

To:
Mrs L Jablonski
Halica
61 Old School Drive
Hayling Island
PO11 9TQ

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

Application Number: APP/19/00291

Site Address: Unit 2, 2 St Marys Road, Hayling Island, PO11 9BY

Proposal: Change of use from A1 retail use to A3/A4 restaurant and wine bar use, with construction of gazebo for external seating area.

Further to your application received on 11 March 2019, which was valid from 27 March 2019, Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reasons for the Council's decision to refuse planning permission are:

- 1 The proposed A3/A4 use with outside gazebo and seating area for outside dining and drinking, late into the evenings when the surrounding area becomes a quiet residential neighbourhood, would result in noise and disturbance harmful to adjacent residential amenity. The noise and vibrations associated with the use (including customers socialising, music playing, comings and goings and use of metal grilles) within close proximity to residential properties would be intrusive and detrimental to the otherwise quiet enjoyment of neighbouring amenity. The proposed development is therefore considered contrary to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, 2019.
- 2 Insufficient information has been supplied with respect to the proposed types of food to be cooked and the associated details of the charcoal extractor proposed to adequately demonstrate that there would be no residual smells and odours harmful to neighbouring amenity. Additionally no details are provided of the proposed chiller units and any air conditioning units to assess any external noise, vibration or visual harm. The proposed development is therefore considered contrary to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, 2019.
- 3 The proposed wooden gazebo structure with metal grilles would be visually prominent in the street scene. It is considered that its design and siting would be visually jarring and incongruous to the street scene, harmful to the visual character of the area, contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, 2019

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- 4 The lack of on-site customer parking and loss of hard standing area for vehicles would result in displaced parking and additional demand for on street parking, particularly in the evenings. This would compete with local residential demand for parking, resulting in pressure for spaces, inconvenience and loss of neighbouring amenity, contrary to the Havant Borough Parking Supplementary Planning Document, July 2016 and policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, 2019

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework 2012.

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
- (1) 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:

- Your application was unacceptable as submitted and despite further information being submitted, this did not overcome the issues leading to this refusal of planning permission.

Simon Jenkins

Simon Jenkins
Interim Director of Regeneration and Place

31 May 2019