



Havant
BOROUGH COUNCIL

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Dr M Gupta
127 New Brighton Road
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**The Town and Country Planning (Development Management Procedure) (England) Order
2010**
Grant of Planning Permission

Application Number: APP/15/00032

Site Address: 36-38 North Street, Emsworth, PO10 7DG

Proposal: Part single storey, part two storey rear extension; rear external stair with access to first floor terrace area; removal of chimneys; installation of air conditioning units and ventilation flue.

Further to your application received on 08 January 2015, which was valid from 26 January 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Elevations (Rev 23/01/2014 and 18/03/14)
Proposed Floor Plans (Rev 18/03/14)
Proposed Roof and Block Plans (Rev 18/03/14)

Reason: - To ensure provision of a satisfactory development.
- 3 The external materials to be used shall match in type, colour and texture those on the existing building.
Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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- 4 Equipment shall be installed to suppress and disperse fumes and/or smell produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the A3 use of the premises continues. Details of the equipment shall be submitted to, and approved by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use of the development hereby approved.
Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties. 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 2012.
- 5 The extraction equipment installed in pursuance to Condition 4 shall be regularly maintained to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority and shall not be resumed until the system has been restored to full working order. Documentary evidence including receipts, invoices and copies of any service contracts in connection with the use and maintenance of the extraction equipment, shall be kept and made available for inspection at the premises by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.
Reason: To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected. 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 2012.
- 6 A scheme shall be agreed in writing with the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the extraction system. The agreed measures shall be put in place, before use of the development hereby permitted commences.
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 2012.
- 7 If, during development, soil or groundwater that appears to be impacted by contamination is found to be present, no further development shall be undertaken until an appropriate assessment has been undertaken, and a report has been submitted to and approved by the Local Planning Authority that details how that contamination is to be dealt with. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to.
Reason: To safeguard the amenities of the users of the development and having due regard to policies CS16 and DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Havant Borough Local Plan (Allocations) (2014). There is a low risk of the presence of Contamination at the site that could pose a risk to future site occupiers, resulting from historic uses of land or buildings. If no contamination is uncovered during ground works, a statement as such from the principal contractor or applicant would be sufficient to discharge this condition upon completion of all below ground works (installation of foundations, hardstanding and services), a neither a specialist report, nor empirical sampling data would be necessary to confirm a lack of risk.
- 8 Notwithstanding the requirements of Condition 3, the northern side wall of the rear enclosed first floor terraced area shall at all times comprise of solid panels, with no translucent elements and a matt finish of a colour to be agreed in advance in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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.
- (4) 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:
 - You were updated about issues after the initial site visit and were allowed the opportunity to submit amended drawings for consideration.
- (5) You must avoid causing disturbance to any species that may be present on site in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. If any protected species are identified during the inspection, you should refer to Natural England's Protected Species Standing and seek the advice of a qualified ecologist in how to proceed.
- (6) No works or ancillary operations associated with the construction of the development which is audible at the site boundary shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 8.00am to 6.00pm; Saturday 8:00am to 1.00pm.
- (7) During the site demolition, clearance and construction phase of the development hereby permitted no bonfires shall be allowed on the site. Furthermore best practicable means shall be used to prevent dust emissions from demolition, clearance and construction works for example by the use of water to suppress dust where required.



Julia Potter
Executive Head - Economy and Planning

10 April 2015

