

Planning and Rights of Way Panel 8th January 2019
Planning Application Report of the Service Lead - Infrastructure, Planning and Development

Application address: 14 The Broadway, Portswood Road			
Proposed development: Application for variation of conditions 4 (Hours of operation) and 10 (Internal drinks consumption/use of tables and chairs) of planning permission 18/01085/FUL to extend opening hours from 11:00-23:00 (Mon-Sun) to 07:00 - 23:00 Monday to Wednesday, 07:00 - 24:00 Thursday to Saturday, 09:00 - 23:00 Sunday/Public holidays and to form outside seating area.			
Application number:	18/01889/FUL	Application type:	FUL
Case officer:	John Fanning	Public speaking time:	5 minutes
Last date for determination:	11.12.2018	Ward:	Portswood
Reason for Panel Referral:	Request by Ward Member	Ward Councillors:	Cllr Mitchell Cllr Claisse Cllr Savage
Referred to Panel by:	Cllr Claisse	Reason:	Excessive late opening hours would lead to noise and disturbance for local occupiers. Outside seating would risk anti-social behaviour and block pavement.
Applicant: Mr Neil Davis c/o The Crafty Fox		Agent: Advoco Planning Limited	
Recommendation Summary		Conditionally approve	
Community Infrastructure Levy Liable		Not applicable	

Reason for Granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP7, SDP9, SDP10, SDP16, CLT15, REI4, REI5, REI7 and REI8 of the City of Southampton Local Plan Review (Amended 2015), CS3, CS19 and CS24 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and the relevant sections of the Parking Standards Supplementary Planning Document (2011).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History
3	Surrounding sites		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The site is located on the corner of Portswood Road and Westridge Road in the heart of Portswood District Centre. The site comprises a 2 storey building which fronts Portswood Road. The ground floor was formerly occupied (until late 2017) as a coffee shop.
- 1.2 The area surrounding the site compromises a mix of commercial and residential uses. More specifically, Portswood Road features a mix of two and three storey properties with a selection of different commercial uses at ground floor level, often with residential above. Westridge Road is residential in nature.

2. Proposal

- 2.1 Consent was recently granted on the site for the use of the premises as an A4 (drinking establishment) use. A number of conditions were imposed on this consent, including limiting the hours of use (11:00 – 23:00, Mon-Sun) and restricting against external seating. A more recent application sought a variation of the hours of use to allow earlier opening (07:00 - 23:00, Mon-Sun) which was considered by Panel and granted on 05.09.2018 (LPA ref: 18/01085/FUL)
- 2.2 The current application seeks a further variation of this consent to allow later opening hours:

Monday-Wed	07:00 - 23:00 – No change
Thur-Sat	07:00 - 00:00 – An additional hour
Sun and public holidays	09:00 - 23:00 – A reduction of 2 hours in the morning
- 2.3 The application also seeks variation of a condition which restricts outside seating, and the applicant proposes an alternate condition restricting the hours of use in line with a submitted plan and requiring external seating to cease at 21:00.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The National Planning Policy Framework (NPPF) was revised in July 2018. Paragraph 213 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with

the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.

4.2 The application is submitted to vary the conditions originally imposed on application 18/00035/FUL which granted consent for the use of the premises as a pub (Class A4) and other minor alterations to the building. The conditions of this consent have been previously varied as part of application 18/01085/FUL, allowing earlier opening hours. A separate application has been granted for the use of the first floor as a 3-bed flat (18/01317/FUL). At the time of writing there is also a pending advertisement application relating to the upper floor of the building (18/02102/ADV).

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (**26.10.2018**). At the time of writing the report **4 representations** have been received from surrounding residents, including a Panel referral by Ward Cllr Claisse. The following is a summary of the points raised:

5.2 *The surrounding area contains a mix of both commercial and residential at first floor and in the surrounding area. Later opening would exacerbate existing noise and activity associated with the commercial centre and the impacts on nearby residential occupiers.*

Response

The proposed variation would allow an additional 1 hour of opening, on Thurs-Sat, allowing the premises to trade until midnight. The district centre has an active mix of different uses with a variety of opening times. As outlined in **Appendix 3** the Council has allowed a number of premises with various degrees of midnight opening in the surrounding area, some restricted to certain days of the week and some with full time midnight opening, including applications considered by Panel and allowed at appeal following refusal.

