



Havant
BOROUGH COUNCIL

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Mr Corderoy
PEP Projects Management
Top Floor Tring House
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For: Mr Sansbury

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

Application Number: APP/12/01052

Site Address: 32 Market Parade, Havant, PO9 1QF

Proposal: Change of use from A2 (Financial and Professional Services) to A5 (Hot Food Takeaway and delivery).

Further to your application received on 05 October 2012, 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:

Location Plan;
Site Plan;
02 (Proposed Floor Plan);
03 (Existing and Proposed Elevations);
05 (Proposed Ventilation Layout);
06 (Existing and Proposed Back Elevations).

Reason: - To ensure provision of a satisfactory development.

- 3 The premises shall be used only for the purposes of an A5 (Hot Food Takeaway and Delivery) use, and for no other purpose whatsoever including any other purpose within Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

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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 Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 4 The premises shall not open to the public before 1100 hours or remain so open after 2300 hours on Mondays to Saturdays and shall not open to the public before 1100 hours or remain so open after 2230 hours on Sundays and Bank Holidays.

Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

- 5 The use hereby permitted shall not commence until provision has been made for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 6 The use hereby permitted shall not commence until a specification of the provision to be made for the storage and disposal of refuse following the commencement of the use has been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the implementation of such provision for refuse has been completed in full accordance with such an approved specification.

Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 7 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. All plant machinery and equipment installed or operated in connection with the carrying out of the use hereby permitted shall so be enclosed and/or attenuated that noise does not, at any time, increase the background noise levels as measured according to British Standard BS4142:1997. 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 the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 8 No development hereby permitted shall commence until a detailed scheme for filtration and extraction of fumes generated (by cooking processes) at the premises has been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the implementation of such approved filtration and extraction scheme has been completed in full accordance with all detailed components of such scheme. At all times thereafter, all elements of that scheme shall be maintained in a wholly efficient and effective working order.

Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework.

- 9 Deliveries shall not be made to the premises before 0700 hours or after 2000 hours on Mondays to Fridays, or before 0700 hours or after 2000 hours on Saturdays, and not at all on Sundays and Bank Holidays.

Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework, March 2012.

Other Important Information:

In reaching its decision the Council has had regard to the relevant policies of the Havant Borough Local Plan And Other Planning Policy Documents including the National Planning Policy Framework 2012.

Havant Borough District Wide Local Plan 1996-2011

- TC1 (Hierarchy of Centres)
- TC7 (Changes of Use Secondary Frontage)

Havant Borough Core Strategy 2011

- CS16 High Quality Design
- CS4
- CS6 Regeneration of the Borough
- DM10 Pollution
- DM5 Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses

The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the effect on amenities of locality. Having taken into account the requirements of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and all other material considerations, the Council has determined that planning permission should be granted for the development.

- (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 Civic Offices or by telephoning 023 9244 6015.
- (4) To provide for the safety and security of the staff and customers the Crime Prevention Officer recommends: the installation of a Closed Circuit TeleVision (CCTV) system deployed to provide images from the area of the counter and the area in which motor scooters are stored, and that anchor points are fitted to enable motor scooters to be secured when not in use. For further information contact Stuart York (02392 891831).

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A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)

30 November 2012