Havant
BOROUGH COUNCIL

Civic Offices
Havant
Hampshire PO9 2AX

Tel (023)9247 4174
Fax(023)9244 6588
DX50005 Havant
www.havant.gov.uk

To:
Mr P Nicholson
Paul Nicholson Design Ltd
8 Dolphin Crescent
Gosport
Hants
PO12 2HE

For: Mr M Wahid

THE TOWN AND COUNTRY PLANNING ACT 1990
Grant of Planning Permission

Application Number: APP/10/00080
Site Address: 9-11 Southwood Road, Hayling Island, PO11 9PS
Proposal: Change of use from a vacant A1 shop to a restaurant attached to the existing takeaway at No. 13, including alterations to the shop front.

Further to your application received on 22 April 2010, which was valid from 29 April 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.
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 premises hereby permitted shall not open to the public before 12.00 noon or remain so open after 23.00 hours on any day.
Reason: To protect the amenities of nearby residential properties 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 Guidance 23.

4 The restaurant hereby permitted shall not be commenced until equipment is installed to suppress and disperse fumes or smells produced by cooking and the equipment shall be effectively operated for as long as the use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing and the approved equipment shall be installed prior to the use commencing. At all times thereafter the equipment shall be maintained in full working order.
Reason: To protect the amenities of occupiers in adjoining properties from undue fumes and smells 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 Guidance 23.

5 The extraction equipment installed in pursuance to Condition 4 above shall be 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 saved Policies D1 and PC1 of the Havant Borough District Wide Local Plan 1996-2011, which forms part of the Havant Borough Local Development Plan.

6 A scheme shall to agreed in writing with the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the extraction system to be installed pursuant to Condition 4 above. The agreed measures shall be put in place before the development hereby permitted commences and shall thereafter be retained.
Reason: To protect the amenities of occupiers of adjoining properties 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 Plan, and Planning Policy Guidance 24.

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

PC1	(Control of Potentially Polluting Uses)
T9	(Provision of Vehicle Parking and Turning Facilities)
TC1	(Hierarchy of Centres)
TC10	(Control of Class A3, A4 and A5 Food and Drink Uses - Local Centres and Other Areas)
TC14	(Shopfronts)
D1	(High Quality Design)

National Policies

PPG24	(Planning and Noise)
PPS 4	(Planning for Sustainable Economic Growth)
PPS23	(Planning and Pollution Control)

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 appropriateness of the design, the effect on neighbouring properties and adequacy of parking. 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.

Mrs C A Batchelor
Head of Development & Technical Services

24 June 2010

Our Ref: APP/10/00080