On balance it is not considered that the additional opening hour would result in a material change in the level of activity above the existing and, therefore, this impact on the character of the area and amenity of local residents would not be so great as to be harmful.

5.3 *External seating would cause an obstruction of the public highway and increase potential noise impact.*

Response

It is noted that the public highway falls outside of the red line of the application site and remains within the power of the Local Authority to control in terms of licensing.

5.4 *Late night uses would be more appropriately located in the city centre, with the district centre being reserved for shopping and other local services.*

Response

Policy REI5 of the Local Plan encourages a mix of different uses in district centres, including Class A4 uses and other uses encouraging social activities.

5.5 *Potentially sets a precedent for other uses in the local area to extend opening hours.*

Response

Each case will need to be considered on its individual merits. It is noted that a number of premises within the existing district centre operate under historic consents without restrictions on opening hours under the Planning legislation or have already been granted similar hours.

Consultation Responses

5.6 **Ward Cllr Claisse** – The later opening hours would be excessive, leading to noise and disturbance. The external seating would allow drinking on street, block the pavement and risks anti-social behaviour.

5.7 **Highways** – No objection.

5.6 **Environmental Health** – No objection.

5.7 **Police** – No objection.

6.0 Planning Consideration Key Issues

6.1 The application proposes two main elements:

- Variation of condition 4 to extend hours of operation on Thurs-Sat
- Variation of condition 10 to allow restricted external seating

6.2 Hours of operation

6.2.1 The application results in an extension of the existing hours of use by 1 hour from 11PM to midnight on Thursday-Sat. The site falls within the defined district centre, on the corner of Westridge Road. The surrounding area is a mix of commercial frontages, with some residential at first floor level. The wider surrounding area is residential in nature. Policy CS3 actively promotes district centres as successful places and encourages community uses within these centres. The Council does not have a policy which stipulates specific opening hours within the district centre as it does with the city centre through the City Centre Action Plan.

6.2.2 The additional hours will increase the associated impacts of the development until midnight on the 3 days.

6.2.3 There are a wide range of different uses in the district centre, including a mix of retail premises and a number of later opening uses such as restaurants and pubs. Broadly, it is not considered that the limited additional impact of the additional hours on the specific days proposed will have a substantially harmful impact on the amenities of neighbouring occupiers. There is a balance to be struck in terms of the associated impacts of the commercial centre and the facilities and amenities on offer for local residents. The applicant has sought a number of variations to the originally submitted scheme and the Planning department considers that the proposed hours represent a suitable compromise between these interests and would likely not support further extension beyond midnight.

6.3 External seating

6.3.1 The applicant has proposed a variation of the condition to restrict the hours during which external seating is allowed. The existing condition reads as follows:

“Internal drinks consumption/use of tables and chairs

At no time shall drinks bought on the premises be taken outside for consumption and at no time shall tables and chairs be placed on the public highway associated with the permission hereby granted.

Reason: To protect the amenities of the occupiers of nearby residential properties, the appearance and accessibility of the area; and to prevent drinking alcohol on Portswood High Street.”

6.3.2 The applicant seeks to amend the condition to read as follows:

“Outside seating shall be restricted to the area shown in the approved licensing plan and shall cease at 2100 hrs daily, whereupon all tables and chairs shall be removed or otherwise made incapable of use.”

6.3.3 It is questionable whether the current planning condition is necessary because the pavement is public highway (not privately owned) and the placing of seats and tables on the public highway requires a separate licence over which the Council has full control. As such it may fail the tests required of conditions laid out in the National Planning Policy Framework.

6.3.4 As the area around the site falls outside of the red line of the application and serves as public highway a planning condition would not be enforceable. As stated, the land falls within the control of the Council who could choose to pursue enforcement action in relation to an unauthorised siting of tables and chairs through non-planning powers.

