



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263

www.havant.gov.uk

Miss Butterfield
WYG
54 Hagley Road
3rd Floor
Edgbaston
Birmingham
B16 8PE

For: Mr Virk
Papa John's (GB) Ltd

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

Application Number: APP/18/00415

Site Address: 2-4 Park Parade, Havant, PO9 5AD

Proposal: Change of use from Bank (Use Class A2) to a hot food takeaway (Use Class A5) plus associated minor external alterations.

Further to your application received on 17 April 2018 (which was valid from 25 April 2018) 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:

Existing floor plans and external elevations - PJ/HAV/01(rev a)
Proposed scheme plans and elevations - PJ/HAV/02 (rev a)
Plant Noise Assessment Report 18/0273/R1

Reason: - To ensure provision of a satisfactory development.

Our Ref: APP/18/00415

- 3 Prior to the commencement of use the equipment hereby proposed shall be installed to suppress and disperse noise, fumes and/or smell produced by cooking and food preparation in accordance with the Plant Noise Assessment Report 18/0273/R1. The equipment shall be effectively operated for so long as the use continues, including the installation of the noise and other mitigation measures outlined in paragraph 6.2 of the Plant Noise Assessment Report 18/0273/R1, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and to protect the amenity of occupiers of nearby properties in terms of noise in accordance with policy DM18 of the Havant Borough Local Plan (Allocation) 2014

- 4 The extraction equipment installed in pursuance to Condition (No.3) above shall be regularly maintained to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority and shall not be resumed until the system has been restored to full working order. Documentary evidence including receipts, invoices and copies of any service contracts in connection with the use and maintenance of the extraction equipment, shall be kept and made available for inspection at the premises by the Local Planning Authority, to facilitate monitoring of compliance with this condition.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and to protect the amenity of occupiers of nearby properties in accordance with policy DM18 of the Havant Borough Local Plan (Allocation) 2014

- 5 The premises the subject of this permission, if used for the purposes of a restaurant (Class A5), shall not open to the public before 10.00 hours or remain so open after 23.00 hours Monday to Sunday, excluding Saturdays when it shall not be open to the public before 10.00 or remain so open after 00.00.

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 2018

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.

Our Ref: APP/18/00415

- (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:

- You were updated about issues after the initial site visit

- (2) You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times: Monday to Friday: 08.00 - 18.00 and Saturday: 08:00 - 13.00. This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
- (3) You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site. This is in order to protect the occupants of nearby residential properties from dust pollution.
- (5) You are hereby requested to ensure that any external lighting that may be installed on this site, within the grounds or attached to the building, is so positioned so as not to cause nuisance to neighbouring properties. This is in order to protect the occupants of nearby residential dwellings from light pollution.

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

24 August 2018