



Havant
BOROUGH COUNCIL

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Mr Carter
PLC Architects
Brankesmere House Queens Crescent
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For: Zionstone Ltd

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

Application Number: APP/15/00740

Site Address: 23-25 Market Parade, Havant, PO9 1PY

Proposal: Change of use from Class A1 (retail) to Class A5 (hot food takeaway) with associated extract duct to rear.

Further to your application received on 03 July 2015, which was valid from 07 July 2015, 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 Prior to the installation of any extraction or ventilation equipment in connection with the development hereby approved, full plans, specification and technical data for the extract/ ventilation equipment shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed the development shall be implemented and maintained in accordance with the approved detail.
Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance, in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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- 3 Noise resulting from the use of plant, machinery or equipment (including extraction system) shall not exceed a level of 0dB(A) to the existing background level (LOEAL) however, if there is a particular tonal quality, impulsiveness, to the plant/equipment, the level target must be at the NOEL when measured according to British Standard BS4142-2014.
Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to residential amenity and in accordance with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 The premises, the subject of this application, shall not open to the public before 08:00 hours or remain so open after 23:00 hours.
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.
- 5 Deliveries shall only be taken and/or dispatched from the site between the hours of 07:00am – 20:00pm Monday to Friday and 07:00am – 19:00pm Saturdays and not at all on Sundays and recognised Public Holidays.
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.
- 6 Prior to the change of use hereby permitted a clear statement explaining the method of waste management which will be used for the change of use shall be submitted to and approved in writing by the local planning authority. The waste management shall subsequently be carried out in accordance with the approved details.
Reason: To prevent contamination to land and smell nuisance in accordance with policies CS16 and DM10 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:
Design and Access Statement July 2015
Drawing No. 15-2100-102 Rev.P1
Drawing No. 15-2100-103 Rev.P1
Drawing No. 15-2100-101 Rev.P1
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.

(1) 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:

- Your application was acceptable as submitted and no further assistance was required.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

01 September 2015