

From: Amy Myer
Sent: 06 May 2020 19:46
To: Planning.Responses
Subject: A/52/20/PL - Enchanted Florist - EH COMMENTS

Hi
Please can you add the below comments to the case file online, mark as public, and label as 'EH comments -- dated 06/05/20'
Thanks
Amy

Based on the further information provided by the agent, in response to EH's initial queries, updated comments (dated 6/5/20) below from Environmental Health:

- No demolition/construction activities shall take place other than from 08.00 hours until 8.00 hours (Monday to Friday) and from 08.00 hours until 13.00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays. **Reason:** To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan 2011 - 2031
- The use hereby permitted shall only be open for trade and business between 11.00 hours and 22:00 hours on Monday to Sunday, to include Bank and Public Holidays. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- Prior to commencement of the use hereby permitted, details of a management plan detailing measures to deter smokers in connection with the proposed coffee shop/micropub use from causing nuisance to adjoining residential and commercial occupiers, to include details of receptacles and the procedures in place for collecting discarded cigarette ends. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan. *The management plan provided by the Agent is satisfactory.*
- ~~The smoking area shall not be available to patrons of the permitted use after 22.00 hours Monday – Sunday, to include Bank and Public Holidays. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan. No longer relevant as Agent has confirmed no smoking area provision.~~
- Deliveries and collections, to and from the premises, including recycling and refuse, shall be made only between the hours of 08.00 and 19.00 Monday to Saturday and 10:00 and 18:00 on Sundays and Bank and Public Holidays. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. The Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register, and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 – 2031

- ~~• Prior to the first use of the premises, details of any plant (including ventilation, refrigeration and air conditioning) and/or ducting system to be used and the method of control of noise and vibration of this plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, retained in perpetuity as agreed and the plant/equipment shall be permanently maintained in good order thereafter. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan. *No longer relevant as Agent has confirmed no plant/ventilation/heating/air conditioning/associated ducting.*~~
- Prominent, clear signage shall be displayed at all exists, requesting that customers leave the premises quietly. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- Open drinks will not be permitted outside. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 08.00 to 19.00 Monday to Friday, 08.00 to 18.00 Saturday or at any time on Sunday or Public and Bank Holidays. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- Only unobtrusive background music shall be played within the premises within opening hours. For this purpose the music noise level shall not exceed 75dB (LAeq15min) anywhere one metre from any speaker inside the premises. No live music shall be played or TV broadcast permitted at any time. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- There shall be no preparation/cooking/heating of hot or cold food on the premises. No hot or cold food shall be served to customers on the premises (other than pre-packaged bar snacks). **Reason:** To adhere to the micro-pub concept and to protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- No outdoor tables and chairs in connection with the proposed use hereby permitted shall be placed on the adjacent public highway at any time except in an application on that behalf.
- No fruit/gaming machines shall be installed on the premises at any time. **Reason:** To adhere to the micro-pub concept and to protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- Other than as required for normal access, doors and windows to the ground floor bar/seating area hereby approved shall be closed after 21.00 hours on days of trade/business. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan.
- The use hereby permitted shall not commence unless and until an insulation scheme for protecting the upper floor residential unit from noise has been submitted to and approved by the local planning authority. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors. Following approval and

implementation of the scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out as part of the approved scheme are effective and achieve the specified criteria. All works, which form part of the approved scheme, shall be completed before the use commences. **Reason:** To protect the amenity of local residents in accordance with Policy QE DM1 and D DM1 of the Arun Local Plan. *EH cannot comment at this stage but happy to further discuss as appropriate.*

- ~~Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a micro pub as described in the supporting material submitted with the application and for no other purpose within Use Class A4 of the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification, except by grant of a separate planning permission by the local planning authority.~~ *No longer relevant as use also permits coffee shop.*

Informative:

The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on **01903 737555**.

Thanks,

Kate.

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