6.3.5 The management of public highway for the siting of tables and chairs associated with business premises is normally handled through a licensing process, overseen by the Council. Given the above, the planning department is of the opinion that the best solution going forward would not be to vary the condition but rather to remove the condition entirely, with management of external tables and chairs still falling within the remit of the Councils licensing process to manage.

7. Summary

7.1 The additional hours are considered to represent the maximum acceptable opening hours taking into account the particular context of the application site and its relationship with the district centre and surrounding properties. It is not considered that the external seating condition is necessary given the specifics of the application and as such is recommended to be removed.

8. Conclusion

8.1 It is recommended that planning permission be granted subject to the conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1(a)(b)(c)(d), 2(b)(d), 4(f)(vv), 6(a)(b)

JF for 08/01/19 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION - Full Permission Timing Condition - Change of use
The use hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990(as amended).

2. APPROVAL CONDITION - Approved Plans
The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. APPROVAL CONDITION - Control of Amplified Equipment [Performance Condition]
At no time shall sound amplifying equipment or acoustic instruments be used or installed which would generate noise audible from the boundary of the nearest residential property to the building to which the consent hereby granted relates unless otherwise agreed in writing with local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby residential properties.

4. APPROVAL CONDITION - Hours of Operation [Performance Condition]
The A4 'drinking establishment' to which this permission relates shall only operate in accordance with the following hours:

Monday-Wed	07:00 - 23:00
Thur-Sat	07:00 – 00:00
Sun and public holidays	09:00 – 23:00

Reason: To protect the amenities of the occupiers of nearby residential properties.

5. APPROVAL CONDITION - CCTV system [Pre-Occupation condition]
The CCTV equipment details outlined in 18/01804/DIS shall be maintained in working order and operated at all times when the premises is open. Recorded images shall be held for a 1 month period after being made on a daily basis for use by the Police as required.

Reason: In the interests of crime reduction and customer/staff safety.

6. APPROVAL CONDITION - Servicing [Pre-Occupation Condition]
The servicing of the site will be undertaken in accordance with the details laid out in 18/01804/DIS and shall continue as such hereafter.

Reason: To protect the amenities and privacy of occupiers of the adjoining properties, to protect the highway surface and in the interests of highways safety.

7. APPROVAL CONDITION - Glass Storage [Performance Condition]

Except for on bin collection day no storage of glass (for recycling purposes) shall take place outside of the building. Glass collection shall also not take place between the hours of 20:00 and 9:00.

Reason: To protect the amenities of occupiers of the adjoining property.

8. APPROVAL CONDITION - Ancillary Snack Foods [Performance Condition]

The development hereby approved shall only serve snack foods as an ancillary service to the drinking establishment. The food may be heated via a domestic scale oven only and all food must be for consumption on the premises. The food must not be prepared, cooked or fried on site and the kitchen must not be installed with any equipment requiring ventilation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbours and the wider environment.

9. APPROVAL CONDITION – Refuse management [Pre-Occupation Condition]

Refuse management for the premises shall be undertaken in accordance with the details outlined in 18/01804/DIS and continued as such hereafter.

Reason: To protect the amenity of the local area.

10. Internal drinks consumption/use of tables and chairs – DELETED

At no time shall drinks be bought on the premises be taken outside for consumption and at no time shall tables and chairs be placed on the public highway associated with the permission hereby granted.

Reason: To protect the amenities of the occupiers of nearby residential properties, the appearance and accessibility of the area; and to prevent drinking alcohol on Portswood High Street.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS3	Promoting Successful Places
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS24	Access to Jobs

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP16	Noise
SDP17	Lighting
CLT15	Night Time Uses in Town, District and Local Centres
REI4	Secondary Retail Frontages
REI5	District Centres
REI7	Food and Drink Uses (Classes A3, A4 and A5)
REI8	Shopfronts

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Planning Obligations (Adopted - September 2013)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2018)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

18/00035/FUL, Proposed change of use of the ground floor from coffee shop (A1 use) to drinking establishment (micro pub)(Class A4) and installation of 6 retractable awnings - submitted in conjunction with 18/00036/ADV
Conditionally Approved, 04.06.2018

