
Site Address:	25 South Street, Emsworth, PO10 7EG		
Proposal:	Variation of Condition No. 3 of Planning Permission APP/14/01165 to amend opening hours to Monday, Tuesday, Wednesday, Thursday, Sunday 08:30-23:00 and Friday, Saturday to 08:30 - 00:00.		
Application No:	APP/15/01076	Expiry Date:	24/11/2015
Applicant:	Mr Ralls	Team:	Team 2
	Dearbois Ltd		
Agent:	Mr Critchley	Case Officer:	Daphney Haywood
	Martin Critchley, Architect		
Ward:	Emsworth		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application relates to a a detached, two-storey listed building with attic space above first floor level. It comprises two principal parts, the main frontage building and a rear attached 'barn', the latter is single storey but has a tall roof, to the south of the barn is a large and a much later (probably C20th) timber shed attached to the rear of the building and opening in to it.

The ground floor of the premises was previously a shop and has recently undergone renovation and conversion to A3 restaurant use, following planning permissions and Listed Building Consent granted in September 2013/14. The main access is via the existing shop-front facing South Street. The site is also accessed from the rear via the South Street public car park.

The site is part of Emsworth town centre and Conservation Area, which is characterised by a mixture of commercial units with residential accommodation at first floor level and other dwellings. Immediately to the south is a pub, separated by a narrow passageway with small enclosed yard to the rear and first floor rear windows to the residential space above. To the north is a terraced house which is notable for being of much later origin (mid C20th) than surrounding buildings; it also has an enclosed yard and outbuilding to the rear.

2 Planning History

APP/13/00454 Change of use from class A1 to class A3 r restaurant including; new glazed entrance door on front elevation, demolition of poor quality timber clad store at rear and construction of new kitchen and replacement store and new glazed screen to be installed into the existing rear brick gable wall.

Approved - Sept 2013

APP/13/00686 Listed Building Consent for alterations to internal walls, new entrance door on front elevation, demolition of poor quality timber clad stores at back and construction of new kitchen and replacement store, new glazed screen to be inserted into the existing rear brick gable wall and modifications of first floor accommodation to form 2No. bedrooms, en-suite and toilet facilities for the restaurant.

Approved - Sept 2013

APP/14/01165 Change of use from A1 to mixed use A3 and C1. External alterations including new chimney and flue terminal to rear. Demolition of rear store and replacement with single storey rear extension with first floor terrace with screen wall above. Approved subject to condition including:-

The premises the subject of this permission, if used for the purposes of cafe or restaurant (Class A3), shall not open to the public before 08.30 hours or remain so open after 23.00 hours on Mondays to Fridays and on Sundays or after 23.45 hours on Saturdays.

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 2012.

3 Proposal

Variation of Condition No. 3 of Planning Permission APP/14/01165 to amend opening hours to Monday, Tuesday, Wednesday, Thursday, Sunday 08:30-23:00 and Friday, Saturday to 08:30 - 00:00.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM10	(Pollution)
DM5	(Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Havant Borough Local Plan (Allocations) July 2014

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM21	(Shopfronts, Signs, Security Shutters and Advertisements)
AL3	(Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Emsworth

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group No adverse comments
Development Engineer - Highways The Highway Authority has no adverse comment to this application.

Economic Development - Retail and Town Centres- No objection

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: 25

Number of site notices: one

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

(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.

(iii) Impact upon residential amenity

The proposal involves a modest increase in opening hours which would only impact Friday and Saturday and allow for opening an extra 15 minutes until midnight. Whilst there are residential properties nearby including dwellings beyond the public car park in Bridgefoot Path, with rear boundaries approximately 15m away and rear to rear distance between buildings being well in excess of 30m, and bedroom windows to the Blulbell PH, given the limited increase in hours and the town centre location the proposal is not considered to have a significantly greater impact to the previously approved hours of opening.

8 Conclusion

The proposal is not considered to result in detriment and approval is recommended.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/01076

subject to the following 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 development hereby permitted shall be carried out in accordance with the following approved plans:

OS Location Plan

Reason: - To ensure provision of a satisfactory development.

- 3 The premises the subject of this permission, if used for the purposes of cafe or restaurant (Class A3), shall not open to the public before 08.30 hours or remain so open after 23.00 hours on Mondays to Thursdays and on Sundays or after 00.00 hours (midnight) on Fridays and Saturdays.

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 2012.