore considered to outweigh the harm. The flue is not key in any significant viewpoints from the Conservation Area and is confined to the rear flat roof section of the building

DC - Highways

Further to my site visit a full assessment of the development proposal was made and no unacceptable impact on highway safety was identified. I understand the public's concern for vehicles parking outside of the premises when in operation. There are enforceable yellow lines which the Traffic wardens or the police can enforce for any illegal obstruction. Hence, the Highway Authority has NO OBJECTION to the proposal.

DC – Licencing

No comment - No late night refreshment licence is required as premises is to close by 11pm. No alcohol sales, therefore no licence required.

Representations received

It should be noted that some representations have been submitted to the associated LBC application P/LBC/2023/00760, and therefore reference has been made to these comments here as they address planning matters rather than those concerned with the listed nature of the building.

Objectors to the scheme, raise the following summarised concerns:

- Unacceptable smells from site – having to keep windows closed to prevent smell ingress into dwellings is intolerable
- Keeping doors of the takeaway closed does not prevent the smell
- Unacceptable noise from equipment
- Unacceptable noise from staff after hours
- Delivery vehicles and oil changing vehicles block the highway and result in dangerous conditions for other road & footpath users
- Anti-social behaviour of customers, including shouting, dropping litter, inappropriate waiting on yellow lines & continuous running of car engines, inappropriate parking on yellow lines & obstruction of highway

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- Operators do little to abate the situation
- Operating after 11pm
- Bins are left blocking the pavement
- Insufficient (ie no) parking provision
- Commercial sized flue is unsightly, inappropriate in a Conservation Area & impacts enjoyment of private amenity space
- Retrospective application & should not be allowed
- Is not licenced
- In combination with granted application at 87 Cheap Street would result in unacceptable 'line' of hot food takeaways

Supports of the scheme, state that the business is suited to its location within the town centre, provides a welcome town centre provision and that the application provides an opportunity to improve the current situation regarding noise & odour via consideration during a formal planning process.

Total - Objections	Total - No Objections	Total - Comments
10	3	0

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1 - Presumption in favour of Sustainable Development
- SUS2 - Distribution of development
- ENV4 - Heritage assets
- ENV10 - The landscape and townscape setting
- ENV12 - The design and positioning of buildings

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- ENV14 - Shopfronts & advertisements
- ENV16 - Amenity
- HOUS4 - Development of flats, hostels and houses in multiple occupation
- ECON4 - Retail and town centre development
- COM2 - New or improved community infrastructure
- COM7 - Creating a safe & efficient transport network
- COM9 - Parking standards in new development

Material Considerations

National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 4 – Decision making
- Section 6 - 'Building a strong, competitive economy', Planning policies & decisions should help create the conditions in which businesses can invest, expand and adapt.
- Section 7 'Ensuring the vitality of town centres' - Planning policies and decisions
- should support the role that town centres play at the heart of local communities,
- by taking a positive approach to their growth, management and adaptation.
- Section 12 'Achieving well designed places indicates that all development to be
- of a high quality in design, and the relationship and visual impact of it to be
- compatible with the surroundings.
- Section 16 'Conserving and Enhancing the Historic Environment'- When
- considering designated heritage assets, great weight should be given to the
- asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Other Material Considerations

Sherborne Conversation Area Appraisal

WDDC Design and Sustainability Development Planning Guidelines (2009)

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

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This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The application seeks regularisation of a change of use from café/restaurant to hot food takeaway and addition to the rear flue. It would not give rise to any particular impacts on persons with protected characteristics.

14.0 Financial benefits

Support of a small local business & associated employment
Associated spend & support of other associated town centre businesses
Business rates

15.0 Environmental Implications

Impacts on neighbouring amenity

16.0 Planning Assessment

Application & Site History

The application is retrospective, the hot food takeaway is currently operational & the additional section of flue has been installed.

An abatement notice was served in late 2022 by the Council’s Environmental Health department, as it was their determination that there had been a statutory odour nuisance caused by the premises. A planning enforcement case ref EN/2022/00424 was also investigated during this time.

Environmental Health Officers (EHO) have been engaged with the premises and operators of the business & their agent during the investigation following complaints of noise & odour from the premises. They have also engaged with occupants of

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neighbouring properties, who have provided noise & smell diaries as part of their investigation into statutory nuisance.

Following receipt of the abatement notice, modifications to the extract equipment were undertaken to improve the ventilation & odour abatement. There were however reports that the ventilation system was not being used, and that doors were being left open which prevented proper odour dispersal up the new flue. Issues of noise from the equipment was also reported.

Further investigations by EHO were undertaken, and Planning & Environmental Health Officers requested that a suitably qualified consultant was engaged to undertake a noise & odour assessment in support of the retrospective planning application.

