



Havant
BOROUGH COUNCIL

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Mr Carpenter
Planware Ltd
The Granary 37 Walnut Tree Lane
Sudbury
Suffolk
CO10 1BD

For: McDonald's Restaurant Ltd

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

Application Number: APP/11/00993

Site Address: ASDA, Purbrook Way, Havant, PO9 3QW

Proposal: Construction of freestanding restaurant with drive-through, car parking and associated landscaping.

Further to your application received on 04 May 2011, which was valid from 25 July 2011, 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 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 No development hereby permitted shall commence until plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.
Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality 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, March 2012.

Our Ref: APP/11/00993

- 3 Construction of the building hereby permitted shall not commence until samples and details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Thereafter only such approved materials and finishes shall be used in carrying out the development.
Reason: To ensure the appearance of the development is satisfactory 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, March 2012.
- 4 No development hereby permitted shall be commenced until further details of the 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 timing provisions for completion of the implementation of all such landscaping works. The scheme must include the provision of two container grown heavy standard oaks in the indicated landscaped areas.
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 CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 5 No development shall commence until a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall include long term design objectives, management responsibilities and implementation and maintenance schedules for all landscape areas for a minimum period of five years.
Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.
- 6 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.
Reason: In the interests of the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 7 No development hereby permitted nor any related site clearance shall commence until a plan and particulars specifying the provision to be made within the site and/or on other land nearby for the parking (throughout the clearance and construction period) of construction vehicles and of other vehicles delivering/removing materials and other items to/from the development site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout such site clearance and implementation of the development hereby permitted, all such temporary parking provision shall be provided and used only as such.

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.

- 8 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.

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.

- 9 The premises hereby permitted shall not open to the public before 06:00 hours or remain so open after 23:00 hours on any day.

Reason: To protect the amenities of nearby residential properties 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, March 2012.

- 10 Prior to the development being brought into use, CCTV equipment shall be installed within the premises and externally in accordance with a scheme, the detailed plans and particulars for which shall have first been submitted to, and approved in writing by, the Local Planning Authority. The approved CCTV equipment scheme shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the use hereby approved, and all components of the approved scheme shall remain in full working order so long as the use continues.

Reason: To ensure the safety and security of staff and customers and safeguard the amenities of the locality and having due regard to policy CS8 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

- 11 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height, construction materials and design of a lockable barrier and kerb detail to the car park to prevent access into the car park when the restaurant is closed, have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of car park barrier as is thus approved by the Authority. At all times thereafter, all of the barrier shall be retained in a wholly sound and effective condition.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS16 and CS8 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

- 12 The development hereby permitted shall not commence until plans and particulars specifying the provision to be made for external lighting of the same has been submitted to and approved in writing by the Local Planning Authority. Details shall include, intensity and contours of illumination at various locations but including illumination levels at the nearest residential properties. There shall be no external lighting on the site other than as thereby approved.

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.

- 13 The development hereby permitted shall not commence until details of a lighting strategy for external lights and internal lighting that can be seen from outside the premises has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.
- 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.
- 14 The use hereby approved and occupation of the building shall not commence until provision for the turning, loading and unloading of vehicles and the parking of vehicles shall have been made within the site curtilage and the areas of land so provided shall not be used for any purpose other than the turning, loading and unloading and parking.
- Reason:** In the interests of highway safety and local amenity having due regard to policies CS16, CS20 and DM14 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 15 Before the development hereby permitted is commenced, details for the provision to be made for the parking of bicycles on the site, including the location, quantum and specification of cycle parking provision, shall be submitted to and approved in writing by the Local Planning Authority.
- Reason:** To encourage sustainable travel and having due regard to policies CS16 and DM11 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.
- 16 Construction, clearance or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0900-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.
- Reason:** To protect the amenities of occupiers of nearby premises from unreasonable noise levels 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, March 2012.
- 17 Best practicable means should be used to prevent dust emissions from all demolition and construction activities (e.g. the use of water to suppress dust).
- Reason:** To prevent causing a nuisance to people living and working in the vicinity of the site. 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, March 2012.
- 18 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 to prevent causing a nuisance to people living and working in the vicinity of the site and having due regard to policy CS16 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.

- 19 No development hereby permitted shall commence until a detailed scheme for filtration and extraction of fumes generated (by cooking processes) at the premises has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use 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 ensure that the use does not result in excessive cooking odours outside the premises 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.

