

DELEGATED OFFICER REPORT

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
LOCATION:	10 Sea Front, Hayling Island, PO11 9HL
REFERENCE NO:	APP/26/00039
APPLICANT:	Ms Monique Van Meurs
APPLICATION TYPE:	Change of use
CONSULTATION EXPIRY DATE:	31/03/2026
APPLICATION EXPIRY DATE:	01/04/2026
WARD:	Hayling East
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The application site is a mid-terrace two storey property located on the North side of Sea Front, in the Eastoke area of Hayling Island. The majority of the terrace comprises shop fronts at ground floor with residential properties above, however the application site was converted to residential use only under 98/63378/000. The frontage of the property is finished in stone effect cladding at ground floor with white horizontal cladding at first floor and is hard on to the pavement with no associated parking. Fenestration is in white uPVC and the roof is slate with solar panels to the front elevation. At the rear the property has previously been extended with a flat roofed addition at ground floor and a flat roofed addition at first floor behind the original hipped roof projection. The garden is approximately 47m long and narrows from approximately 5.6m immediately behind the property to 3.3m at the rear boundary with a mixture of boundary treatments and outbuildings
- 1.2 The site is within the Rails Lane Local Centre (designated under Policy CS4). Local centres play an important role in meeting day-to-day needs of local communities and the Rails Lane Centre is also close to Hayling Beach, serving a number of visitors to the area during the summer months. The area is mixed in character and includes a number of ground floor retail units with private dwellings above. The site is within Flood Zones 2 and 3.

2. Planning History

APP/19/01128. Placement of a modular ramp on public highway to enable access to property. PERMIT 01/05/2020.

APP/15/01421. First floor rear extension to form level access shower room. PERMIT 17/02/2016.

98/63378/000. Change of Use from shop and living accommodation to exclusively living accommodation. PERMIT 11/01/1999.

3. **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.

Officer Comment

The proposal originally included a paddleboard shop in addition to the dutch pancake food outlet, however this raised concerns regarding access to the proposed first floor flat and over-intensive use of the site. Following discussions with the applicant, the proposals were revised and the description was updated accordingly.

4. **Policy Considerations**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Management Plan 2024-2025
Havant Borough Council and Chichester District Council Joint SPD - Chichester Harbour Area of Outstanding Natural Beauty

Havant Borough Local Plan (Core Strategy) March 2011

CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS2	(Employment)
CS4	(Town, District and Local Centres)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL3	(Town, District and Local Centres)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: N/A
Conservation Area: N/A

5. **Statutory and Non Statutory Consultations**

Environmental Health (1)

Environmental Health (pollution) has no objection in principle to the above application, however there are concerns of potential noise transfer from the proposed ground floor commercial use to the first-floor residential dwellings.

Furthermore, the granting of use class E at ground floor introduces potential for future occupiers with capacity to generate significantly increased noise impacts, such as a gym or dance studio, etc.

The cover letter refers to 'normal extraction'. Should any external plant be installed, permission must be attained from the local planning authority.

With consideration to the above, conditions are recommended requiring enhanced sound insulation between the ground and first floors and to restrict specific categories of use class E.

Due to the age of the building, an asbestos survey should be carried out prior to any works and any identified asbestos containing materials removed by a suitably licensed contractor.

The following conditions are recommended.

Sound Insulation

The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 53 dB (DnT,w + Ctr). Before the residential unit is occupied, a test shall be undertaken by a suitably qualified acoustic consultant and submitted to the Local Planning Authority to demonstrate compliance with this level.

Reason: to protect the amenity of adjacent residents

Restricted use class E

The approved ground floor units may only be used for the following categories within use class E:

- E(a) Display or retail sale of goods, other than hot food
- E(b) Sale of food and drink for consumption (mostly) on the premises
- E(c) Provision of:
 - o E(c)(i) Financial services,
 - o E(c)(ii) Professional services (other than health or medical services), or
 - o E(c)(iii) Other appropriate services in a commercial, business or service locality
- E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E(g) Uses which can be carried out in a residential area without detriment to its amenity:
 - o E(g)(i) Offices to carry out any operational or administrative functions,
 - o E(g)(ii) Research and development of products or processes

Opening hours

The hours of operation for the approved ground floor commercial units 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.

Reason: In the interests of the amenities of occupiers of adjoining properties

External Plant

No external plant or equipment (including but not limited to air handling units, compressors, refrigeration units and extraction systems) shall be installed on the building or within the site without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of nearby properties.

The following categories are not permitted:

- E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- E(f) Creche, day nursery or day centre (not including a residential use)
- E(g)(iii) Industrial processes

Reason: to protect the amenity of adjacent residents

The following informative notes are recommended.

Asbestos

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.