These reports have now been supplied from Soundguard Acoustics Ltd & Southern Air Solutions: Further cleaning & maintenance of the system has been undertaken, and the ventilation system has been checked & its performance measured by Southern Air Solutions. A Management Plan and Equipment Maintenance Plan has also been provided in support of the application.

Principle of Development

Policy ECON4 requires that retail and other town centre uses make up about 75% or more of the use of premises within secondary shopping frontages, of which this site is situated. It is considered that the use of this site as a hot-food takeaway is acceptable given its town centre location and previous retail/commercial use.

The principle of development is therefore considered to be acceptable.

Amenity – Noise from equipment

The submitted acoustic report indicates, (and is agreed by EHO) that the extract plant serving the development can be expected to suitably limit adverse noise impact to occupants of neighbouring properties, prior to the proposed opening times restriction of up to 23:00hrs.

Amenity – Odour from equipment

The submitted odour report indicates, (and is agreed by EHO) that the ventilation plant serving the development can be expected to suitably mitigate odour impact to occupants of neighbouring properties, subject to sufficient servicing and maintenance of the system, operating the Extract System at all times during cooking, and under the correct operating conditions.

In order that the filtration system provides the required odour reduction, it is therefore critical that appropriate servicing and maintenance of the system is undertaken, as appropriate cleaning and inspection/changing of filters is imperative for the filtration system to provide the odour reduction currently being measured at the site.

Front and back doors to the premises need to be kept closed during times of operation, (except for access and egress), as well as the front window louvres, for the extract system to operate effectively.

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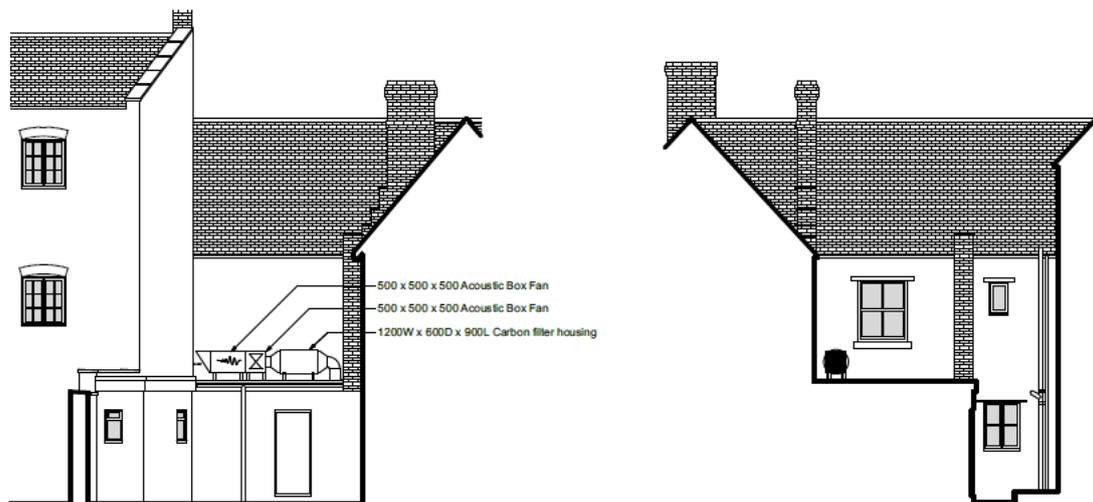
EHO agrees that as demonstrated by the reports and performance measuring undertaken by Southern Air Solutions, that the equipment that has been installed, when properly operated & maintained, is sufficient to reduce odours emanating from the site, so as not to result in unacceptable odour impacts to occupants of neighbouring dwellings. The Maintenance Schedule has been assessed by EHO who are in agreement that the proposed maintenance schedule, which includes a 6 monthly full system clean and filter inspection every 6 months, and replacement no less than every 12 months, is appropriate. Southern Air Solutions has also confirmed that the next inspection/clean is booked in, in accordance with this recommendation.

Reports in June 2023 from a neighbour to EHO confirmed that with the external door closed to the rear, the odour had significantly diminished.

Therefore, with this servicing and maintenance schedule secured by condition, in combination with ensuing doors & windows are kept closed & an opening hours condition ensuring the premises closes no later than 11pm, it is Officer opinion that the premises can operate effectively without significant adverse effect on the living conditions of neighbouring properties which would warrant refusal of the application.

