



Delegated Report

Approval of Conditions Application

Application No:	20231229
Location:	Land To The Rear Of Bridge Bar And Club, 24 Stone Street, Gravesend, Kent, DA11 0NP
Description:	Application for the approval of conditions 6, 10, 14 and 16 attached to planning permission reference number 20211196 relating to details of (6) Sound insulation assessment, (10) External lighting, (14) Water supply demand and (16) Services and plant systems including roof top plant, lift overruns and ducting for ventilation systems.
Applicant:	Mr Lakh Kallar, Kallarview Construction Limited

Submitted Documents/Plans

- Application Form – dated 01 December 2023;
- Supplementary Information – Thorne Lighting ‘Katona wall light’ manual;
- Supplementary Information – Acoustic Details Technical Note by Lustre Consulting (dated 31 July 2023);
- Supplementary Information – Mains Water Supply Technical Note by Mendick Waring limited (dated 13 November 2023);
- Supplementary Information – External Lighting – Lux Calculation Technical Note by Mendick Waring limited (dated 16 November 2023);
- Supplementary Information – Car Park Minimum Lux Level – extract from British Standard Lighting Document;
- Supplementary Information – Preliminary Condenser Schedule by Mendick Waring limited (dated 22 August 2023);
- Supplementary Information – Plant Equipment Letter by PROUN Designers (dated 01 December 2023);
- Un-numbered Visual Drawing – Proposed Site Lighting Layout (dated 23 August 2023);
- Drawing no. 3465/C/02 – Proposed Lower Ground Floor Plan (condenser location drawing);
- Drawing no. 3465/C/07 – Proposed Fourth Floor Plan (condenser location drawing);
- Drawing no. 3582/P/12 – Proposed Site Layout Plan – External Plant Equipment.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211196	Application for a minor material amendment to planning permission reference no. 20191187 for Demolition of outbuildings, excavation of soil to form a lower ground and upper ground floor B1 use, unloading bay and refuse areas with construction floors 1 to 4 providing a total of 3no. one bedroom self-contained flats and 11no. two bedroom self-contained flats and associated external works to allow alterations to the main entrance from	PERMITTED	14.02.2022

	Rathmore Road to Athboy Road and amendments and substitution to approved plans.		
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Consultations, Publicity and Representations

GBC Environmental Protection (Regulatory Services) – Conditions (6) Sound insulation assessment, (10) External lighting and (16) Services and plant systems including roof top plant, lift overruns and ducting for ventilation systems are relevant to Environmental Protection.

Condition 6 - Sound insulation assessment: The report by Lustre Consulting has been reviewed. The methodology and findings are accepted. As a commercial unit is planned on the ground floor a scheme of sound insulation for the ceiling/floor partition of the flat above has been designed to be better than the Building Regulation (Approved Document E) requirement by 10dB. This is fine and the specification and details provided will ensure that an appropriately robust level of sound insulation is installed. The first part of the condition has been complied with.

However, the wording of the condition is such that confirmation/proof that the approved scheme of sound insulation has been installed is required to be provided to the LPA prior to first occupation. Therefore, only once the work has been completed and the appropriate confirmation submitted, can the condition be fully discharged.

Condition 10 - External Lighting: Appropriate information and details have been provided. The proposed lighting complies with lux levels contained in the Institute of Lighting Engineers 'Guidance for the Reduction of Obtrusive Light'. In addition, the proposed lighting for the car park area are in accordance with the specification in BS5489.

There is no objection to this condition being discharged.

Condition 16 - Services and Plant: Various plant and equipment is proposed. This includes condenser units on the ground floor and ASHP and other plant on the rooftop. A plan has been submitted showing their location. However, no technical specification or details of noise output have been provided. In addition, the condition requires details of ducting for ventilation systems and this has not been included. There are no details regarding any proposed screening or any mitigation measures needed to ensure that the amenity of future occupants of the flats is not impacted.

It is advised that the condition is not discharged at this time.

GBC Highways Officer – It is disappointing the lighting design does not extend beyond the boundary of the development. With the boundary treatment in place spillage may be minimal, but ideally it should be shown to ensure there will be no adverse effect.

Ideally all lanterns should be shielded to minimise skyglow and overspill outside the site.

