



Havant
BOROUGH COUNCIL

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For: .
Domino's Pizza UK & Ireland

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

Application Number: APP/17/01338

Site Address: 51 London Road, Cowplain, Waterlooville, PO8 8UJ

Proposal: Application for Change of Use from restaurant (Class A3) to a Hot Food Takeaway (Class A5) including a ground floor extension at the rear along with associated works, including new shopfront, extraction and ventilation equipment and ancillary works.

Further to your application received on 18 December 2017, which was valid from 21 December 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 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 external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The premises shall only be open for trade or business between the hours of 11.00-Midnight on Monday - Saturday and 11.00- 22.30 on Sundays.
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.

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- 4 Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;
A. A statement confirming that no suspected contamination was identified during development,
OR;
B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.
Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) [2011], policy DM17 of the Havant Borough Local Plan (Allocations) [2014], and the National Planning Policy Framework; there is a potential for hydrocarbon and solvent contamination associated with adjacent land uses to exist within soils at the site, which could pose a risk to occupants”
- 5 In the event that suspected contamination (contaminated soil / groundwater, or any buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.
The scheme may comprise separate results/reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;
1) Investigation in the vicinity of suspected contamination, sufficient to characterise its nature, likely extent & mobility,
2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability. All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.
Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) [2011], policy DM17 of the Havant Borough Local Plan (Allocations) [2014], and the National Planning Policy Framework; there is a potential for hydrocarbon and solvent contamination associated with adjacent landuses to exist within soils at the site, which could pose a risk to occupants”
- 6 No deliveries to service the premises are to be made to the premises between the hours of 2230 to 0800 unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the occupiers of the neighbouring properties 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 2012.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site location plan- received 18th December 2017
Proposed block plan- received 18th December 2017
Existing GA plan (B9862-AEW-PJ000773-00-DR-001)- received 18th December 2017
Proposed GA plan (B9862-AEW-PJ000773-00-DR-003)- received 18th December 2017
Existing elevations plan (B9862-AEW-PJ000773-00-DR-002)- received 18th December 2017
Proposed elevations plan (B9862-AEW-PJ000773-XX-DR-0004)- received 18th December 2017
Proposed ventilation system- Annex B- (B9862-AEW-PJ000773-XX-SP-0001)-

received 18th December 2017

Proposed ventilation system- Annex C- (B9862-AEW-PJ000773-XX-SP-0002)-

received 18th December 2017

Plant noise assessment- received 9th January 2018

Specification and Defra report- received 18th December 2017

Reason: - To ensure provision of a satisfactory development.

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 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.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning

13 February 2018