

## TABLED UPDATE FOR DEF ITEM 3

### 21/500204/FULL - Old House At Home, 158-162 High Street, Sheerness, Kent, ME12 1UQ

A revised 14-day consultation was issued in respect of the amendments to the design of the building.

The following consultee responses have been received:

1) **Kent Police** - No objection. Kent Police have provided a revised consultation response as follows:

*'We request a condition for this site to follow SBD Homes and Commercial guidance to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.*

*Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.*

*Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:*

*18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided. Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards. We recommend lighting on all entrance points and any side elevations used as an access route which would otherwise become a vulnerable area.*

*All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance doors to meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB. We recommend A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019 for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.*

*Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016*

*Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.*

*For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area to prevent theft. CCTV is advised for all communal entry points (both commercial and residential buildings) and the mail delivery area to monitor who enters/ exits the buildings. For the commercial buildings we also recommend alarms be installed, preferably with an autodial function, as an additional layer of security.*

*Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.*

*We request the applicant contacts our Licencing Team within Kent Police to discuss site specific requirements.'*

As much of what is proposed is outside of our remit, their comments will be added to any future consent as an informative.

**2) Kent County Council Highways Team** – No objection. Revised consultee comments received as follows:

*'I note the submission of revised documents. These do not alter my previous response recommending approval of this application. The condition regarding visibility splays should be amended to reference plan number 20.39.PL08C.'*

The wording of condition 10 has been amended in line with their request as follows:

*'Prior to the use of the site commencing, the visibility splays as shown on the submitted plan ref: 20.39.PL08C and 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access shall be implemented on site and maintained thereafter, with no obstructions over 0.6metres above carriageway level within the splays.*

*Reason: In the interest of highway safety.'*

**3) Kent County Council Flood and Water Management Team** - No further comments.

**4) Environment Agency** – No objection. Revised consultee comments as follows:

*'We have reviewed the submitted information and have no objection with the proposal provided the following condition is imposed on any permission granted.*

*Condition: All residential development shall be located at first floor level and above.*

*Reason: To ensure the safety of all residents at the site.*

*This proposed development site is located within Flood Zone 3, however existing defences protects the site from tidal flooding.'*

**5) Environmental Health Team** – No objection, subject to the following conditions:

1. The development hereby permitted shall not be commenced until the following components to deal with the risk associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority.

1) A preliminary risk assessment which has identified:

- all previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site

2) A site investigation, based on (1) to provide information for a details assessment of the risk to all receptors that may be affected, including those off site.

3) A Remediation Method Statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A closure report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post-remediation sampling and analysis, together with documentation certifying quantities and the source/destination of any material brought on to or taken away from the site. Any material brought on to the site shall be certified clean; Any changes to the components require the express consent of the Local Planning Authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of controlling and mitigating the risk of contamination.

2. Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in gardens and other relevant amenity areas will conform to the standard identified by the current version of BS 8233 2014, Sound Insulation and Noise Reduction for Buildings – shall be submitted to and approved in writing by the Local Planning Authority. The assessment should have regard to ProPG: Planning and Noise (2017) and the Acoustics Ventilation and Heating Guide (2020) to ensure that there is a good balance between acoustics, ventilation and thermal comfort for future occupants. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to the occupation of the premises and be retained thereafter.

Reason: In the interests of protecting residential amenity.

3. Prior to the first use of the development, a management plan covering the commercial element of the building shall be submitted for approval to the Local Planning Authority. The plan shall include but not be limited to examples such as hours of operation and delivery, the control of noise from plant and machinery and noise from internal and external activities. The

plan should include procedures for response to complaints from residents or the Local Authority. It should also include a review mechanism in response to justified complaints. Once approved, the plan shall be implemented to the satisfaction of the Local Planning Authority.

Reason: In the interests of protecting residential amenity.

4. The rating level of noise emitted from the proposed plant and equipment to be installed on the site (determined using the guidance of the current version of BS 4142 for rating and assessing industrial and commercial sound) shall not be greater than 5dB below the existing measured background noise level LA90, T, unless a site-specific target level is agreed in writing by the Environmental Protection Team. Once installed, the equipment shall be maintained in good condition hereafter in order to comply with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant, no new plant shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of protecting residential amenity.

5. The ceiling and floor that separate the residential and commercial unit shall resist the transmission of airborne sound, such that the weighted standardized difference (DnT, W, and Ctr) shall not be less than 53 decibels.

Reason: In the interests of protecting residential amenity.

Informative: The weighted standardized difference (DnT, W) a spectrum adaption term, Ctr, is quoted according to BS EN ISO 16283-1:2014+A1:2017 Acoustics – Field measure of sound insulation in buildings and of building elements – Airborne Sound Insulation.

6. Prior to the first use of the development, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the EMAQ publication 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2022'. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: In the interests of protecting residential amenity.

With regards to condition 6, the condition is considered to replicate existing condition 7 which reads as follows:

*'Details of any mechanical ventilation system to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development, and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.'*

Reason: In the interests of the residential amenities of the area.'

As a consequence, in order to avoid replication, condition 6 will be used to substitute condition 7.

The advice from the Environmental Health team also makes reference to making provision for electric vehicle charging points for both the commercial and residential units or, where these are not practicable, collecting a contribution towards installation at nearby locations.

However, it is considered that this point has already been addressed as electric vehicle charging points are already to be secured on the site via condition 14, which reads as follows:

*'One active and 5 passive Electric Vehicle charging points shall be provided at the site prior to the occupation of the development hereby permitted and they shall be retained permanently thereafter. All Electric Vehicle charging points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). (Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list> )*

*Reason: To ensure the provision and retention of electric vehicle charging facilities.*

6) **Natural England** – No objection, subject to the appropriate financial contribution being secured.

7) **Swale Borough Council Conservation Officer** – No objection.

*'Following the previous correspondence with the agent, he has responded positively to the concerns raised and, on balance, I am now able to support the scheme from a Conservation perspective.'*

A minor amendment has also been requested to condition 19 to ensure that details of the new fenestration to the building are also submitted. Amended wording as follows:

*'No development beyond the construction of foundations shall take place until details and/or samples of external finishing materials (including windows and doors) to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.'*

*Reason: In the interest of visual amenity.'*

**Other than noting the revised consultation comments above, the associated condition requests and the requested amendments to the existing conditions, no other consultation responses have been received. The officer recommendation for approval remains unchanged.**