Development Control
Application No F/13/73514
Your ref
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Mr Amrik Chahal
9 Woodside Avenue
Eastleigh
SO50 9ES

17 December 2013

**Town and Country Planning Act 1990**
**Town and Country Planning (Development Management Procedure) (England) Order 2010**

Application No. F/13/73514

In pursuance of their powers under the above Act and in accordance with your application received on 14 November 2013

the Council, as Local Planning Authority hereby PERMIT the following :

**Description:** Single storey rear extension to kitchen, new entrance porch at side, new extractor flue and provision of outdoor seating area (Amended Design)
**Site:** Badi Mirchi Indian Restaurant, 190 Leigh Road, Eastleigh, Hampshire, SO50 9DX

Subject to due compliance with the following conditions:

(1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 2013/01, 2013/02, 2013/03 rev A
Reason: For the avoidance of doubt and in the interests of proper planning.

(2) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(3) Details and samples of all external facing and roofing materials for the rear extension and new entrance porch must be submitted to and approved in writing by the Local Planning Authority before development commences. The development must then accord with these approved details Reason: To ensure that the external appearance of the development is satisfactory.

(4) Prior to the commencement of the development hereby approved, details of the proposed mechanical extraction and odour neutraliser plant must be submitted to and approved in writing by the Local Planning Authority. The equipment must be installed and in full working order within six months of the building works commencing and must, as long as the use continues, be operated in such a manner as will effectively suppress the emission of fumes or smells. Reason: In the interests of amenity.

(5) Prior to the installation of the front boundary fence hereby approved, details of its exact position and height shall be submitted to and agreed in writing by the Local Planning Authority. The fence shall then be installed in accordance with these agreed details and shall not be altered without the prior agreement of the Local Planning Authority. Reason: In the interests of highway safety and to allow for possible future highway improvements.

(6) The outdoor seating area hereby approved can only be used between 09:00 hours and 23:00 hours on any day and at no other time. Reason: In the interests of residential amenity.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, as listed below, and after due regard to all other relevant material considerations the local planning authority is of the opinion that permission should be granted.

The following development plan policies are relevant to this decision and the conditions attached to it:
Eastleigh Borough Local Plan Review 2001-2011, saved Policies [59.BE & 175.LB].

Under the Town and Country Planning [Fees for Applications and Deemed Applications] [Amendment] [ England] Regulation 2008, a fee is now required for Discharge of Condition Applications.
N.B. Conditions not fully discharged, invalidate the planning permission.

C L Thomas
Head of Development Control

N.B. See Enclosed Notes (PER)