

**From:** Hardesh Bhatti

**Sent:** 10 December 2020 14:56

**To:** Parminder Seyan <Parminder.Seyan@watford.gov.uk>

**Subject:** RE: Consultation - Application for a new premises licence – Green Pitta 271-273 St Albans Road Watford

Good afternoon Parminder,

After reviewing this application, there is not enough information to demonstrate that the prevention of public nuisance licencing objective will be achieved and recommend refusal.

Owing to the number of residential units that surround 271-273 Saint Albans Road – as illustrated in the following map, it is imperative that suitable controls are in place to prevent public nuisance.



I believe the potential sources for public nuisance will be,

- Noise from recorded music.  
Granting this has the potential to cause public nuisance and so it is essential the building envelope is able to reduce noise break-out to acceptable levels.
- Noise from any kitchen extracts.  
There is no mention on how cooking Odours, smoke and fumes will be dealt with.

Furthermore, after checking the planning history, I found an application, reference 20/00884/cbpd which was granted allowing this building to be used as A3. However,

this was subject to the following conditions being discharged – as far as I have been able to ascertain they have not,

“2 The premises shall not be used as a Class A3 establishment (i.e. a restaurant) until further details have been submitted to and approved in writing by the Local Planning Authority setting out exactly what mitigation measures are to be used to ensure that the use (specifically in relation to the odour extraction equipment) does not cause a noise nuisance to neighbouring residential premises. The Acoustic Noise Report should include predictions and calculations from the proposed odour extraction plant, as appropriate, to demonstrate that the relevant noise mitigation criteria will be met. Reference should be made to BS4142 (2014) as part of the assessment. The approved scheme shall be carried out prior to the commencement of the use hereby permitted and shall be retained thereafter. All equipment installed as part of the approved scheme shall be operated and maintained in accordance with the manufacturer's instructions. Reason: To safeguard the amenities and quiet enjoyment of neighbouring properties pursuant to Saved Policy SE22 of the Watford District Plan 2000 and Policy SS1 of the Watford Local Plan Core Strategy 2006-2031.

3 The premises shall not be used as a Class A3 establishment (i.e. a restaurant) until an odour control report has been submitted to and approved in writing by the Local Planning Authority. The odour control report shall be from an odour specialist such as a Building Services Engineer, who is a member of the Chartered Institute of Building Services Engineers. The report should provide details of the level of odour mitigation to be achieved in order to protect the local amenities from cooking smells. Reference should be made to the assessment methodology outlined in The Institute of Air Quality Management (IAQM) published the 'Guidance on the Assessment of Odour for Planning document on 20th May 2014. This was updated in 2018 and specifically deals with assessing odour impacts for planning purposes, namely potential effects on amenity. The details and mitigation measures included in the report shall be installed in full prior to the commencement of hot food cooking unless otherwise approved in writing by the Local Planning Authority. Reason: To ensure that fumes and odours from the A3 premises do not cause a nuisance to the residential flats on the upper floors of this building, and neighbouring buildings protect neighbouring occupiers from odour disturbance, pursuant to Saved Policy SE20 (Air Quality) of the Watford District Plan 2000 and Policy SS1 of the Watford Local Plan Core Strategy 2006-2031.

- Noise from patrons.  
This includes noise from patrons whilst in the premise, smoking outside as well as arriving and leaving.
- Noise from activities associated with refuse, including the removal of waste glass.  
There are no details on how the impact of this activity will be reduced or eliminated.
- Noise from deliveries.

Therefore, I recommend refusal until these issues have been addressed. I also consider it necessary that the applicant also sets out measures to ensure the venue will operate as a restaurant, for example, drinks being ancillary to a meal and provided through a waitress and waiter service.

Yours sincerely,

Hardesh Bhatti  
Environmental Health Officer

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