
Site Address:	51 North Street, Havant, PO9 1PP		
Proposal:	Installation of new shopfront and rear extract flue. (Revised application.)		
Application No:	APP/13/00791	Expiry Date:	04/10/2013
Applicant:	Mr Choudhury	Team:	Team 1
Agent:	Mr Hussain	Case Officer:	David Eaves
	Contrast Interiors		
Ward:	St Faiths		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site lies in the Conservation Area and within Havant Town Centre.
- 1.2 The building is a former Public House (The Perseverance) and has an attractive appearance with an important tiled frontage to part of the building.

2 Planning History

APP/13/00790

Display of 1No. illuminated fascia sign and 1No. set of non-illuminated letters.
(Revised application.) Current Application

APP/13/00535

Display of 1No. illuminated fascia sign and non illuminated lettering to side. Withdrawn

APP/13/00460

Installation of new shopfront and rear extract flue. Withdrawn

99/53239/005

Demolition of existing rear extension and erection of new single storey rear extensions including repositioning of external staircase Permitted July 99

3 Proposal

Installation of new shopfront and rear extract flue (Revised Application)

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
CS2	(Employment)
CS4	()
DM10	(Pollution)

DM5 (Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses)

Listed Building Grade: Not applicable.

Conservation Area: St Faiths

5 Statutory and Non Statutory Consultations

Conservation Officer

These are retrospective applications for the “retention” of the present signs and remodelled shopfront on the later element of the building. Having viewed on site I am satisfied the design is acceptable. No objection.

Environmental Health

Original Comments - Objection

Revised Comments:

I've highlighted my comments and / or condition wording, just to show that whilst the extraction system has already been installed and is operating, that retrospectively we want them to produce a bit of detail relating to the system specs especially relating to expected noise levels at various operating levels etc + that the equipment be regularly maintained and records / logs kept of services / maintenance visits etc.

There is very little detail concerning any proposed (or as in this case existing) extraction system, odour reduction or filtration, anti-vibration measures, noise reduction or predictions of noise impact.

Condition 1 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 use 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.

Condition 2 The extraction equipment installed in pursuance to Condition (No.1) above 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.

I would point out that the requirement to keep documentary evidence regarding maintenance of the extraction system in Condition 2 above, rather than merely adding it as a suggestion in a note, is included as a result of the outcome of Planning Appeal Ref: T/APP/X1735/A/99/1024801/P4 in respect of 341 Milton Road, Cowplain.

Condition 3 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 the development hereby permitted commences. We need to know what has been installed, manufacturers detail re expected noise levels at low / medium / full capacity operating levels etc.

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: 49

Number of site notices: Not applicable.

Statutory advertisement: 23/08/2013

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
- (ii) Impact on character and appearance of the Conservation Area
- (iii) Effect on Neighbouring Properties

(i) Principle of development

7.2 The site is located within St Faiths Conservation Area and in a Havant Town Centre Secondary Frontage.

7.3 Development must preserve or in enhance the Conservation Area (this is considered below). The use has changed from an A4 (drinking establishment) to A3 (restaurant and cafe), this change does not require planning permission. The application therefore relates to the physical works for the new 'shopfront' and extract flue on the rear flat roof. There is no objection in principle to such works within the town centre.

7.4 It is noted that the adjacent car park is allocated as a development site in saved policy HTC5 and an appropriate use for the site would be ground floor shopping and first floor offices. It is considered that subject to appropriate conditions the proposals would not be incompatible with such uses. The site is also shown as a wider mixed use allocation in the Havant Borough Draft Local Plan (Allocations) and again this would not preclude the proposed works.

(ii) Impact on character and appearance of the Conservation Area

7.4 The change to the shopfront and the installation of the flue have already taken place. The door within the newer part of the building has been altered otherwise the external

appearance of the front of the building remains unchanged. The extract flue is located at the rear of the building on a flat roof area. It is not readily visible from north street and is similar to other extracts in the area. The works are allowing a use within a previously closed Public House and the re-use of the building is considered to be a positive addition to the vitality of the town centre and should ensure the upkeep of the building. It is considered that the development meets the test of preserving or enhancing the Conservation Area and is supported by the Conservation Officer.

(iii) Effect on Neighbouring Properties

- 7.5 The site is adjacent to residential flats including a flat above the Restaurant (understood to be used in association with the Restaurant). The application has been discussed with the Environmental Health Officer and the limitations of the application (i.e. not covering a change of use considered). Notwithstanding the fact that the flue is in place and operating it is considered necessary to impose conditions to ensure that it will operate and be maintained in a manner that prevents potential noise and smell pollution to nearby residents. Subject to appropriate conditions the flue is considered acceptable.

8 Conclusion

- 8.1 In conclusion the development which has already taken place is considered acceptable in the Town Centre and Conservation Area and subject to appropriate conditions would have an acceptable impact on neighbours residential amenities.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00791 subject to the following conditions:

- 1 Within 1 month of the date of this decision notice, full details of measures used to suppress fumes and or smell produced by cooking and food preparation within the extract/flue system including the proposed maintenance regime shall be submitted to the Local Planning Authority. To ensure that proper maintenance of the equipment can be demonstrated 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 the Local Planning Authority.
The extract/flue system shall thereafter operate and be maintained in full accordance with the subsequently approved details.
Reason: To ensure that the flue/extract system hereby approved operates to appropriate standards in the interests of the residential amenities of nearby residents and having due regard to policies CS16, DM5 and DM10 together with the National Planning Policy Framework 2012.
- 2 Within one month of the date of this permission a scheme which specifies the provisions to be made for the control of noise emanating from the extraction system shall be submitted to the Local Planning Authority. The scheme shall include full details of the equipment installed and manufacturers details regarding expected noise levels at low/medium and full capacity operating levels. The subsequently approved scheme shall thereafter be fully

implemented and maintained in accordance with the approved details.

Reason: To ensure that the equipment has an acceptable impact on the amenities of nearby residents and having due regard to policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 together with the National Planning Policy Guidance.

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

Heritage Statement

Site Block Plan Drawing No. SE/51NS/002

Location Plan Drawing No. SE/51NS/001 Rev A

Existing Floor Plans Drawing No. SE/51NS/01 Rev A

Proposed Floor Plans Drawing No. SE/51NS/02 Rev D

Existing and Proposed Shopfront Drawing No. SE/51NS/04 Rev D

Proposed Side Elevation Drawing No. SE/51NS/07.1 Rev D

Reason: - To ensure provision of a satisfactory development.