18/00036/ADV, Installation of 1 x externally illuminated hanging sign, 5 non illuminated awnings and 7 non illuminated window vinyls - submitted in conjunction with 18/00035/FUL
Conditionally Approved, 27.04.2018

18/01085/FUL

Application for variation of condition 4 (Hours of Operation) of planning permission ref: 18/00035/FUL to extend opening hours to 07:00 - 23:00 on any day
Conditionally Approved 05.09.2018

18/01317/FUL, Conversion of first floor into a 3-bed flat
Conditionally Approved, 20.09.2018

18/01804/DIS

Application for approval of details reserved by conditions 5 (CCTV), 6 (Servicing) and 9 (Refuse Management) of planning permission 18/01085/FUL.
No objection 20.11.2018

18/02102/ADV, Installation of a 1 x non illuminated high level wall mounted sign to first floor side (north) facing elevation.
Pending

Surrounding sites

5-6 Portswood Centre

07/02055/VC

Variation of Condition 3 of planning permission (reference 04/00210/FUL) to vary opening hours from 09:00am and 23:30 (Monday to Saturday) and 09:00am and 23:00 (Sundays) to 9.00am to 00.00 midnight every day of the week.

Refused, Allowed at appeal

No customers shall be on the premises of the use hereby permitted outside of the following times: Sundays to Saturdays 09.00 hrs to 00.00 hrs.

170 Portswood Road

17/01414/FUL

Proposed change of use from shop (Class A1) to restaurant/takeaway (Class A3/A5) (with associated extraction flue)

04. Hours of Opening (Performance)

The use hereby permitted shall not be open to customers outside the following hours:

Monday to Saturday 08.00 to 00.00 hours

Sundays and Public Holidays 10.00 to 23.00 hours

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

110 Portswood Road

16/00110/FUL

Application for external alterations to facilitate installation of staircase to rear elevation, and to extend opening hours to 10:00-23:00 Sunday to Thursday and 10:00-00:00 Friday And Saturday

APPROVAL CONDITION - Hours of Use [Performance Condition]

The premises shall not operate outside of the following hours unless otherwise agreed by the Local Planning Authority:

Sunday to Thursday - 10:00 hours to 23:00 hours

Friday to Saturday - 10:00 hours to 00:00 hours

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

13/00976/FUL

Change of use from Class A1 (Hairdressers) to Class A3/A5 (Restaurant/Hot Food Takeaway) including alterations to the rear elevation and provision of kitchen extract flue. (Resubmission of 13/00629/FUL).

APPROVAL CONDITION - Hours of Use - food/drink establishments [Performance Condition]

The food and drink uses / drinking establishments hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Friday 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Saturday 11.00 hours to 00.00 hours (11.00am to 12.00 midnight)

Sunday and recognised public holidays 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

21 Portswood Road

15/02018/FUL

Change of use from A1 (shop) to A4 (drinking establishment) to establish a new Micropub

02. APPROVAL CONDITION - Hours of Use - food/drink establishments [Performance Condition]

The drinking establishment hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday 11.00 hours to 00.00 hours (11.00am to 12.00 midnight)

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

112 Portswood Road

15/01837/FUL

Change of use from B1 office to A3 restaurants and cafes.

APPROVAL CONDITION - Hours of Use - food/drink establishments [Performance Condition]

The food and drink uses / drinking establishments hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Friday 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Saturday 11.00 hours to 00.00 hours (11.00am to 12.00 midnight)

Sunday and recognised public holidays 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

14/01196/FUL

Internal alterations to facilitate change of use from retail (class A1) to restaurant/cafe (class A3) operating in association with existing restaurant at 110 Portswood Road

APPROVAL CONDITION - Hours of Use - food/drink establishments [Performance Condition]

The food and drink uses / drinking establishments hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Friday 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Saturday 11.00 hours to 00.00 hours (11.00am to 12.00 midnight)

Sunday and recognised public holidays 11.00 hours to 22.00 hours (11.00am to 10.00pm)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

253 Portswood Road

14/01981/FUL

Variation of Condition 4 of planning permission reference 13/01745/FUL to allow the restaurant/cafe premises to open between 0700 hours and midnight on any day.

