



Havant
BOROUGH COUNCIL

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Mr Phillips
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Banbury Road
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For: Dominos Pizza

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

Application Number: APP/13/00341

Site Address: 12-13 North Street Arcade, Havant, PO9 1PX

Proposal: Variation to Condition 3 of Planning Permission 98/52768/001 to allow the premises to trade for delivery sales only until 0100 hours on Fridays and Saturdays, from the front of the premises, for an initial trial period of 12 months.

Further to your application received on 11 April 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 This permission shall be for a limited period expiring on 6 June 2014 on or before which date the extended delivery sales hours to 0100 on Fridays and Saturdays only, the subject of this permission, shall permanently cease unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: In the interests of the nearby residential amenity and to enable the Local Planning Authority to assess the impact of the extended opening hours and having due regard for policies CS16, DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 2 The premises shall only be open between the hours of 0900 and 2300 and cleaning up shall not take place after 2400 hours, except for Fridays and Saturdays when the premises shall be open, for delivery sales only, until 0100 hours the following day.
Reason: To protect the amenities of nearby residential properties and having due regard to policies DM5 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

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

Statement in support of the planning application - received on 11/4/13
Site Location Plan - DN - 05/100020449
Block Plan - 1/500 - P1

Reason: - To ensure provision of a satisfactory development.

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 Core Strategy 2011

CS16	High Quality Design
CS4	Town, District and Local Centres
DM10	Pollution
DM4	Static Holiday Caravan Development
DM5	Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses

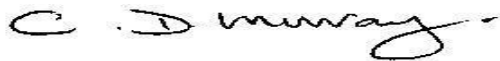
The Council considers, having regard to the objectives of these policies and The National Planning Policy Framework, March 2012, that the principle of the development is acceptable in this case, and also that the impact of the development is acceptable in terms of the effect on the vitality and viability of the town centre; the effect on residential amenity; and highway considerations. 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 Development Control Service at the Civic Offices or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) take a positive and proactive approach to development proposals focused on solutions. HBC work with applicants and agents in a positive and proactive manner 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:

- Your application was acceptable as submitted and no further assistance was required.
- (5) Following a consultation on the application, the Council's Environmental Health Officer has recommended that noises and emissions relating to delivery vehicles such as car stereos, 'slamming' of vehicle doors, use of car / bike horns should be kept to a minimum and that the Operational Plan as specified in the applications pack should be adhered to where possible in order to minimise the impact on nearby residential properties.
- (6) You are advised that this permission only relates to condition 3 of Planning Permission 98/52768/001 granted on 13 August 1998 which required the premises to only be open between the hours of 0900 and 2300 and clearing up to not take place after 2400 hours. Conditions 1, 2 and 4 imposed by planning permission 98/52768/001 are still valid and should be complied with at all times.



Mr Chris Murray
Service Manager (Planning Development)

06 June 2013