



Delegated Report

Full Planning Application

Planning Application No: 20240566

Location: 188 Old Road West Gravesend Kent DA11 0LY

Description: Proposed extractor flue to the rear elevation.

Applicant: Mr Shawkat Abdulmajid Showker

Site Visit Date: 10 July 2024

Submitted Documents/Plans

Application form
Design and Access Statement
Site Location Plan
Existing Block Plan
Proposed Block Plan
Drawing no. ICON-170_P1 (Existing and proposed floor plans)
Drawing no. ICON-170_P2 (Existing elevations)
Drawing no. ICON-170_P3 (Proposed elevations)
Odour Assessment (14 June 2024)
Noise Impact Assessment (Issue 01, 13 June 2024)

Relevant Planning History

Reference	Description	Decision	Decision Date
20010419	Display of 2 no. externally illuminated fascia signs.	Consent	25.01.2002

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S7 – Hot Food Shops and Restaurants and other A3 uses

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);

Consultations, Publicity and Representations

Internal Consultations

GBC Environmental Protection

The application details and in particular the 'Noise Impact Assessment' dated 13th July 2024 by DAA Group and the 'Odour Assessment' by NML have been reviewed. Both reports demonstrate that provided the extract system is installed in accordance with the submitted details for both odour control and noise control, there should not be any impact on the residential premises nearby.

The filtration details are provided in the Odour Assessment and the specifications for the fan, silencers and required noise and vibration mitigation measures (sections 5.5 and 6.0) are provided in the NIA.

The following conditions are recommended:

- Noise mitigation measures - Ventilation and Extraction Systems

The noise mitigation measures as detailed in report 'Noise Impact Assessment' dated 13th July 2024 by DAA Group (The Report) shall be implemented by competent persons. Prior to first operation of the plant and equipment when operating at its maximum speed and output hereby approved, a post completion noise survey and commissioning report must be undertaken at the maximum operating speed by a competent qualified acoustic consultant. The results of the survey report shall be submitted to and approved in writing by the Local Planning Authority.

If the post completion survey reveals that the local authority's noise criteria has not been met, further noise mitigation shall be submitted and approved in writing by the Local Authority, installed and tested prior to operation.

The final noise mitigation scheme shall be operated thereafter and the equipment shall be maintained and in a condition such that the requirements of BS4142:2014 continue to be met. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority

- Odour - Ventilation and Extraction Systems

The kitchen extraction system shall be installed and commissioned by a competent ventilation engineer in accordance with approved details and technical specifications provided in the 'Odour Assessment' by NML, ensuring minimum discharge rates are included. The extraction and odour/fume control equipment shall be maintained and operated in compliance with the approved scheme. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

GBC Licensing

This premises is not currently licensed. However, should they wish to serve hot food or drink between 11pm and 5am, or sell alcohol they will need to apply for a premises licence.

Neighbouring Properties

The application has been advertised by individual neighbour letters to 9 properties and on site. The overall consultation period expired on 02 August 2024.

No letters of objection were received.

Local Ward Councillors were also consulted, and no responses were received.

