Havant BOROUGH COUNCIL

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Mr Murray
I J Murray Associates
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For: Mr Hossain

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

Application Number: APP/11/01520
Site Address: 129-131 Elm Grove, Hayling Island
Proposal: Change of use from A5 to Mixed A3/A5 to allow for seated restaurant area.

Further to your application received on 07 October 2011, which was valid from 28 October 2011, 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 former shop window shall at all times be retained and incorporate a window display maintained, with regular periodic changes, to the satisfaction of the Local Planning Authority.
Reason: In the interests of visual amenity and to ensure the continuity of the shopping facade and having due regard to policy CS16 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and Planning Policy Statement 6.

3 The installed extraction equipment shall be retained and 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.
Reason: To ensure that the use does not result in excessive cooking odours outside the premises 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.

4 No hot food for consumption off the premises shall be sold between the hours of 23.30 and 17.00 Monday to Saturday and between the hours 23.00 and 17.00 on Sundays and recognised Public Holidays.
Reason: In the interests of the area generally and nearby residential properties in particular and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

5 The premises shall not open to the public before 08.00 hours or remain so open after 23.30 hours on Monday to Saturday and before 0.800 hours and or remain so open after 23.00 hours on Sundays and recognised Public Holidays.
Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework.

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

Plans A101
Reason: - To ensure provision of a satisfactory development.

Other Important Information:

In reaching its decision the Council has had regard to policies of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework: and Planning Policy Statements/Guidance -

Havant Borough District Wide Local Plan 1996-2011
Havant Borough Core Strategy 2011

CS16	High Quality Design
DM10	Pollution
DM5	Control of Class A3, A4 and A5 Food, Drink and Entertainment Uses

National Policies

PPS 1	(Delivering Sustainable Development)
PPS 6	(Planning for Town Centres)

The Council considers, having regard to the objectives of these policies, 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 impact on neighbouring properties and the impact on the streetscene. 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.



Mr Chris Murray
Service Manager (Planning Development)

15 December 2011