



Havant
BOROUGH COUNCIL

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

Application Number: APP/17/00682

Site Address: 125 New Brighton Road, Emsworth, PO10 7QS

Proposal: Variation of Condition No. 3 of Planning Permission 95/59718 to allow for one Saturday Parent and Toddler event per year, held between 11.30 and 13.30.

Further to your application received on 25 June 2017, which was valid from 26 June 2017, 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 day care nursery use hereby permitted shall only operate between the hours of 0800 - 1800 hours Monday - Friday, and shall not operate at all at weekends or on Bank or Public Holidays with the single exception of the parent and toddler event hereby permitted which shall take place no more than once per calendar year on a Saturday between the hours of 11.30 and 13.30 hours only.
Reason: To protect the amenities of local residents having due regard to policies CS16 and DM10 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 2 During the period of the parent and toddler event hereby permitted outside childrens play shall not take place outside the hours of 11.30 and 13.30 on one Saturday per calendar year and shall only take place within the area marked "Children's Play Area", cross-hatched black, on the plans approved by Havant Borough Council under reference 95/59718.
Reason: To protect the amenities of local residents having due regard to policies CS16 and DM10 of Havant Borough Local Plan 2011 and the National Planning Policy Framework.
- 3 The number of children attending the day care nursery at any one time shall not exceed 50, unless otherwise agreed in writing by the Local Planning Authority with the singular exception of the parent and toddler event where the maximum number of parents and children attending the event shall not exceed 75 persons.

Our Ref: APP/17/00682

Reason: To protect the amenities of local residents and in the interests of highway safety/parking having due regard to policies CS16, DM10 and DM14 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The first floor of the premises shall be used only as residential accommodation by members of staff employed at the day care nursery, and for no other purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid an over-intensive use of the property having due regard to policy CS16 and the National Planning Policy Framework.

- 5 All existing trees and shrubs adjoining the eastern, southern and western boundaries of the site, as since hatched green on the plans approved under planning permission reference 95/59718, shall be retained and subsequently maintained and reinforced where necessary to achieve a minimum height of 5 metres in the case of trees and 2.5 metres in the case of shrubs, and to a standard consistent with good arboricultural practice.

Reason: to ensure the maintenance of screening to the site and to protect the appearance and character of the area having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 Outside children's play shall not take place outside the hours of 1000 - 1200 and 1315 - 15.15 Monday to Friday, and shall only take place within the area marked "Childrens Play area" cross hatched black on the plans approved by Havant Borough Council under reference 95/59718 excepting as amended by condition 2 of this planning permission.

Reason: In the interests of the residential amenities of nearby properties and having due regard to policy CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The number of children participating in outside play at any one time shall not exceed 20, unless otherwise agreed in writing by the Local Planning Authority with the exception of the singular Parent and Toddler event hereby permitted which shall take place no more than once in a calendar year.

Reason: In the interests of the amenities of nearby residents having due regard to policies CS16 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.

Any failure to adhere to the details of the approved plans, and other documents or to
Our Ref: APP/17/00682

- (3) 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 Development Control Service at the Plaza or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 186 and 187 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.
- (5) The existing conditions relating to the use of the premises shall continue to apply as varied by this consent in relation to the Parent and Toddler Event hereby permitted. In particular the following conditions impose ongoing restrictions:

Planning Permission 95/59718/000

Condition 3 (Hours and Days of use)

Condition 4 (Number of Children)

Planning Permission 03/59718/002 (Appeal Decision)

Condition 1 (Outside Play Hours and Days of Use)

Condition 2 (Outside Play numbers of children at any one time)

Simon Jenkins

Simon Jenkins
Head of Planning (East Hampshire and Havant)

24 May 2018