

To:
Mr F Miah
58a Hazleton Way
Waterlooville
Hants
PO8 9BT

**The Town and Country Planning (Development Management Procedure) (England) Order
2010
Discharge of Conditions Application**

Application Number: 10/73832/001

Site Address: 5-6 Fernwood House, 45-47 London Road, Cowplain, Waterlooville

Proposal: Discharge of Condition No/s 2, 3 and 7 of Planning Permission 09/73832/000.

This decision relates to your application received on 18 March 2010 which was valid from 18 March 2010, and in particular the plans and other documents submitted with your application.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission 09/73832/000.

The conditions in respect of which information has been submitted are:

- 2 Prior to occupation of the premises, details of the opening hours must be submitted to and approved in writing by the Local Planning Authority. The approved hours of use must be fully adhered to at all times.
Reason: Due to the uses proposed and to protect the amenities of the area and having due regard to Policy PC1 of the Havant Borough District Wide Local Plan 1996-2011, and Planning Policy Guidance 23.
- 3 No development shall commence on site until details of noise making equipment (i.e. refrigeration units, air conditioning, extract ventilation equipment) and its installation and smell suppression equipment (i.e. extract ventilation equipment) shall have been submitted to and agreed in writing by the Planning Authority. The approved details shall be undertaken and fully adhered to at all times.
Reason: To protect the occupants of nearby residential properties from noise, vibration and/or odour nuisance and having due regard to Policies D1, TC9 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.
- 7 No development hereby permitted shall commence until a specification of the provision to be made for the storage and disposal of refuse and waste 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 and waste has been completed in full accordance with such an approved specification.

Reason: To safeguard the amenities of the locality and having due regard to Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011.

Details Submitted:

- Sketch detail drawing - JHB.
- Letter dated 28th February 2010 from JHB ventilation detailing opening hours (10am - 12.30pm Mon-Sat and 10.am - 10.30pm Sunday), noise management, equipment including air movement and extraction and odour filtration, also waste disposal and storage arrangements
- Specifications for Daikin Air Conditioner and AAC Eurovent Activated Carbon filters.

Reason:

The submitted details are considered acceptable, mindful of impacts on the amenities of the area and avoidance of pollution, in accordance with policies DM10 and CS16 of the Havant Borough Core Strategy 2011.

Informative: It is advised that all equipment must be properly maintained and operated in accordance with manufacturer's recommendations and that operations should not exceed the limitations set out in the letter dated 28th February 2010 from JHB ventilation.

- (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/pes.
- (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.



Julia Potter
Executive Head of Planning and Built
Environment

03 August 2011