APPROVAL CONDITION - Hours of business

The ground floor A3 unit hereby approved shall not be open for customers outside the following hours: 0700-0000 (midnight) Monday to Sunday and recognised public holidays.

Reason:

In the interests of protecting residential amenity

114-116 Portswood Road

14/01449/FUL

Change of use of existing shop (Class A1) to a Restaurant/Hot Food Takeaway (Class A3/A5) and Financial and Professional Services unit (Class A2) with associated works.

APPROVAL CONDITION - Hours of Use [Performance Condition]

The A1 and A3/A5 uses hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday and recognised public holidays 07.00 hours to 00.00 hours (7.00am to Midnight)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

14/00975/FUL

Change of use from class A1 retail to class A3 cafe with associated works.

APPROVAL CONDITION - Hours of Use [Performance Condition]

The A1 and A3/A5 uses hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday and recognised public holidays 07.00 hours to 00.00 hours (7.00am to Midnight)

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

Unit 7, Portswood Centre

14/01355/FUL

Permanent variation of Condition 02 (Hours of Operation 08.00am-00.00 midnight) of planning reference 09/01208/FUL to change opening hours to 08.00am to 01.00 Sunday-Thursday and 08.00am to 02.00am Friday-Saturday (home deliveries only after midnight)

APPROVAL CONDITION - Hours of Operation. [Performance Condition]

The premises to which this permission relates shall only be open to customers between the hours of 08.00am to 00.00 midnight every day of the week, unless otherwise agreed in writing by the Local Planning Authority.

The premises to which this permission relates shall be able to stay open for staff only to receive remote telephone/electronic orders and make deliveries between the hours of:

00.00 (midnight) and 01.00AM Sunday-Thursday

00.00 (midnight) and 02.00AM Friday-Saturday

At no time during this extended period should the premises be open to customers.

REASON

To protect the amenities of the occupiers of nearby residential properties.

09/01208/FUL

Change of use from class A1 (Shops) to class A5 (Take Away) and external shop front alterations.

APPROVAL CONDITION - Hours of Operation. [Performance Condition]

The premises to which this permission relates shall only be open for business between the hours of 08.00am to 00.00 midnight every day of the week, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of any doubt, no home deliveries shall occur outside these hours.

REASON

To protect the amenities of the occupiers of nearby residential properties.

29 - 31 Portswood Road

13/00796/FUL

Application for variation of Condition 3 of planning permission ref 08/01387/FUL and Condition 2 of planning permission ref 12/01189/FUL to extend opening hours to 11:00 - 00:00 Monday - Sunday.

APPROVAL CONDITION - Hours of Use - food/drink establishments [Performance Condition]

The business (food and drink uses / drinking establishments hereby permitted) shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday

11.00 hours to 00.00 hours

A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

96-100 Portswood Road

12/01712/FUL

Change of use of ground floor from retail (use class A1) to restaurant/cafe (use class A3) and hot food takeaway use (use class A5) with external extract flue.

APPROVAL CONDITION - Hours of Operation. [Performance Condition]

The premises to which this permission relates shall not be open for business outside the hours of 08.00 to 00.00 Monday to Sunday.

REASON

To protect the character and amenity of the area.

160 Portswood Road

12/00618/FUL

Change of use of ground floor from shop to ice cream parlour (use class A3/A5)

APPROVAL CONDITION - Hours of Use [Performance Condition]

The Ice Cream Parlour hereby permitted shall not operate (meaning that customers shall not be present on the premises, no preparation, sale or delivery of food or drink for consumption on or off the premises) outside the following hours:

Monday to Sunday and recognised public holidays 7am hours to Midnight hours

Unless otherwise agreed in writing by the Local Planning Authority. A notice to this effect shall be displayed at all times on the premises so as to be visible from the outside.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

211 Portswood Road

09/00362/FUL

Addition of ancillary A5 (takeaway) to existing A3 (restaurant) approved under permission 06/01216/FUL

APPROVAL CONDITION - Hours of Use

The premises shall not be open to the public outside the following times.