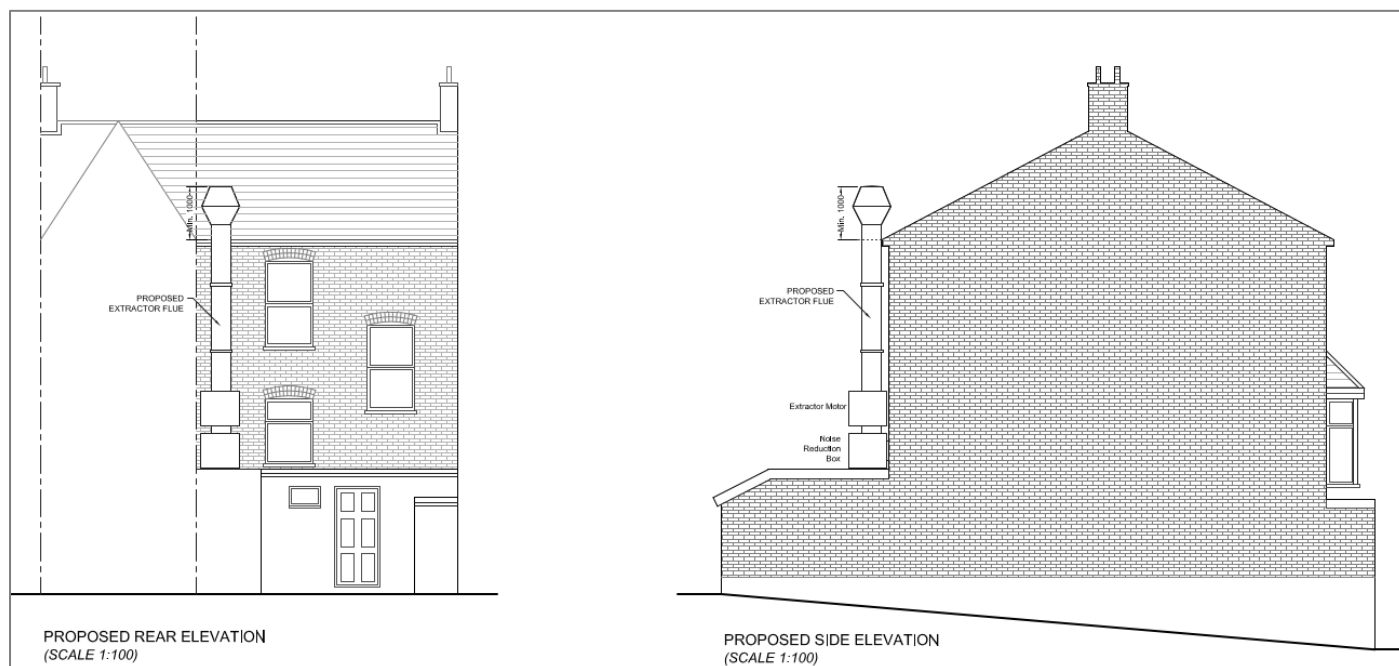
Officer's Analysis

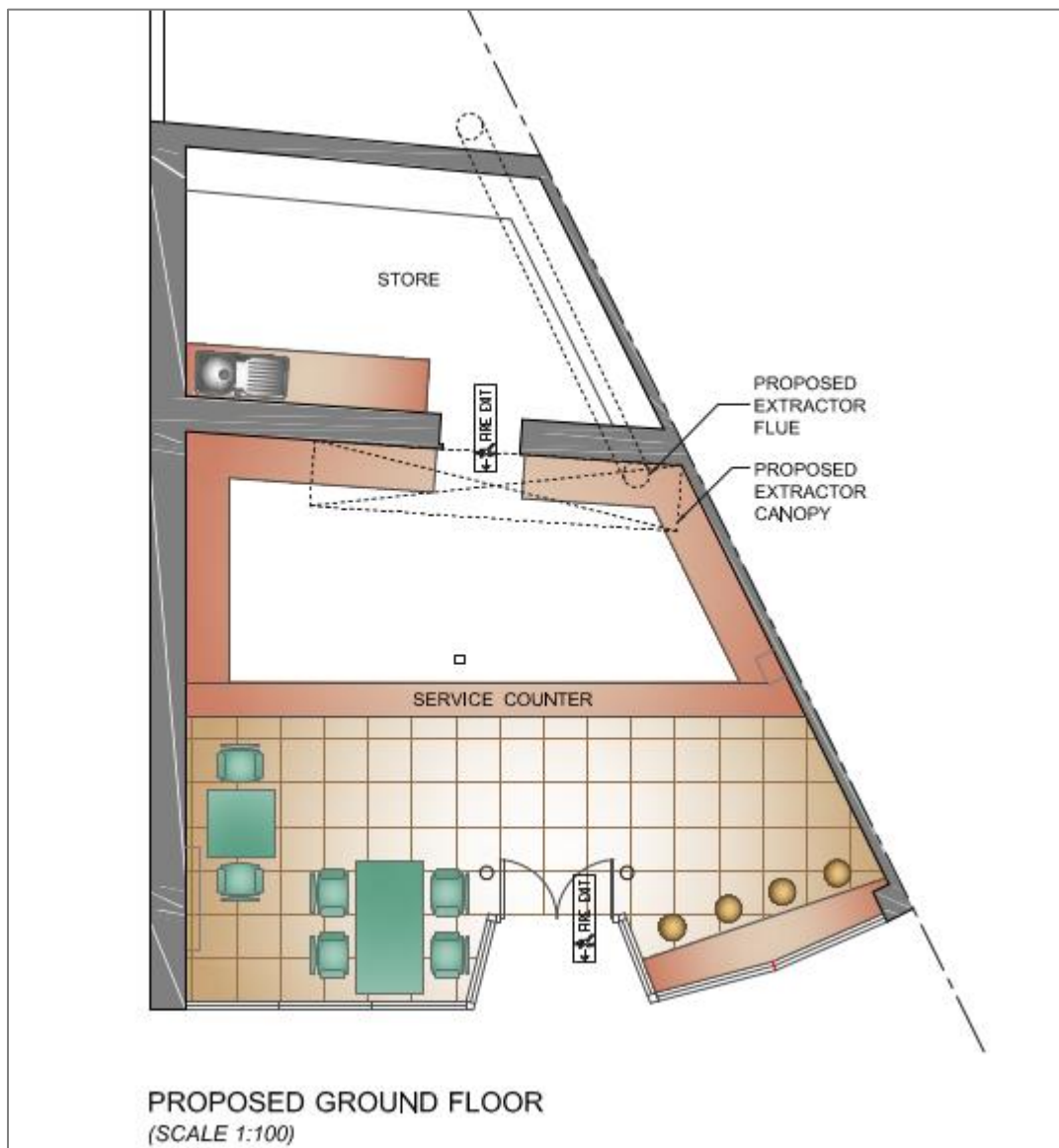
Proposal

This application seeks permission for a proposed extractor flue to the rear elevation.

The ground floor unit to which this application relates is an existing takeaway. The submitted Design and Access Statement asserts that there was an extractor flue in the same location as that proposed but this was removed by the previous proprietor.

The extractor fan will be fitted with noise filters to reduce sound and vibration.





The main considerations for this proposal relate to appearance and neighbour amenity.

Design, Character and Appearance

Section 12 of the NPPF 2023 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2023 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

According to images found on Google Street View, the property has been in operation as a takeaway in excess of 10 years and has also had an extractor flue at the rear for that time.



The proposed flue will also be at the rear. Due to the site layout there are some views of the rear elevation of No. 188 across the rear of properties on Old Road West from Havelock Road to the north, but these are distant views. As the extractor will replace an existing one, and as it will not project above the main ridgeline of the property, it would not be detrimental to the character and appearance of the street scene. On this basis, the proposal would respect the character and appearance of the area and would comply with the design requirements of Policy CS19 of the Core Strategy 2014.

Residential Amenity

The NPPF 2023 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land, and avoid adverse environmental impacts.

Neighbouring Properties

The application details, and in particular the submitted 'Noise Impact Assessment' dated 13th July 2024 by DAA Group and the 'Odour Assessment' by NML relating to the flue, have been reviewed by the Council's Environmental Protection Team. They have stated that both reports demonstrate there should not be any impact on the residential premises nearby, provided the proposed extract system is installed in accordance with the submitted details for both odour control and noise control. Appropriate conditions have been recommended on this basis.

Therefore, the proposal would not harm the amenities of neighbouring properties in terms of environmental impacts. It must also be noted that there have been no objections from neighbouring properties. As such, the proposal would comply with the requirements of Policy CS19 of the Core Strategy 2014.

Conclusion and Recommendation

The proposed extractor flue is considered to be acceptable in terms of the impact on the character and appearance of the area, and with regards to residential amenity matters. The proposal would therefore comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraphs 131 and 135 of the NPPF 2023.

(For detailed conditions and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	6 August 2024	Dated:	07 August 2024