

OBJECTION - PL/2025/07738 - 15-19 High Street, SN10 4HQ

This is a retrospective planning application which means that the extractor has already been built and the applicant is applying for planning for the construction.

West Lavington Parish Council objects to this application on 3 points.

1. The application is materially different to what has been built
2. There is no evidence that the filtration for fumes applied for has been installed
3. The previous extractor which was a flap covered vent with no filters is not shown in the application and is still present.

1. Both of the following images have been copied from the application documents on the planning portal.



The proposed drawing on image 1 clearly shows that the design is for the chimney to extend above the gutter line. Our understanding is that the requirement is for the outlet to be less than 1 metre from the ridge. Image 2 is taken from the consultant document Kitchen Odour Risk Assessment Report on the planning portal. This is a photograph of the rear of the applicant's premises. It shows that the construction is underway and in line with the design shown on the proposed elevation.

The following image is a photograph taken of the rear of the premises by the Parish Council on the 4th December 2025 at 14:50.



The image clearly shows that the actual construction has been modified from the design. The middle section of the chimney in the Assessment report has been removed
The chimney outlet is below the gutter line

The chimney outlet is too close to opening windows

The reduced height will not take odours and fumes away from neighbours

The equipment now in the middle of a flat roof may require building control input

2. The applicant has at all times, ignored the planning process and done every part of the opening of this takeaway and implementation of extractors as retrospective permissions. At each step, despite being a condition of Planning Permission the extraction filters have not been installed. This has led to enforcement investigations and actions from both Planning Enforcement and Environmental Health.

Given that the build of the chimney has been materially altered there is no evidence that filters have been installed as required in the Assessment Report on the planning portal. Given previous experience it is our opinion that filters are not installed on the modified construction.

3. Image 1. Shows that the existing design was a high chimney on the side of the building. This is untrue. That chimney was built but retrospective permission was refused and planning enforcement oversaw the removal of that chimney and the

reinstatement of the original extraction system from a previous business. This extractor, while unsuitable for the current business, was the only extractor granted planning consent. That extractor on the side of the building is shown below. This photograph was also taken on the 4th December at 14:50.



Image 4.

This vent is a direct connection to the kitchen, extraction filtration was never installed as required on the original approval. As it still exists with an extraction fan behind it and the flaps are free to open, kitchen odours and fumes are free to escape and affect neighbouring properties. This vent needs to be removed and the opening permanently blocked off with bricks and mortar.

Summary

The Parish Council do not object to an extraction system in line with the design and risk assessment contained in the document Kitchen Odour Risk Assessment Report on the planning portal. It is our view that this design would alleviate the complaints of odours and fumes from neighbouring properties. However, it is our opinion that four actions are needed before planning consent is given:

1. The current installation needs to be changed and installed as designed
2. The extraction filtration in the assessment report is installed
3. The original vent is removed and permanently blocked off to remove the risk of escaping fumes.
4. That these three requirements are confirmed by an in-person site visit by a planning officer.

We also believe that the applicant, their agent and the risk assessor be admonished for falsifying the planning application process.

West Lavington Parish Council