



R And R Design Studio
FAO Mr Simon Rolison
6 Kipling House
Newlands Avenue
Waterlooville
PO7 5FY
On behalf of: Mr Martin Barker

LOCATION:

18 Marmion Road Southsea PO5 2BA

DESCRIPTION OF DEVELOPMENT:

Change of use from purposes falling within Class A1 (Shops) to purposes falling within Class A4 (Drinking Establishments)

In pursuance of powers under the above mentioned Acts the City Council, as Local Planning Authority, **REFUSE** planning permission for the development indicated above in accordance with the application, drawing no's: 1065/1202 REV /; 1065/1202 REV /; 1065/1200 REV /; 1065/1200 REV /; and other particulars valid on 11 October 2018.


The reason for the Local Planning Authority's decision is:-

1) The proposed change to Class A4 (drinking establishment) use would, by reason of its close proximity to adjoining and nearby residential properties, proposed opening hours and absence of noise mitigation measures, have an unneighbourly impact on the adjoining occupiers in terms of unacceptable noise and disturbance at unsociable hours. The proposal would therefore be contrary to the aims and objectives of the National Planning Policy Framework and policy PCS23 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

Notwithstanding that the City Council seeks to work positively and pro-actively with the applicant through the application process in accordance with the National Planning Policy Framework it was not considered that the harm arising from the proposal could be overcome and the application has been refused for the reasons outlined above.

City Development - Development Management
Civic Offices
Guildhall Square
Portsmouth PO1 2AU
Telephone 


Assistant Director - City Development
6 December 2018

planning@portsmouthcc.gov.uk
Web: www.portsmouth.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- 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 which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State 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.

IT DOES NOT CONSTITUTE AN APPROVAL UNDER THE BUILDING REGULATIONS

You should also be advised that you may have obligations under the Party Wall Act 1996

THE APPLICANT IS RECOMMENDED TO KEEP THIS DOCUMENT WITH THE TITLE DEEDS OF THE PROPERTY