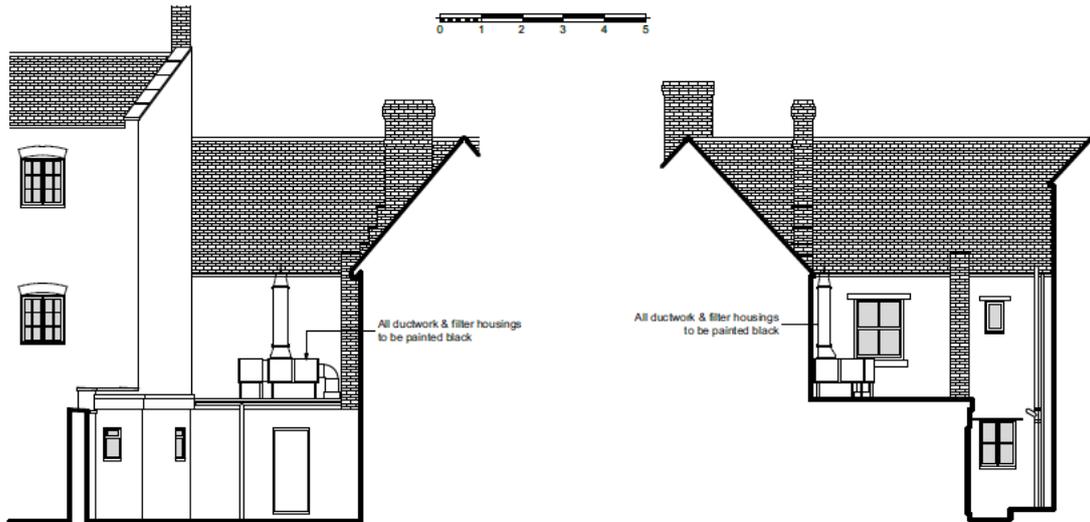
Amenity – visual impacts

There is existing consent for the section of equipment which lies horizontal along the flat roof to the rear. Approved apparatus ref WD/D/18/002725:



It is officer opinion that the addition of the vertical section does not cause any further substantial harm to the visual amenities of this already consented equipment. This proposal:

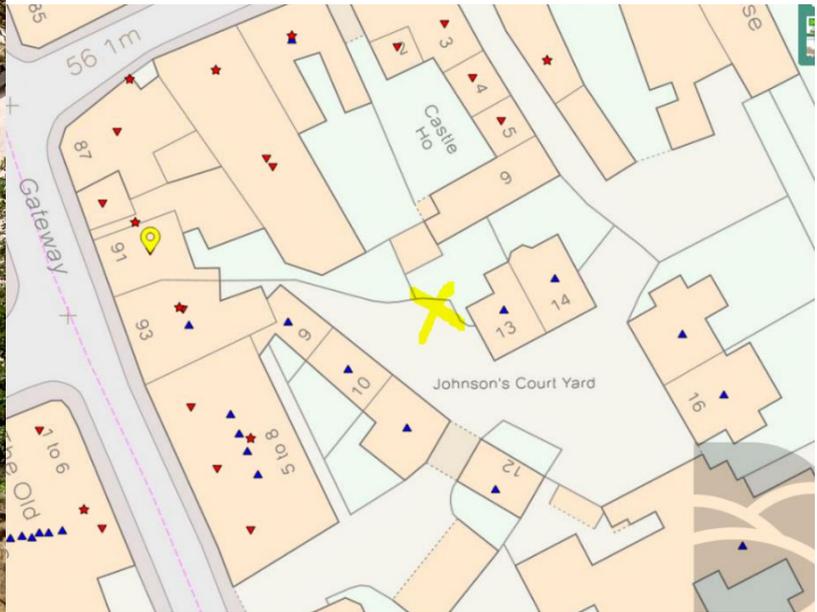
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EHO have confirmed that this vertical section of flue is necessary to provide the required odour filtration to make the application acceptable in odour mitigation terms. The odour filtration system would not be able to function using the previously agreed configuration. Therefore the public benefits of its installation is considered to outweigh any harm to the visual appearance of the site caused via the additional flue installed. Officers acknowledge that the commercial nature of the extract is not attractive, and that it is visible from amenity spaces within Johnson's Yard – however the flue is not key in any significant viewpoints from the street scene and it is not unusual to locate ventilation apparatus to rear flat roof sections of buildings within a town centre location to facilitate a town centre use such as this.

The visual impact due to its location tucked into the corner of the courtyard is limited to glimpsed views from amenity spaces, and due to this relationship with neighbouring properties, is considered to be acceptable. The photo below was taken from the yellow X, within the parking area in Johnson's Courtyard:

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Amenity – Noise & disturbance from associated activities, including impacts from inappropriate parking

Concern is raised regarding the impact of inappropriate parking by customers and delivery drivers, and the impact this has on the immediate road network and impacts to other road and pavement users.

The disruption this is reported to cause is noted, however it is the responsibility of the vehicle user to ensure that they are complying with any parking/unloading restrictions in place. The Management Plan outlines how there are two regular deliveries each week, always during the week at around midday, received through the main front doors and completed as quickly as possible to minimise any traffic disruption. Smaller deliveries are brought in by the proprietors through the rear access door as required. The Management Plan also outlines how the proprietors and staff are to ensure that the business results in as little disturbance results as possible, which includes encouraging their customers to park responsibly.

