



Mr Jagdip Bhathal
C/O G And C Designs
C/O Tim Grant
135 Rainham Road
Gillingham
ME7 5NQ

6 November 2023

PLANNING DECISION NOTICE

APPLICANT:	Mr Jagdip Bhathal
DEVELOPMENT TYPE:	N/A
APPLICATION REFERENCE:	23/504108/PNG
PROPOSAL:	Prior notification for the change of use from commercial, business and service (Use Class E) to mixed use to include 2 no. residential flats to first and second floors. For its prior approval to: contamination risks in relation to the building; flooding risks in relation to the building; impacts of noise from commercial premises on the intended occupiers of the development; the provision of adequate natural light in all habitable rooms of the dwellinghouses; arrangements required for the storage and management of domestic waste.
ADDRESS:	76 -78 High Street Sheerness Kent ME12 1NL

The Council hereby **GRANTS** Prior Approval for the above subject to the following Condition(s):

- (1) The use as flats (Use Class C3) shall not commence until the external alterations as permitted under planning permission 23/502747/FULL (Dated 5th September 2023) have been completed in accordance with the terms and conditions of that planning permission and the following relevant approved plans:

76-78HS003A Rev P4 Site Location and Block Plans
76-78HS001B Rev P5 Existing and Proposed Floor Plans
76-75HS002A P4 Existing and Proposed Elevations

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

The separately approved works shall be retained and maintained as such thereafter.

Reason: In the interests of residential amenity.

- (2) No commercial vehicles in connection with the ground floor commercial unit shall be loaded or unloaded on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 - 1800 hours, Saturdays 0800 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (3) Prior to first occupation of the development hereby approved details of a scheme of internal sound insulation measures to insulate the residential units from noise arising from the ground floor commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the occupation of any residential unit.

Reason: To protect the amenity of future occupiers.

Informative(s):

- (1) The site falls within a 6km distance of the Thames, Swale and Medway Estuary Special Protection Areas and Ramsar sites, which are European protected sites. Prior to the commencement of any development subject to this prior notification application, you are required to make an application to the local planning authority (LPA) in accordance with sections 75-78 of the Conservation of Habitats and Species Regulations 2017 in order for the LPA to ascertain whether the development is likely to adversely affect the integrity of a European Site.

You are advised that in accordance with the adopted Bird Wise North Kent Mitigation Strategy, a tariff payment for each new unit of residential accommodation will be required as part of the above process to mitigate the effects of increased recreational disturbance arising from new residential development. The current tariff is £314.05 per dwelling.



Emma Wiggins
Director of Regeneration & Neighbourhoods

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website
<https://www.swale.gov.uk/building-control>

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PRIOR APPROVAL OR GRANT OF PRIOR APPROVAL SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse prior approval for the proposed development, or grant it subject to conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990.

- If this is a decision to refuse prior approval for a **Larger Householder Extension** (PNEXT) application and you want to appeal the LPA's decision, or any of the conditions imposed then you must do so within **12 weeks** of the date of this notice.
- **In all other** cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, 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 or online at www.planningportal.gov.uk/pcs.

The SoS 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 SoS need not consider an appeal if it seems to the SoS that the LPA 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.