Havant
BOROUGH COUNCIL

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To:
Mr Emmerson
Agora Management Ltd
12 Kings Court
Willie Snaith Road
Newmarket
Suffolk
CB8 7SG

For: Mr Lowe

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: APP/10/00221
Site Address: 3 Downley Road, Havant, PO9 2NJ
Proposal: Change of use from gas networks depot (Sui Generis) into a referrals veterinary clinic (D1). Construction of entrance lobby extension, new internal fit-out and associated alterations to various windows and door openings to suit. New external works layout including introduction of soft landscaping and 10No. kennels for staff dogs.

Further to your application received on 31 May 2010, which was valid from 08 June 2010, 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 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 external materials to be used shall match in type, colour and texture those on the existing building unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the area and having due regard to saved Policy D1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework and Planning Policy Statement 1.

3 The development of the 10No external kennels shall not commence until a scheme for insulating the kennels against internally generated noise has been submitted to and approved in writing by the Local Planning Authority. The kennels shall not be brought into use until the implementation of all works forming part of such approved noise insulation scheme has been completed in full accordance with all detailed components of such scheme.
Reason: To safeguard the amenities of other premises nearby and having due regard to saved policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

4 No development hereby permitted nor any related site clearance shall commence until plans and particulars specifying the provision to be made for a material storage compound within the site have been submitted to and approved in writing by the Local Planning Authority. The approved compound shall be available prior to the commencement of any building works and throughout the contract period and no materials shall be stored anywhere else on the site.
Reason: To ensure that the development does not harm the TPO trees within the site and having due regard to saved Policies D1, T9 and PC1 of the Havant Borough District Wide Local Plan 1996-201, which forms part of the Havant Borough Local Development Framework.

5 The premises shall be used only for a referral veterinary clinic and for no other purpose whatsoever including any other purpose in Class D1 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.
Reason: In the interests of the amenities of the area and to ensure that the use is compatible with surrounding uses and having due regard to saved Policies D1 and T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, Planning Policy Statement 1 and Planning Policy Guidance 13.

6 The use hereby permitted shall not open to the public except between the following hours:
08:30 hours to 17:30 hours on Monday to Friday.
Reason: To accord with the terms of the application and to protect the amenities of the surrounding locality and having due regard to saved Policy PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

7 The development shall not be brought into use until 35 spaces for the parking of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of highway safety and having due regard to saved Policy T9 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework, and Planning Policy Guidance 13.

8 The use hereby permitted shall not commence until provision has been made for the disposal of refuse resulting from the use in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes.
Reason: In the interests of the amenity of occupiers of nearby properties and having due regard to saved Policies D1, L6 and PC1 of the Havant Borough District Wide Local Plan 1996-2011 which forms part of the Havant Borough Local Development Framework, and Planning Policy Statement 23.

9 Prior to the construction of the 10No external kennels a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved Tree Protection Plan.
Reason: To avoid damage to health of the existing trees and having due regard to saved policies D1 and L6 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Framework.

Other Important Information:

In reaching its decision the Council has had regard to the saved policies of the Havant Borough District Wide Local Plan 1996-2011, forming part of the Havant Borough Local Development Framework:-

Havant Borough District Wide Local Plan 1996-2011

D1	(High Quality Design)
EMP7	(Conversion and Change of Use)
L6	(Conservation and Protection of Existing Natural Features)
PC1	(Control of Potentially Polluting Uses)
T9	(Provision of Vehicle Parking and Turning Facilities)
UA1	(Concentration of Development within the Urban Areas)

National Policies

PPG13	(Transport)
PPS 1	(Delivering Sustainable Development)
PPS 4	(Planning for Sustainable Economic Growth)
PPS23	(Planning and Pollution Control)

The Council considers, having regard to the objectives of these policies and proposals, 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 residential amenity, the effect on character and appearance of the area, highway implications, adequacy of parking and the effect on surrounding trees. 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) You are advised that there are gas pipes within the site. Please find attached Southern Gas Networks consultation response and an extract plan from their main records. If you are in any doubt or should you seek further advice please contact Southern Gas Networks (0141 418 4093).

for

Mrs J A Batchelor
Head of Development & Technical Services

27 August 2010