

Miss Shihadeh
NOW Build It Ltd
Ground Floor Unit 18
Limberline Slur
Hilsea PO3 5HJ

For: Mr Patel

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015**
Grant of Planning Permission

Application Number: APP/18/01291

Site Address: 71 Forestside Avenue, Havant, PO9 5SJ

Proposal: Change of Use of part ground floor of retail unit (A1) to provide Class A5 (Hot food takeaway), alterations to shopfront, installation of new doors to side and rear elevations and installation of extract duct to rear elevation.

Further to your application received on 14 December 2018, which was valid from 21 August 2019, Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

1:1250 Site Location Plan

Design & Access Statement by hrp architects dated December 2018

Extractor details by JAG Services UK Ltd

Existing & proposed Floor Plans & Elevations Drawing Number 8811-01 Rev C

Existing Floor & Elevations Drawing Number 8811-10 Rev D

Reason: - To ensure provision of a satisfactory development.

- 3 The A5 use hereby permitted shall only be open for trade or business between the

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hours of 11:30 and 22:30 Mondays to Saturdays and between 11.30 and 22:00 on Sundays and Bank Holidays.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 A customer litter bin shall be provided within the Customer Waiting area prior to the first implementation of this hereby approved A5 use. Thereafter the litter bin shall remain available for customer use at all times, being regularly emptied.

Reason: In the interests of amenity, and having due regard to policies DM5, DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 5 The hereby approved extractor equipment to suppress and disperse fumes and/or smell, as specified by Jag Services UK Ltd, shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the hereby approved A5 use. The installation shall include the specified mitigation measures for the control of noise and vibration emanating from the extraction system. Thereafter the equipment shall be maintained and effectively operated for so long as the use continues.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The hereby approved extractor flue, where external, shall be painted a matt black and retained and maintained as such in perpetuity.

Reason: To safeguard the visual amenity of the locality and having due regard to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You sought and were provided with pre-application advice,
- You were updated about issues after the initial site visit, amended details requested and forthcoming, making your proposal acceptable.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

19 September 2019