

FERGUS SYKES
PEGASUS PLANNING GROUP LTD
FIRST FLOOR,
SOUTH WING,
EQUINOX NORTH,
GREAT PARK ROAD,
ALMONDSBURY
BRISTOL
BS32 4QL

Application	F/22/94393
Please ask for	Rachael Morris
Direct dial	023 8068 8463
Working hours	Mon to Fri 8:30am to 5pm
Email	rachael.morris@eastleigh.gov.uk

Wednesday 5 July 2023

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application No. F/22/94393

In pursuance of their powers under the above Act and in accordance with your application received on Friday 16 December 2022 the Council, as Local Planning Authority hereby **Permit** the following :

Description: Change of use from a betting shop (Sui Generis) to a hot food takeaway (Sui Generis); installation of ventilation/plant equipment and other external alterations.

Site: UNIT 2 TO 3, BOTLEY ROAD, FAIR OAK, EASTLEIGH, SO50 7AN

Subject to due compliance with the following conditions:

- 1 The development hereby permitted shall be implemented in accordance with the following plans numbered: 13071-AEW-PJ004923-00-DR-0001, 13071-AEW-PJ004923-XX-DR-0002, 13071-AEW-PJ004923-00-DR-0003, 13071-AEW-PJ004923-XX-DR-0004, 13071-AEW-PJ004923-XX-DR-0005 Rev A, and 13071-AEW-PJ004923-XX-DR-0006 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 The development hereby permitted shall not be open to customers and no deliveries shall be received or dispatched from the site except between the hours of 1100 and 2300.

Reason: To protect the amenity of the occupiers of nearby properties.

- 4 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from the premises, plant, machinery and equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from the premises, plant, machinery and equipment will be lower than the lowest existing background sound level by at least 10 dB(A) in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with the premises and machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 5 Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant and equipment, and extract, ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 6 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial parts of the premises from dwellings and noise sensitive premises. Details shall demonstrate that the sound insulation value $D_{nT,w} + C_{tr}$ [and $L'_{nT,w}$] is enhanced by at least 20 dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 7 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council of a professional kitchen systems design and the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the EMAQ+ publication "Control of odour and noise from commercial kitchen exhaust systems". Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 8 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of a suitable cleaning schedule and/or maintenance contract for the extract and odour control system. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 9 The use shall not commence until all external doors to the premises have been fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows be fixed in an open position.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 10 The submitted and approved Management Plan (ref MP/23) shall be accorded to in full for the duration of the use of these premises as a hot food takeaway unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect nearby residents from adverse noise impacts in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 11 Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Yours faithfully

A handwritten signature in black ink that reads "Andy Grandfield". The signature is written in a cursive, flowing style.

Andy Grandfield
Executive Head for Planning and Economy

N.B. See Attached Notes