



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

T 023 9247 4174
F 023 9248 0263
DX 50005 Havant

www.havant.gov.uk

Mr Olafsson
Martin Ralph Architects
11 Dragoon House
Hussar Court, Brambles Business Park
Portsmouth PO7 7SF

For: Mr Chamley
Grace Holdings limited

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

Application Number: APP/13/00454

Site Address: 25 South Street, Emsworth, PO10 7EG

Proposal: Change of use from Off Licence (use class A1) to Restaurant (use class A3) 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.

Further to your application received on 15 May 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 of the approval of the last of the reserved matters to be approved.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order or Use Classes Order, the use hereby permitted shall be restricted to a cafe or restaurant (Class A3) and there shall be no sale of takeaway hot food from the premises without the prior agreement in writing of the Local Planning Authority.
Reason: To enable the Local Planning Authority to consider the acceptability of alternative use and having due regard to policy DM10 of the HHavant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 Prior to occupation of the premises, details of the intended hours of operation for all days of the week and bank holidays should be provided and agreed in writing by the Local Planning Authority. Thereafter only such agreed hours of operation shall be adhered to at all times.
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.

Our Ref: APP/13/00454

- 4 Details, including acoustic performance and proposed acoustic attenuation, of all types of fixed plant, machinery and equipment associated with air moving plant, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and approved by the Local Planning Authority before installation.

N.B. All plant machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not, at any time, increase the background noise levels as measured according to British Standard 4142: 1997 at any adjoining or nearby residential property.

BS4142 Requirement

Noise resulting from the use of any/all plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-1997.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 5 Construction, demolition or clearance work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0900-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays. Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: To protect the occupants of nearby residential properties from noise disturbance and having due regard to Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 The equipment installed must include an odour neutraliser plant, which must, as long as the use continues, be operated in such a manner as will effectively suppress the emission of fumes or smell. Details of the equipment must be submitted to, and approved by, the Local Planning Authority and the equipment must be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of the use.

Reason: in the interests of the amenities of the locality and having due regard to policy 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:

Existing block and location plans - DN: 12A_050 001- Rev D
Existing floor plans - DN: 12A_050 003 - Rev C
Existing elevations - DN: 12A_050 004 - Rev D
Proposed floor plans - DN: 12A_050 005 - Rev E
Proposed elevations - DN: 12A_050 006 - Rev D - Sheet 1 of 2
Proposed elevations - DN: 12A_050 007 - Rev E - Sheet 2 of 2
Key Issues -DN: 12A_050 010 - Rev A
Key Issues -DN: 12A_050 011 - Rev A
Key Issues -DN: 12A_050 012 - Rev A
Design & Access statement (received 15/7/13)
Structural Statement - letter dated 12/7/13

Reason: - To ensure provision of a satisfactory development.

Other Important Information:

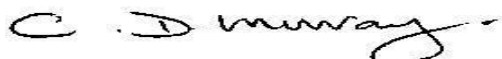
- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the 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 sought and were provided with pre-application advice,
 - You were updated about issues after the initial site visit.
- (5) The applicant should be aware that there is currently no existing right of way granted to the rear of 25 South Street. If the restaurant requires rear access (other than use of the emergency fire exit from the courtyard), then they would need to seek agreement with the Estates Department at Havant Borough Council.

The applicant is also advised that the new brick wall at the rear should follow the existing building line, not encroach onto Havant Borough Council land and any Council land affected should be reinstated to the satisfaction of the Council. If temporary access to Council land is required for the refurbishment (of the building including deliveries of materials) construction works to the wall then Council's would be required prior to access being taken. Again please contact the Estates Department for further information.

- (6) The applicant is advised that the business will need to register as a food business with Havant Borough Council's Environmental Health Team and it advised that they also contact them for advice on kitchen design.



Mr Chris Murray
Service Manager (Planning Development)
06 September 2013