

Daphne Haywood
Planning Officer
Public Service Plaza
Civic Centre Way
Havant

Dear Daphne,

Our Response to the Response from the applicant to APP/13/00486

To tackle the points in reverse – it is true that most of our points concern building regulations – however these are presented as a result of the building design, be it good or bad, and there is no public forum to debate or oppose such things. As a result, we are still seeing far too many public buildings with poor designs, unusable accessible toilets, and poor wheelchair access because the building controls officer cannot or will not enforce the relevant parts of the legislation.

By pointing out poor design at the outset, which will lead to problems with building regulations consent, we aim to end up with a properly accessible building.

Taking the remaining points in order:

1. We are pleased to note the care taken with cardboard – and contrary to the point made, the shop in Lavender Road is a TESCO store, as have the two rebuilds of TESCO and One-Stop stores in Tempest Avenue. There was a freezer fire in a Co-Op store in North End which had a knock-on effect to cardboard storage resulting in the same end, however.
2. There is no such definition as 'DDA Compliant'. The only two definitions are BS8300:2009 or those defined by Building Regulations, Approved Document Part 'M'. The DDA no longer even exists.
3. We still await an answer on the accessibility between the parking area and the shop entrance. I cannot see any design for this on any of the diagrams on the current application. We note that the current car park is wholly unsuitable (having regrettably booked a Christmas Meal there when it was open as a Public House).



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4. With respect to the checkout area, there is potentially 1800mm between the front of the checkout area and the nearest row of fixtures (though our own measurement from the plans shows this as a close call), however, the minimal distances are contingent on there being a knee recess at least 500mm deep. I cannot recall EVER seeing a community store with such a facility at the checkout. The existence, or lack of, makes a considerable difference to the space requirement in section 3.6.d.

This also presumes that the space is not further encumbered by tapes designed to manage queues, further display shelves (for sweets, etc).

5. We note from the applicant's own drawings that numerous aisles are narrower than 1200mm using their own measurements. Section 3.14.b reads:

3.14 Corridors and passageways will satisfy Requirement M1 or M2 if:

- a. elements such as columns, radiators and fire hoses do not project into the corridor, or where this is unavoidable, a means of directing people around them, such as a visually contrasting guard rail, is provided;
- b. they have an unobstructed width (excluding any projections into the space) along their length of at least 1200mm.

Our interpretation of the above requirement does NOT include promotional displays, as these are most definitely AVOIDABLE, unlike fire-hoses or radiators.

General Comments

While the points raised in my letters refer to building control legislation and not planning legislation, it is the latter which requires that plans be submitted and approved, even if it is the former which provides the framework for their approval. It makes little sense, to someone unqualified such as myself, to approve a plan at the 'planning stage' which has the chance of being disallowed by building regulations.

Finally, it should be noted when considering 'current legislation' we are referring to the latest version of AD (M) which is the "2004 Edition incorporating 2010 and 2013 amendments".



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I note in the General notes section of the applicants response to our comments the following:

- One Stop stores are designed to fully comply with all current disability legislation (where possible within existing premises), including hearing and visual impairments, and **semi-ambulant**.

Our argument is that you are not able to pick and choose. This is a NEW store, albeit within an existing shell of an old building. It should be fully accessible without caveats as well as meeting the requirements of all other disabilities and protected characteristics. Semi-ambulant is not a definition used anywhere in the Equality Act if I recall...

- The checkout installation is a standard design and manufacture, which has been used extensively throughout the country, and no others questions over its suitability have been raised.

Just because nobody has complained before, doesn't make it right now. As pointed out, once passed by building controls, there IS NO FURTHER POINT OF APPEAL – disabled people are stuck with it, and required to 'take it up with head office' whatever that means (in other words, forget it).

The only solution is to take action under the Equality Act, but the average person will have little chance when faced with the huge armies of corporate lawyers employed by One Stop and their parent company.

In the 'good old days', then a Council such as Havant would have the 'Access Officer' comment on the plans, and in those days, said officer was in fact a building controls officer, thus would be listened to. Nowadays, the 'Access and Equalities Officer' is split between two authorities and forced to spend the majority of her time conducting impact assessments on new Council Policies, twice (once for each of Havant, then Petersfield).

We have no brief with One Stop, Co-Op, Tesco's or any other community stores. We simply want to ensure that the entire community is able to gain full access to them. All we ask is that the plans, as submitted and approved, are commensurate with approval under the appropriate Building Controls Regulations AND ensure the Council undertakes its duty of care to groups with protected characteristics under the Equalities Act (2010).

I look forward to further responses.

Yours sincerely,

A black rectangular box redacting the signature of Andrew J Bundy.

Andrew J Bundy
Secretary



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