Refurbishment works

1. Permitted hours for building work.

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 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.

2. Notification to neighbours of demolition/ building works.

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 be undertaken. The name and contact details of a person responsible for the site works 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.

Environmental Health (2)

There are concerns that the introduction of a customer seating area in the rear courtyard may result in adverse noise impacts to neighbouring residents, due to the proximity of dwellings and reverberations from customer noise.

I therefore recommend that in order for this section to make an informed comment the applicant should be requested to provide further information assessing the noise impact of the proposed external customer seating areas on existing residential accommodation. The report should include, if appropriate, measures to be taken to mitigate excess noise impact.

The report 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.

It is noted that details of the extraction hood have been submitted, however it remains unclear as to how the extraction shall terminate externally, with no information relating to noise or odour control provided.

Officer Comment

A number of conditions for controlling noise and odour are recommended in response to the comments above.

Southern Water

Development Site is not within Southern Water's Supply Area

The development site is not located within Southern Water's statutory area for water supply services. Please contact Portsmouth Water who are the relevant statutory undertaker.

Insufficient Information provided

Condition

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

Existing Southern Water Assets – General within boundary but no tree, buildings, assets within standoff distance (approximate)

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. To get in contact to confirm the exact position of the asset please visit;

https://www.southernwater.co.uk/media/ph4fk3pe/ds-location-of-rising-mains_pb.pdf.

For information on required stand-off distances from public sewers please refer to: <https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>

Existing Gravity Sewer - tree, buildings, assets within stand-off distance

The 100 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access. No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. All existing infrastructure should be protected during the course of construction works. Please refer to:

<https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf>

Condition

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Surface water discharge proposed to existing watercourse

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Hierarchy of Building Regulations H3 for disposal of surface water - not yet provided documentation proving compliance

If the applicant has not already provided documentation demonstrating compliance with the surface water hierarchy reflected in part H3 of the Building Regulations, as shown below, we will require this to be provided where surface water is being considered for discharge to our network. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:

<https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h>

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Condition

We request that should this application receive planning approval, the following condition is attached to the consent:

Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building

Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Fats Oils and Grease (FOG): Grease Traps

The applicant should be 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."

S106 Connection application

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

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.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

Website: southernwater.co.uk or by email at:

SouthernWaterPlanning@southernwater.co.uk

Officer Comment

It is noted that this is a change of use application with no proposed additional footprint or floorspace and that there is an existing water supply and drainage provision at the site. Informatives are therefore recommended in relation to grease traps and protection of public sewers as a number of the conditions suggested above would not be applicable to the site or nature of development.

Property Team

No comments received.

County Highways Team (1)

Thank you for consulting the Highway Authority on the above planning application. The Highway Authority wishes to make the following comments.

This application will oversee a change of use on the ground floor from class C3 to a class E to provide a Stand Up Paddleboarding hire/sales shop and a Dutch Mini Pancake outlet. The first floor is to be remodified to provide 1-bedroom living accommodation.

Whilst trip generation has not been provided within the Supporting Statement the Highway Authority do not anticipate that any increase in trip generation or traffic demand for a proposal of this scale in this instance will have a severe impact on the highway network. The nature of the development is not considered to generate significant additional trips or parking demand beyond existing trips to Hayling Seafront. Therefore, the Highway Authority are content that trip generation data is not necessary and subsequently do not raise any concerns with this proposal.

Recommendations

These proposals have been considered and in review are not anticipated to result in a significant impact to the safety or operation of the local highway network. Therefore, the Highway Authority have no objection to the proposals.

County Highways Team (2)

In regard to application APP/26/00039, following on from the previous HCC consultation response dated 17 February 2026, it is noted that updated plans have been submitted, inclusive of an 'Amended Block Plan with Outside Seating'.

This information has been reviewed, and it remains the case that there is **no objection** to the proposals from a highway perspective.

However, as indicated on the 'Amended Block Plan with Outside Seating', subsequent to any planning permission that may be issued by HBC, a further licence will need to be applied for and approved prior to the tables and chairs being placed upon the highway.

Details of this process can be found via the following web address:

<https://www.havant.gov.uk/node/8555/furniture-highway>

HBC Licensing Team

No comments received.

Councillor Mark Coates

No comments received.

Councillor Peter Oliver

No comments received.

Councillor Netty Shepherd

No comments received.