Subject to the provision of suitable shielding I would have no objections, and this may be something that is best determined after installation. The applicant just needs to state that suitable shielding will be provided if required, post installation if identified as required within 12 months of the lamps all being switched on.

Officer's Analysis

This is an application for the approval of conditions 6, 10, 14 and 16 attached to planning permission reference 20211196 relating to sound insulation, external lighting, water supply demand and services/plant.

Condition 6 states the following:

6. *Prior to the commencement of development the applicant shall provide to the Local Planning Authority (LPA) a suitable sound insulation assessment providing details of the substantially enhanced sound insulation performance of/sound reduction achieved by the floors/ceiling between the first floor flats and ground floor B1a use. Once this scheme has been approved the necessary work shall take place and suitable confirmation of this shall be provided to the LPA prior to first occupation.*

This condition was attached to ensure that the amenity of future occupiers was safeguarded.

The application has been supported by a report from Lustre Consulting and no objection was raised by GBC Environmental Protection. Therefore, the details for sound insulation area acceptable and would provide a better than Building Regulation Requirement.

However, the condition is worded as such that confirmation should be sent to the Local Planning Authority once work is completed in accordance with the approved details, prior to first occupation. Therefore, should permission be forthcoming, an informative would be attached to highlight this is required.

Condition 10 states the following:

10. *Prior to the commencement of development details of all proposed external lighting, including location, type and luminosity, for both the construction and operational phases, shall be submitted to and approved, in writing, by the Local Planning Authority. The approved lighting shall thereafter be fully installed on site prior to first occupation of any units of accommodation/ commercial use.*

This condition was attached to ensure that the proposed lighting design is sympathetic to the area and not detrimental to the amenity of nearby residential properties or Conservation Area.

The application has been supported by adequate information relating to the lighting details, demonstrating compliance with the lux levels of the Institute of Lighting Engineers and in accordance with BS5489. Therefore, there are no objections to the details relating to condition 10.

However, it is noted that the Highways Officer has stated that suitable shielding for the lighting should be provided.

Condition 14 states the following:

14. *Prior to the commencement of the development impact studies of the existing water supply infrastructure shall be submitted to and approved, in writing by, the Local Planning Authority (in consultation with Southern Water Services). The studies should determine the extent of any new additional capacity required in the system and a suitable connection point. The development shall then be built in accordance with the approved details.*

This condition was attached to ensure that water supply infrastructure has capacity to cope with the additional demand of the new development.

The application has been supported by a Technical Note by Mendick Waring limited. This technical note covers impact studies of existing water infrastructure, a water load assessment and a pre-application enquiry with Southern Water, who confirmed the infrastructure can support the demand.

Therefore, there is sufficient information provided and no objections to the details of condition 14.

Condition 16 states the following:

16. *Prior to the commencement of development details of services and plant systems, including roof top plant, lift overruns and ducting for ventilation systems, shall be submitted to and approved, in*

writing, by the Local Planning Authority. For commercial uses where the requirement for extraction equipment is likely, the detailed design of the development should include provision for its discreet siting. The details shall include the siting, external appearance and any proposed screening. The works shall thereafter be carried out in accordance with the approved details, to be completed prior to first occupation of the building/use to which it relates.

This condition was attached to ensure that the amenity of future occupiers and neighbouring properties was safeguarded. It requires details of services/plant systems, which include roof top plant, lift overruns and ducting.

The application has been supported by a number of plans and particulars, but has failed to provide sufficient detail to approve the condition and GBC Environmental Protection has raised concerns. There are no technical specification or details of noise output provided for the condenser units or air source heat pumps. There are no details of ducting for ventilation systems provided. There are no details relating to screening or any mitigation measures needed to ensure that the amenity of future occupants of the flats is not impacted.

Therefore, there is insufficient detail provided to approve condition 16.

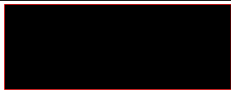
Conclusion

Although conditions 6, 10 and 14 could be discharged, condition 16 cannot be and therefore as split decisions cannot be issued the application is recommended for refusal.

It should be noted that in any resubmission that details of the light shielding should be provided.

Recommendation

Refusal

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	29 th January 2024	Dated:	29 January 2024