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

- Information for Planning Statement in Support of Applications for McDonalds Restaurants March 2011 v3 received 9 May 2011
- Proposed Location Plan Dwg. No.H7113-08 Rev.D received 18 August 2011
- Proposed Block Plan Dwg. No.H7113-15 Rev.B received 18 August 2011
- Proposed Site Layout Dwg. No.H7113-13 Rev.Q received 30 July 2012
- Proposed Internal Layout and Roof Layout Plan Dwg. No.H7113-22 received 25 July 2011
- Proposed Elevations Dwg. No.H7113-07 Rev.B received 8 December 2011
- Proposed COD DT Canopy received 4 May 2011
- Design and Access Statement version 7.2 received 4 May 2011
- Transport Assessment Vol.1 Part.1 received 4 May 2011
- Transport Assessment Vol.1 Part.2 received 4 May 2011 ref.14392
- Transport Assessment Vol.2 received 4 May 2011 ref.ADL/AJM/2256/05B
- Transport Assessment Vol.3 received 30 September 2011 ref.ADL/AJM/2256/30A
- Transport Assessment Vol.4 received 27 October 2011 ref.ADL/AJM/2256/27A
- Transport Assessment Vol.5 received 30 November 2011 ref.ADL/AJM/2256/30B
- Store Travel Plan rev. A for McDonalds Restaurants received 31 July 2012
- Drive Through Management Plan rev A received 31 July 2012
- Drawings and Photos received 4 May 2011
- Arboricultural Report ref. 623/11 received 11 July 2011
- Lighting Technical Report ref. 014-09-11 rdf received 28 September 2011
- Plant Technical Specifications received 25 July 2011
- Supplementary Sequential Test Report received 5 October 2011

Reason: - To ensure provision of a satisfactory development.

- 21 The use hereby permitted shall not commence until:
- (a) provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority; and
 - (b) A scheme of litter picking for nearby roads has been submitted to and approved in writing by the Local Planning Authority.
- All components of the agreed details and scheme shall thereafter remain in place and be retained for their intended purpose.
- 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.
- 22 Details of the means of access, including the layout, construction and sight lines, shall be submitted to and approved by the Local Planning Authority in writing before development commences. The agreed details shall be fully implemented before the use hereby approved is commenced and the building is occupied.
- Reason:** In the interests of highway safety and having due regard to policies DM16 and CS20 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 23 Details of measures to be taken to prevent spoil and mud from vehicles leaving the site during the construction works being deposited on the public highway shall be submitted to and approved by the Local Planning Authority in writing and fully implemented before the development commences. Such measures shall be retained for the duration of the construction period.
- Reason:** In the interests of highway safety and having due regard to policies DM16 and CS20 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 24 Details of provision to be made for the parking and turning on site of operatives' and construction vehicles during the contract period shall be submitted to and approved by the Local Planning Authority in writing and fully implemented before development commences. Such measures shall be retained for the duration of the construction period.
- Reason:** In the interests of highway safety and having due regard to policies DM16 and CS20 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and The National Planning Policy Framework, March 2012.
- 25 Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order) the existing access to the site From Larchwood Avenue shall be stopped up and abandoned and footway and verge crossing shall be reinstated to the requirements of the Local Planning Authority, immediately after completion of the new access and prior to occupation of the building and commencement of the use.
- Reason:** In the interests of highway safety and having due regard to policies DM16 and CS20 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and The National Planning Policy Framework, March 2012.

- 26 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the finished levels (above ordnance datum) of both the ground floors of the proposed buildings and the surrounding ground levels in relation to existing ground levels have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the appearance of the development is satisfactory 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, March 2012.

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.

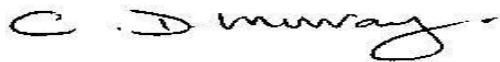
Havant Borough Core Strategy 2011

CS14	Efficient Use of Resources
CS16	High Quality Design
CS17	Concentration and Distribution of Development within the Urban Areas
CS2	Employment
CS20	Transport and Access Strategy
CS21	Developer Requirements
CS3	Skills and Employability
CS6	Regeneration of the Borough
CS8	Community Safety
DM10	Pollution
DM11	Planning for More Sustainable Travel
DM12	Mitigating the Impacts of Travel
DM14	Car and Cycle Parking on Development (excluding residential)
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, highway and transport considerations, design and effect on the character of the area, the effect on residential amenity, the effect on environment, employment and other issues. 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) A formal application for any new 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, SO23 9EH (Tel 01962 858688), or www.southernwater.co.uk.
- (5) Notwithstanding this Planning Permission, you are advised that consent will be required from Southern Water Services Ltd or HBC as Land Drainage Authority to build in the vicinity of a public sewer or culverted water course. If you are in any doubt or need information regarding the procedure for obtaining consent from Southern Water Services Ltd, you should seek further advice from the Development Control Manager, Southern Water Services Ltd (0845 2780845) or information regarding the culverted water course which transverses the site, Steve Mountain, Special Projects Engineer HBC (023 92446444).
- (6) This permission was granted subject to a planning obligation agreement made under Section 106 of the Town & Country Planning Act 1990 dated 11 October 2012 which requires a transport contribution figure of £75,210, a Framework Travel Plan, Framework Travel Plan Bond and a Management Plan and 7No. Silver Birch trees to be planted to the north east of the site including a management and establishment plan for the next five years.



Mr Chris Murray
Service Manager (Planning Development)

15 October 2012