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 16

Number of site notices: 2

Statutory advertisement: N/A

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice		09/02/2026	02/03/2026	Is advertised in the public interest
Site Notice	Revised description.	11/03/2026	01/04/2026	Is advertised in the public interest

Number of representations received: 3

Comment	Officer Comment
<p>I grew up in this part of the island around 60 years ago and live here now and I've always been baffled by the decision to convert this shop unit into purely residential.</p> <p>The opportunity to revert to a complete parade of retail frontages should be grasped.</p>	<p>Comment is in support of the application.</p>
<p>(REDACTED), we do not object in principle but would ask for the following points to be considered and potentially addressed by condition should the council be of a mind to approve the application.</p> <p>None of the rear gardens of the shops in this row of buildings are used for commercial purposes (they generally are private residential use or storage.) Whilst the proposal does not indicate the use of the garden as a commercial space for customers to eat drink etc we are concerned that this could change in the future which would impact (REDACTED) both in terms of noise and odour. Could a condition be placed which excludes the use of the garden space for commercial purposes and retains is for residential use by the flat above? We have no</p>	<p>The use of the rear garden was queried and revised plans were subsequently provided indicating that the majority of the garden would be retained for residential use.</p> <p>Conditions are recommended to control noise, odour, and future uses in line with comments from Environmental Health.</p> <p>The former bathroom window is rear facing and under the current residential use could be replaced with clear glazing under Class A permitted development. Section 5.06 of the Havant Borough Council design Guide SPD (2011) also notes that, "Some overlooking of gardens from the upper floors of dwellings will be unavoidable in most urban and suburban housing layouts". Given the orientation of the window an</p>

<p>objection for the pavement area in front of the shop to be used for tables and chairs as do other properties in the street scene.</p> <p>The application states that the smells generated will be no more than a domestic kitchen. A domestic kitchen generally operates 3 times a day rather than continuously from 8am till 8pm as proposed, in addition the proposal is for continual pan frying without any form of commercial extraction which is likely to create smells and noise in excess of a domestic kitchen. Our concern is that once this is approved, the use of the kitchen could expand into a wider range of uses that could increase further the noise and smells emitted into the residential garden spaces to the rear of the property. Should the council be of a mind to approve the application, could a condition be placed that the kitchen is not to be used for any other frying or deep fat frying activities without a formal application for commercial extraction?</p> <p>(REDACTED) We note the rooms use is being changed to a kitchen, could it be conditioned that this window remains frosted and non-opening to 1.7m ?</p> <p>We note the applicant references to the proximity of the fish and chip shop and that as such noise and smells are already in the area and that their application will be no different. The reality is that noise is kept to the front street scene of the fish and chip property and smells are controlled by a well-maintained commercial extraction system. Due to this (REDACTED) rarely experience Fish or chip fat smells.</p>	<p>obscure glazing condition is not considered appropriate in this instance.</p>
<p>I would be concerned that the back garden would be, or eventually be used for customers to eat & drink & possibly disturb the neighbouring houses [Redacted]. Whilst the kitchen is to be used 8 am to 8pm is also a concern due to the smell. It is noticeable from the fish & chip shop daily so another smell of cooking would not be acceptable unless a commercial extractor were to be installed to reduce or prevent.</p>	<p>As above.</p>

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Material planning considerations are addressed in Section 7.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways and Parking
- (v) Flood Risk
- (vi) Biodiversity Net Gain (BNG)

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. The application site is also within the Rails Lane Local Centre and therefore Policy AL3 of the Havant Borough Local Plan (2014) and Policy CS4 of the Havant Borough Core Strategy (2011) relating to Town, District, and Local Centres apply. Policy CS4 seeks to retain and enhance local markets and support small independent businesses within designated centres.

(ii) Impact upon the character and appearance of the area

7.3 The proposals are to change the use of the ground floor and part of the external space from private residential dwelling (C3) to a Dutch Pancake food outlet under Class E.

7.4 Class E covers a variety of commercial, business, and service uses as follows:

Class E. Commercial, Business and Service

Use, or part use, for all or any of the following purposes-

(a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,

(b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,

(c) for the provision of the following kinds of services principally to visiting members of the public-

(i) financial services,

(ii) professional services (other than health or medical services), or

(iii) any other services which it is appropriate to provide in a commercial, business or service locality,