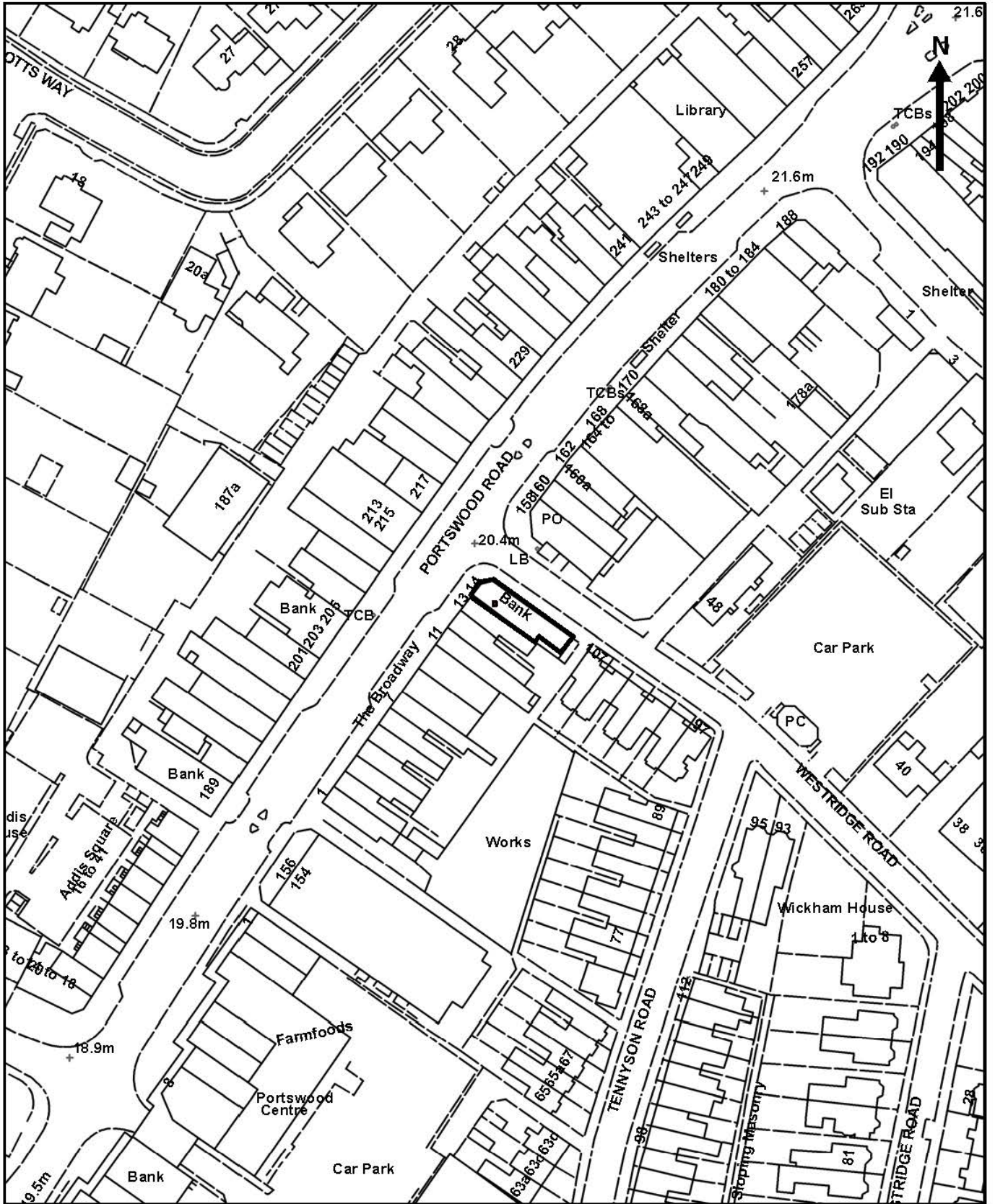
08.00 - 12 midnight on Mondays to Saturdays.

09.00 - 23.00 on Sundays and recognised Public Holidays

REASON

To protect the amenities of nearby residential properties

18/01889/FUL



Scale: 1:1,250

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