Reports of inappropriate and anti-social behaviour of customers is also noted. The town centre location must be acknowledged. The Management Plan outlines proposed opening hours of Sunday to Thursday 4:00pm to 10:30pm & Friday & Saturday 4:00pm to 11:00pm. No late night provision of refreshment is proposed with this application and the opening hours would be controlled by condition.

The Management Plan has acknowledged the concerns raised by local residents, and as such outlines how proprietors and staff are to encourage their customers to park responsibly, use the bins provided, not to litter the street and asking them to respect the neighbourhood by making as little noise as possible.

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Impacts on heritage assets

There is existing consent for the section of equipment which lies horizontal along the flat roof, which results in less than substantial harm to the setting of the listed building. The addition of the vertical section does not cause any further substantial harm, and the public benefits of its installation (which is required for odour filtration) is therefore considered to outweigh the harm. The flue is not key in any significant viewpoints from the Conservation Area and is confined to the rear flat roof section of the building.

Highways

The Council's Highways Engineer has undertaken a site visit and made a full assessment of the site – no unacceptable impact on highway safety was identified. The Highways Engineer note that there are enforceable yellow lines which the Traffic Wardens or the police can enforce for any illegal obstruction. Hence, the Highway Authority has NO OBJECTION to the proposal.

Summary

EHOs cases have been closed as no statutory nuisance had been identified in the process of their investigations. EHO have confirmed that the reports & supporting information which has been provided by suitably qualified professionals, demonstrates that the premises can operate without significant adverse impacts to occupants of neighbouring dwellings, when operated in accordance with the operating procedure (keeping ventilation extract on at all times during cooking, and keeping all doors and windows closed at all times except for access & egress), adherence to the maintenance schedule, and restriction on opening times secured by planning condition.

The applicants have been compliant throughout the Environmental Health Abatement Notice & planning application processes, and have complied with all requests of Officers – they have instructed the appropriate reports to be compiled, in combination with undertaking the required servicing, cleaning, maintenance & enhancement of the newly installed extract equipment as advised by their professional equipment providers.

The Management Plan demonstrates a commitment by the proprietors to operate the business in recognition of its location in close proximity to residential neighbours, and it is Officer opinion that now that the appropriate extract ventilation system & associated filters & apparatus has been installed, that the business should be given suitable opportunity to demonstrate that it can successfully operate in this location.

18.0 Recommendation: Approve subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

P01 Location Plan.pdf

P02 Existing Floor Plan.pdf

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P03 Proposed Floor Plan.pdf

P04 Existing and Proposed Principal Elevations.pdf

P05 Existing and Proposed Secondary Elevations.pdf

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The Extract System as outlined & described in Equipment Maintenance Plan, produced by Southern Air Solutions Ltd, dated 17 August 2023, shall be switched on and ran at full speed (ie No. 5 on the fan speed controller) at all times during cooking to ensure a suitable discharge velocity in excess of 10m/sec at all times.

Reason: In order to protect the living conditions of surrounding residential properties.

3. The Extract System as outlined & described in Equipment Maintenance Plan, produced by Southern Air Solutions Ltd, dated 17 August 2023, shall be cleaned, maintained and serviced in strict accordance with the schedule outlined in the Maintenance Plan, namely:
The carbon filter shall be checked and, if required, replaced every six months; or no later than every 12 months;
Every six months professional cleaning of the internal duct from canopy to the filter unit shall be undertaken.

A maintenance log (including receipts) demonstrating this servicing has been suitably carried out shall be maintained and submitted to the Local Planning Authority no later than 14 months after granting of the permission. Thereafter a maintenance log (including receipts) shall be maintained in perpetuity, for inspection by the Local Planning Authority within 14 days notice.

Reason: In order to protect the living conditions of surrounding residential properties.

4. During opening hours, all doors and windows of the premises shall remain closed at all times (except for the access and egress of patrons and staff from the building).

Reason: To safeguard the character and amenity of the area and living conditions of any surrounding residential properties.

5. The premises shall only be open to patrons between the hours of 4:00pm to 10:30pm Sundays to Thursdays, and Bank Holidays, and 4:00pm to 11:00pm Friday & Saturdays.

Reason: To safeguard the character and amenity of the area and living conditions of any surrounding residential properties.

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6. No alterations or changes to the measures of odour control of the Extract System, nor deviation of the approved Maintenance Plan, as outlined & described in Equipment Maintenance Plan, produced by Southern Air Solutions Ltd, dated 17 August 2023, shall be undertaken without an application to and approval in writing from the Local Planning Authority

Reason: In order to protect the living conditions of surrounding residential properties.