(d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,

(e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,

(f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,

(g) for-

(i) an office to carry out any operational or administrative functions,

(ii) the research and development of products or processes, or

(iii) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

- 7.5 The proposed Dutch Pancake food outlet would fall under Class E(b). It is recommended that permitted development rights to change the use of the unit to Class E(d) , E(f), or E(g)(iii) in Schedule 2, Part A of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 are removed, notwithstanding any provisions, unless agreed otherwise through the written consent of the Local Planning Authority. This is to protect the amenity of the local area and nearby residential properties.
- 7.6 The unit is located within a mixed-use commercial and residential area, where the commercial units are of a relatively small scale and at ground floor fronting Sea Front, Rails Lane, and Southwood Road. Following the removal of the paddle board shop element from the proposals, the proposed Class E use is generally considered to be an appropriate use in form and scale, in keeping with the character of the area and the local amenity.
- 7.7 The proposals would result in little change in the external appearance of the property. The existing entrance door would be marginally widened and would provide an independent access to the proposed first floor flat. An existing front facing window would be altered to form double bifold doors with a sidelight to the proposed Dutch Pancake food outlet. Given that ground floor shop fronts are prevalent within the terrace and other nearby properties the proposed alterations are considered to be acceptable.
- 7.8 The proposals include the use of external seating space for customers to the front and rear of the property. A certificate B has been completed and the Highway Authority and the Council's Licensing Team have been consulted regarding proposed seating to the front of the property and have raised no objections. A number of nearby cafes and shops within the Rails Lane Local Centre have similar external arrangements and the external seating is therefore considered to be acceptable, subject to licensing agreements.
- 7.9 The proposed use is considered to be appropriate within its context, meeting Policies CS16 and DM10 of the Havant Borough Core Strategy (2011).

(iii) Impact upon residential amenity

Existing residential amenity

- 7.8 There is a flat above Nos.6-8 Sea Front and another above No.12 Sea Front. The flat at Nos.6-8 has no windows facing towards the site and any views from rear windows are obscured by the existing first floor rear extension. The impact to this property is therefore considered to be limited and acceptable. The flat above No.12 has several first floor windows that overlook the rear garden immediately behind the host property and

clarification was therefore sought regarding use of the garden space. The applicant has provided updated plans showing the extent of proposed customer seating within the rear garden and has confirmed that a maximum of 12 covers are proposed within this space. The Council's Environmental Health team were reconsulted in light of this information and conditions are recommended to obtain further details of potential noise impact before the rear external seating is brought into use and to restrict the number of covers. It is also recommended that opening hours of the commercial unit are secured by condition. Properties to the rear would be at least 35m from the proposed external seating and any impact to these would therefore be negligible.

Proposed residential amenity

- 7.9 The proposals initially showed access to the proposed first floor flat through the Dutch Pancake foot outlet. Following removal of the proposed paddle board shop this was revised so that the proposed flat would have an independent access from the front of the property leading through to a bin area and garden space at the rear. Bins for the commercial unit would be within a separate area. The proposed residential accommodation is therefore considered to have appropriate amenity provision and a condition is recommended to ensure appropriate acoustic separation.
- 7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and, subject to appropriate conditions, would have a limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policies CS16 and DM10 of the Havant Borough Core Strategy (2011).

(iv) Highways and Parking

- 7.11 The existing unit has no parking provision and none is proposed. Hampshire Highways were consulted and have concluded that the proposals would not result in a material increase in trip generation and on-street parking beyond existing trips to Hayling Seafront, noting that the property was previously in residential use and that commercial uses are established within the area. There is a large public car park on the opposite side of Sea Front approximately 3 minutes walk from the site.

(v) Flood Risk

- 7.12 The application site is within the current and future Flood Zone 3. However, it is noted that no change in floor levels or drainage arrangements is proposed. Moreover, residential use is currently established at the site and the ground floor would be converted from a use classed as 'more vulnerable' to 'less vulnerable' as part of the proposals, with all overnight residential accommodation at first floor level. As such the proposal is considered satisfactory in meeting the requirements of Policy CS15.

(vi) Biodiversity Net Gain (BNG)

- 7.13 It is noted that this application meets the De Minimis exemption requirements relating to Biodiversity Net Gain.

8 Conclusions

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Interim Head of Planning be authorised to **GRANT PERMISSION** for application APP/26/00039 subject to the following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

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.

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

Location Plan uploaded 10 March 2026
Block Plan uploaded 10 March 2026
Proposed Ground and First Floor Plans 10/02 A
Existing and Proposed Front Elevation 10/03 A
Proposed Ground Floor Plan 10/04 A
Email received 07 March 2026

Reason: To ensure provision of a satisfactory development.

- 3 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

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.

PRIOR TO FIRST USE

- 4 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.

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.

- 5 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.

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.

- 6 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.

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.

- 7 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.

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.

- 8 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.

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.

- 9 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.

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.

- 10 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.

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.

Informatives:

- 1 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:

- 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,

In this instance:

- You were updated about issues after the initial site visit.

2 Grease Traps

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."

3 Protection of Public Sewers

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)

Website: southernwater.co.uk

or by email at: SouthernWaterPlanning@southernwater.co.uk

4 S106 Connections

Any new connections to the public sewerage system will require a Section 106 connection application to be submitted and approved by Southern Water Services.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

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.

5 Asbestos

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.

6 Refurbishment works

1. Permitted hours for building work.

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 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.

2. Notification to neighbours of demolition/ building works.

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 be undertaken. The name and contact details of a person responsible for the site works 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.