



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr T McNamara
Urban Edge Architecture Ltd
1 Scotgate Mews
Scotgate
Stamford
PE9 2FX

For: Mr Pickering

**The Town and Country Planning (Development Management Procedure) (England) Order
2010**
Grant of Planning Permission

Application Number: APP/12/00650

Site Address: Site of, 1 Lavender Road, Waterloooville

Proposal: Re-build 3No. existing buildings following fire damage, comprising
convenience store, pharmacy and chinese takeaway restaurant and reinstating existing
car parking and landscaping.

Further to your application received on 26 June 2012, 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 your application; and
- (ii) The following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years
from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act
2004.
- 2 The external materials to be used shall match in type, colour and texture those on
the existing buildings, unless agreed otherwise in writing by the Local Planning
Authority.
Reason: In the interests of the amenities of the area and having due regard to
policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the
Local Development Framework and National Planning Policy Framework, March
2012.
- 3 No development hereby permitted shall be commenced until a detailed soft
landscaping scheme for all open parts of the site not proposed to be hardsurfaced
has been submitted to and approved in writing by the Local Planning Authority. Such
scheme shall specify the proposed finished ground levels in relation to the existing
levels, the distribution and species of ground cover to be planted, the positions,
species and planting sizes of the trees and shrubs to be planted and/or retained,

Our Ref: APP/12/00650

and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 4 The buildings shall not be occupied until space for the loading, unloading and parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be permanently retained and used solely for those purposes.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no vehicle or pedestrian access shall be formed to the site other than that shown on the approved plans attached to this decision without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety and having due regard to policy CS20 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

- 6 The convenience store and pharmacy shall each be used for Class A1 retail purposes only, and the hot food takeaway premises shall be used for Class A5 hot food take-away purposes only, and for no other purposes whatsoever including any other purpose within Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: In the interests of the area generally and nearby residential properties in particular and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

- 7 In respect of the hot food takeaway use at unit 3, no hot food for consumption off the premises shall be sold other than between the hours of 11am to 11pm Monday to Saturday and not at all on Sundays.

Reason: In the interests of the area generally and nearby residential properties in particular and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

- 8 No externally visible or audible plant, machinery or structures required for ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS11 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 9 No development hereby permitted shall commence until a detailed scheme for filtration and extraction of fumes generated by cooking processes has been submitted to and approved in writing by the Local Planning Authority. The hot food takeaway use hereby permitted shall not commence until the implementation of

such approved filtration and extraction scheme has been completed in full accordance with all detailed components of such scheme. At all times thereafter, all elements of that scheme shall be maintained in a wholly efficient and effective working order.

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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 10 The use hereby permitted shall not commence until provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use of the site, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the National Planning Policy Framework 2012.

- 11 The use of any unit hereby permitted shall not commence until provision has been made within the site for the storage of refuse and waste resulting from the use of the site, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the National Planning Policy Framework 2012.

- 12 The area between units 2 & 3 shall not be used for the storage of waste and shall be permanently enclosed by the walls of the aforementioned units and means of enclosure to a height of not less than 2 metres and secured by a gate in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area and the provision of a safe environment having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the National Planning Policy Framework 2012.

- 13 Notwithstanding the external lighting details shown on the approved plans, any further external lighting shall be submitted to and approved in writing by the Local Planning Authority before it is installed. There shall be no other external lighting on the site other than that which is described in the current application or approved in accordance with this condition.

Reason: To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and the National Planning Policy Framework 2012.

- 14 Details of any external CCTV or other security camera, shall be submitted to and approved in writing by the Local Planning Authority before it is installed. There shall be no other external CCTV or security cameras on the site other than approved in accordance with this condition.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework 2012.

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

URB LR [08] 00 01 Revision A00 - Site Location Plan;

URB LR [08] 00 02 Revision A00 - Site Block Plan;

URB LR [08] 70 02 Revision A00 - Proposed Elevations;

Reason: - To ensure provision of a satisfactory development.

Other Important Information:

In reaching its decision the Council has had regard to policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

Havant Borough Core Strategy 2011

CS11	Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS16	High Quality Design
CS20	Transport and Access Strategy
DM10	Pollution
DM13	Car and Cycle Parking on Residential Development
DM2	Protection of Existing Community Facilities and Shops
DM5	Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses
DM8	Conservation, Protection and Enhancement of Existing Natural Features

The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the effect on the streetscene, the effect on neighbouring amenities, parking and safety by design. Having taken into account the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the Council has determined that planning permission should be granted for the development.

- (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 6573.
- (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 Civic Offices or by telephoning 023 9244 6015.
- (4) No development or new tree planting should be located within 3 metres either side of the centreline of the surface water sewer and all existing infrastructure should be protected during the course of construction works. Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works

commence on site.

A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, S023 9EH (Tel 01962 858688), or www.southernwater.co.uk.

The applicant is advised that the Hampshire Constabulary Crime Prevention Design Advisor has recommended that CCTV be incorporated into the development hereby approved and that in order to prevent unauthorised access to the roof of the buildings hereby approved, careful consideration is given to the design of the means of enclosure and gate between units 1 & 2. For more detailed advise it is recommended that the applicant Fratton Police Station, Kingston Crescent, North End, Portsmouth PO2 8BU. Tel: 023 9289 1831.

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)

21 August 2012