

Recommendation: **GRANT PERMISSION**

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Engineering/Drainage:
No objections

Economic Development:
No objections

Environmental Health:
No details have been provided about the extraction equipment. This can be requested via a planning condition such as:

Condition 1: Any proposal relating to install smell suppression equipment (i.e. extract ventilation equipment) schemes shall be agreed and approved in writing by the District Planning Authority prior any development takes place.

Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 19

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the Local Centre
- (iii) Impact upon residential amenity

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

(ii) Impact upon the Local Centre

The application site is already used as storage space for cost cutter so is in use however, does not provide a shop frontage. Several other units within the local centre are vacant so it is considered the expansion of the food takeaway could encourage more local people to use the shops and therefore encourage other businesses to take up the vacant units, therefore encouraging the vitality and viability of the local centre. This would accord with Policy AL3 of the Allocations Plan.

(iii) Impact upon residential amenity

The unit has residential flats at first floor level. An extraction unit is proposed which would be extend out to the rear wall of the building, this being 10m in distance from the flats above. Given that other units in the local centre (a Chinese, an Indian and a kebab shop) have extraction units closer to the residential properties, it is considered that this relationship would be acceptable. The Environmental Health Officer has advised that further details should be provided on the extraction equipment in terms of suitability to suppress smells and odours and also the level of noise associated with the equipment. This will be requested via a planning condition.

8 Conclusion

The application is considered to be acceptable and is recommended for permission.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01147 subject to the following 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 Notwithstanding the details shown on the approved plans, before the use hereby permitted first takes place, a scheme showing details of the means of extraction and filtration of cooking odours including details of the appearance of any external flue(s), manufacturer's operating instructions and a programme of equipment servicing/maintenance shall be submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full before the use hereby permitted first takes place and shall remain operational thereafter.
Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The A5 takeaway hereby approved shall only be open for trade and business during the opening time of the retail shop to which it is attached.
Reason: In the interests of the residential amenities of adjacent occupants and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Existing and proposed floor plans and elevations, location plan and site plan -
KAD 01 A
Change of Use Statement

Reason: - To ensure provision of a satisfactory development.