

Mr T Harding
T J Harding & Associates
12 Fennel Close
Farnborough
GU14 9XD

Case Officer: Lisa Gill
Direct Dial: 01730 234235
Our Ref: 58236
Your Ref:
Date: 21 May 2019
email: lisa.gill@easthants.gov.uk

Dear Mr Harding

Proposal: Change of use from A1 retail to D2 Leisure for Community Use (further information received 4/4/19 and 23/4/19)

Site Address: 6A Vicarage Hill, Alton, GU34 1HT

I am pleased to enclose the Notice of the Council's formal decision in relation to the above application. **Before proceeding please read the following important information which affects this Notice.**

All the conditions of the Notice are legally binding, failure to comply may invalidate the permission and result in the Council taking action against you. Please check the Notice to see if there are any conditions which require discharge/approval before works commence. Some conditions may require further details or samples to be submitted for approval. If this is the case a **fee of £116 is payable with the request for discharge/approval**. If you are unclear about the procedures, the fee required or how to pay, then please contact our Customer Service Centre 01730 234246. The fee can be paid by cheque made payable to EHDC or phone 01730 234246, in either case please quote the **planning no: 58236, site address and "fee payment for discharge of planning conditions"**.

Before the development or change in the use is started **please complete the tear-off section below** and return to Planning Compliance who will then check the details of the consent, **no fee required**. Failure to do so could result in difficulties or delays when the property is sold. Please also note that once work has commenced on site, developers should apply for addresses to the East Hampshire District Council street naming and numbering department.

Yours sincerely



Simon Jenkins Director of Regeneration and Place

No fee required with the return of this slip. Please return to: 58236
Planning Compliance Name: _____
East Hampshire District Council Address: _____
Penns Place, Petersfield _____
Hants GU31 4EX Email/Tel No: _____
I anticipate that the works/use will begin on _____
Signed: _____ Date: _____

For: Alton Town Council
c/o T J Harding & Associates
12 Fennel Close
Farnborough
GU14 9XD

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015

NOTICE OF PERMISSION: 58236

Proposal: Change of use from A1 retail to D2 Leisure for Community Use (further information received 4/4/19 and 23/4/19)

Site Address: 6A Vicarage Hill, Alton, GU34 1HT (Alton Parish)

The Planning Authority GRANTS Planning Permission in accordance with your application, plans and details submitted therewith, which was registered on 26 March, 2019, subject also to the following conditions:-

- 1 The development hereby permitted shall be begun **before the expiration of three years** from the date of this planning permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990
- 2 No kitchen ventilation/extraction system shall be installed on the site until full details of this equipment, including the required maintenance regime for the system, have been submitted to and agreed in writing by the Local Planning Authority. The details shall be prepared by a competent person for the purpose of assessing potential odour and noise nuisance to surrounding properties. The details should be drawn up with regard to "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" produced by Department of Environment Food and Rural Affairs. The equipment shall be installed, operated and maintained in accordance with the approved details and shall be retained thereafter.
Reason - To ensure that the amenity of the area is not detrimentally affected by the use of the site.

- 3 The premises shall not be used for the use hereby approved outside the hours of:
- 08.00 to 23.00 Monday to Saturday
 - 11.00 to 21.00 Sunday, Public or Bank holidays.
- Reason - To ensure that the amenities of the area are not detrimentally affected by the use of the site outside reasonable times.
- 4 The use of the building as a community facility shall only be operated in accordance with the uses set out in the Statement submitted by Alton Town Council and dated 22nd March 2019.
- Reason - To prevent commercial development and intensification of the site's D2 use, to the detriment of nearby residents.
- 5 The kitchen hereby approved shall only be used ancillary to the approved use of the premises as a community facility and is not to be used as a separate commercial use for the general public.
- Reason - The application seeks to provide a community use and not a separate restaurant or cafe which would require further consideration as to the impact on the amenity of the area and neighbouring occupiers.
- 6 The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:
- Application form
Planning Statement
Location plan
Block plan
Flood Risk Statement
Drg no. 1B - existing floor plans
Drg no. 2B - proposed floor plans
Letter from agent dated 23/04/2019
Letter from agent dated 04/04/2019
- Reason - To ensure provision of a satisfactory development

Any variation or departure from the approved plans will require the prior approval of the Planning Authority before works commence.



Simon Jenkins
Director of Regeneration and Place
Date: 21 May 2019

Supplementary Information

These are advice notes to the applicant and are not part of the planning conditions.

- 1 In accordance with paragraphs 38 and 39 of the NPPF East Hampshire District Council (EHDC) 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,
 - updating applicant/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
 - In this instance the applicant was updated of any issues after the initial site visit.

The applicant is advised that there may be a need to comply with the requirements of the Party Wall etc Act 1996 before starting works on site. The Act relates to work which involves:

- work on an existing wall shared with another property
- building on the boundary with a neighbouring property
- work involving excavating near a boundary

The Party Wall etc Act is not enforced or administered by the Council but you should understand your obligations to notify adjoining owners and be aware of the circumstances under which a dispute can arise. For further information on the Party Wall Act 1996 there is an explanatory booklet available at the Planning Portal: www.planningportal.gov.uk

The following Planning Policies were considered when making the above decision:-

East Hampshire District Local Plan: Joint Core Strategy

CP1 - Presumption in favour of sustainable development
CP2 - Spatial Strategy
CP8 - Town and village facilities and services
CP16 - Protection and provision of social infrastructure
CP27 - Pollution
CP29 - Design
CP30 - Historic Environment
CP31 - Transport

East Hampshire District Local Plan: Second Review

HE6 - Change of Use of a building in a conservation area
HE12 - Development affecting the setting of a Listed Building
S5 - Local and Village Shops

Alton Neighbourhood Plan

CH1 – Community Centre
DE2 – Building Design and Town Character
TR5 – Parking Provision and Standards
Vehicle Parking Standards SPD July 2018

Reference No: 58236

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Building Regulations

This decision is not an approval under the Building Regulations. It is your responsibility to make any necessary applications. If in doubt, you are advised to contact the Council's Building Control Section on 01730 234207.

NOTIFICATION
Planning permission/refusals

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.

1. If you want to appeal – For householder development and minor commercial you must appeal within 12 weeks of the date of this notice, for all other development you must appeal within six months of the date of this notice. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: **0303 444 5000**. 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 that excuse the delay in giving notice of appeal.
2. The Secretary of State need not consider an appeal if it seems 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.
3. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decisions on directions given by the Secretary of State.
4. As from 6 April 2010 if an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.

Purchase Notice

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonable beneficial use by the carrying out of any development which has been or would be permitted.

5. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. The applicant is recommended to retain this form with the title deed of the property.

Notes Specific to any Grant of Planning Permission

Any grant of permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act 1990 otherwise than under Sections 69-76 or which may be required under any other Acts including any Bylaws, Orders or Regulations made under such other Acts.

7. Applicants are reminded that any grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:- a) in the case of a footpath or bridleway, for an Authority under Section 257 of the Town and Country Planning Act 1990; b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990.
8. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade.
9. If this permission relates to buildings or premises to which the public are to be admitted or to offices, shops and railways premises or factories then your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970, Disabled Persons Act 1981, Building Regulations Part M and the Disability Discriminations Act 1995.

IMPORTANT - Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provision of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken. If you want to depart in any way from approved development, you must seek the agreement of the Council before carrying out any work.