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BOROUGH COUNCIL

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For: Mr Simmons

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

Application Number: APP/13/00982

Site Address: 3 Elm Grove, Hayling Island, PO11 9EA

Proposal: Erection of new building and lych gate following demolition of timber building and garages, and change of use from printers to MOT Test Centre. (Revised Application).

Further to your application received on 01 October 2013, 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 audio or sound producing equipment shall be used, which when operated is audible outside the premises, without the prior consent of the Local Planning Authority in writing.
Reason: To protect the amenities of the area 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.
- 3 The building shall be used only for MOT tests and associated minor maintenance and not at anytime for any other use including mechanical or body work repairs nor uses involving panel beating nor the use of any angle grinder, nor shall it be used as a tyre changing or exhaust repair or replacement premises.
Reason: To protect the amenities of the area 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.

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- 4 The front gates on the western boundary shall remain closed at all times other than when vehicles are entering or leaving the site, and at those times shall open inwards only.
Reason: To protect the amenities of the area 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 premises hereby permitted shall only operate and be open to the public between 08:00 - 18:00 hours on Monday to Friday and 08:00 - 15:00 hours on Saturdays and not at all on Sundays or recognised bank holidays.
Reason: To protect the amenities of nearby residential properties 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 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 CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 7 Before the use of the premises as an MOT test centre is commenced, the acoustic lych gate and acoustic boundary fencing, as shown in the untitled drawing showing the site survey and elevations with annotated details of the acoustic lych gate and fencing, shall be fully constructed and completed in accordance with detailed specifications which shall first be submitted to and approved in writing by the Local Planning Authority. The lych gate and fencing shall be permanently retained and maintained in good repair so that they provide effective noise attenuation.
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.
- 8 MOT tests and associated minor maintenance shall only take place with the lych gate closed.
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.
- 9 Prior to the commencement of the development hereby approved, details of all windows shall be submitted, including specifications as to any double and/or acoustic glazing and which windows are to be fixed and unopenable or openable. The development shall only be carried out in accordance with such plans as have first been approved in writing by the Local Planning Authority. The windows shall be permanently maintained with the type of glazing specified in those details and with unopenable windows remaining permanently unopenable.
Reason: Because details have not yet been submitted; 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.

- 10 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 and this condition shall apply notwithstanding any information contained in the current application. 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 to avoid the use of externally exposed blockwork and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 11 [The development shall not be brought into use until space for the parking and turning of vehicles has been provided within the site, surfaced and marked out in accordance with the approved plans. Such areas shall thereafter be 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 Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Drwg No. 1 (7/11/13) - existing site plan, proposed block plan, site survey, proposed elevations and floor plans, proposed section plan.

Drwg No. 617-1 - existing elevations and floor plans

Design and access statement - 30/9/13

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 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 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,
- (5) The applicant is advised that any new development of the site should not encroach onto Havant Borough Council (HBC) land and any Council land affected should be reinstated to satisfaction of the Estates Department. If temporary access to HBC land is required during construction then HBC's consent would be required prior to access being taken. Please contact the Council's Estate Department for further advice. The applicant is also advised that any cars parked on Council land for the purpose using of the MOT centre would be subject to the usual Council's Car Parking charges.



Mr Chris Murray
Service Manager (Planning Development)

26 November 2013