
Change of use
Notification of Decision: Approve with Conditions

Application Number: APP/26/00039

Site Address: 10 Sea Front, Hayling Island, PO11 9HL

Proposal: Application for change of use of the ground floor from existing dwellinghouse (Class C3) to Dutch Pancake food outlet (Class E) with associated external seating space

Further to your application received on 21 January 2026 which was valid from 4 February 2026, Havant Borough Council, as Local Planning Authority, **Approve with Conditions** 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	<p>The development must be begun not later than three years beginning with the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Location Plan uploaded 10 March 2026</p> <p>Block Plan uploaded 10 March 2026</p> <p>Proposed Ground and First Floor Plans 10/02 A</p> <p>Existing and Proposed Front Elevation 10/03 A</p> <p>Proposed Ground Floor Plan 10/04 A</p> <p>Email received 07 March 2026</p> <p>Reason: To ensure provision of a satisfactory development.</p>

3	<p>The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.</p> <p>Reason: In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>
4	<p>PRIOR TO FIRST USE</p> <p>The external customer seating area within the rear garden shall not be brought into use until a Noise Impact Assessment (NIA) including, if appropriate, measures to be taken to mitigate excess noise impact has been submitted to and approved in writing by the Local Planning Authority. The NIA should be prepared by a person with appropriate acoustic qualifications and should be with full regard to all relevant guidance including BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings, WHO guidance and IEMA Guidelines for Environmental Noise Impact Assessment, 2014. Any mitigation measures shall be implemented in full prior to the first use of the external seating area and shall thereafter be retained in situ.</p> <p>Reason: To protect the amenities of occupiers of nearby premises and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.</p>
5	<p>Prior to occupation of the first floor residential unit hereby permitted the sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 48 dB (DnT,w + Ctr). A test shall be undertaken by a suitably qualified acoustic consultant and submitted to the Local Planning Authority to demonstrate compliance with this level and the approved sound insulation shall be retained in situ thereafter.</p> <p>Reason: To ensure the residential amenity of the first floor residential unit hereby approved and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.</p>
6	<p>Notwithstanding the provisions of any Town and Country Planning (General Development) (England) Order 2015 (as amended), the Use Class shall be restricted to Class E(a), E(b), E(c), E(e), and E(g) (i & ii) of Schedule 2 Part A of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order and for no other purpose whatsoever.</p> <p>Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>

7	<p>The hours of operation for the approved ground floor commercial unit shall be restricted to 08:00 to 20:00 Monday to Sunday. Outside of these hours the premises shall be vacated and closed to the public.</p> <p>Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>
8	<p>The external customer seating area within the rear garden hereby approved shall contain a maximum of 12 covers unless otherwise agreed in writing with the Local Authority.</p> <p>Reason: To protect the amenities of occupiers of nearby premises and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.</p>
9	<p>No plant, machinery, or structures required for heating, cooling, ventilation or filtration purposes shall be installed at the premises until and unless details of the external appearance and acoustic performance of the same have been submitted to and approved in writing by the Local Planning Authority. Thereafter any plant, machinery, or structures approved shall be fully implemented in accordance with the approved details and shall be retained and maintained for their designated purpose.</p> <p>Reason: To safeguard the amenities of the locality and/or occupiers of neighbouring property and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.</p>
10	<p>Noise from plant, machinery or operations conducted on the premises shall not exceed NR20 dB Leq,5min as measured within any habitable room of the residential accommodation above or to either side of the premises between the hours of 07:00 to 23:00 and shall not exceed NR15 dB Leq,5min at any other time.</p> <p>Reason: To protect the amenities of occupiers of nearby premises and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.</p>

Informatives:

1	<p>In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:</p> <ul style="list-style-type: none">• 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, <p>In this instance:</p> <ul style="list-style-type: none">• You were updated about issues after the initial site visit.
2	<p><u>Grease Traps</u></p> <p>The applicant is advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents."</p>
3	<p><u>Protection of Public Sewers</u></p> <p>You are advised that consent may be required from Southern Water to build in the vicinity of a public sewer. If you are in any doubt or need further information about obtaining this consent, you should contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)</p> <p>Website: southernwater.co.uk</p> <p>or by email at: SouthernWaterPlanning@southernwater.co.uk</p>
4	<p><u>S106 Connections</u></p> <p>Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.</p> <p>To make an application visit Southern Water's Get Connected service:</p> <p>https://developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:</p> <p>https://www.southernwater.co.uk/developing-building/connection-charging-arrangements</p>

	<p>Please note that, where there are separate systems available, Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.</p>
5	<p><u>Asbestos</u></p> <p>Prior to any demolition, redevelopment or refurbishment works taking place an appropriate Asbestos Survey should be undertaken by an asbestos licensed/authorised company/person and any recommendations implemented. For pre-demolition assessment the asbestos survey is fully intrusive and will involve a destructive inspection, as necessary, to gain access to all areas. Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with; asbestos removal activities fall under the remit of the HSE.</p>
6	<p><u>Refurbishment works</u></p> <p>1. Permitted hours for building work.</p> <p>Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between</p> <p>the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.</p> <p>2. Notification to neighbours of demolition/ building works.</p> <p>At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to</p> <p>be undertaken. The name and contact details of a person responsible for the site works</p> <p>should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.</p>

Other Important Information:

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 6571.
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.co.uk
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 Plaza or by telephoning 023 9244 6015.

Paul Barton

Paul Barton

Interim Head of Planning

Havant Borough Council
23 April 2026

PLEASE NOTE THE FOLLOWING IMPORTANT INFORMATION TO BE READ ALONGSIDE YOUR NOTIFICATION OF DECISION

1: APPEAL INFORMATION

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision-for-householder-applications>; <https://www.gov.uk/appeal-planning-decision-for-full-applications>; <https://www.gov.uk/planning-inspectorate> for anything else.

- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2: BUILDING CONTROL

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on: 023 9244 6571

3: FURTHER INFORMATION FOR APPLICATIONS RELATING TO NEW VEHICULAR ACCESS/DROPPED KERBS

If your application includes a dropped kerb, please visit Hampshire County Council's guidance here: <https://www.hants.gov.uk/transport/parking/droppedkerbs>

This page provides essential information for residents, explaining that planning permission and dropped kerb consent are two separate requirements. While planning permission may be granted by the local planning authority, dropped kerb consent must still be obtained from Hampshire County Council, as they are responsible for managing access to the public highway.

It is particularly important to highlight that for applications involving classified roads (A, B, and C roads), applicants must provide evidence of planning permission as part of their dropped kerb application. This ensures that all necessary safety, traffic, and infrastructure considerations are properly addressed.

4: SOUTHERN GAS ADVISORY NOTE

In June 2021 SGN issued a comprehensive advisory note

There are a number of risks created by built over gas mains and services; these are:

Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.

Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.

Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone: 0800 912 1722 / Email: plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>

SGN personnel will contact you accordingly.