

Delegated Report

Approval of Details Application

Application no: 20250059

Location: 157 Milton Road Gravesend Kent

Description: Application for the approval of condition 3 (Construction Environmental Management Plan), condition 4 (Mechanical Ventilation Heat Recovery (MVHR) system) and condition 5 (Details of new internal walls/partitions; new internal joinery; joinery details of all new doors including architraves; joinery details of any secondary glazing; drawing of vents) attached to planning permission reference number 20240144.

Applicant: Mr Singh

Site Visit Date: N/A

Planning permission was granted for conversion of the upper floors of the property from a vacant restaurant with ancillary accommodation to 1x1 bed flats and 3x2 bed flats under application ref. 20240144 on 9 July 2024. This was subject to conditions including nos. 3, 4 & 5 which this application seeks to discharge.

The information submitted with this application is as follows:

- Application form;
- Drawing no. 821-12 Rev. A – Proposed New Internal Door Details;
- Drawing no. BPC-8045190819 Rev. 2 – MVHR System – flats 1 & 4;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 2 & 3;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 2 + 3;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 1 + 4;
- Drawing no. 821-11 Rev. B – Proposed Secondary Glazing Details;
- Drawing no. 821-10 Rev. B – Proposed Details; and
- Construction and Environmental Management Plan.

Consultations

GBC Environmental Protection

The following comments are made:

Condition 3 (Construction Environmental Management Plan)

The submitted CEMP covers the requirements for the condition in terms of noise/vibration and dust control. There is no objection to this condition being discharged.

Condition 4 (Mechanical Ventilation Heat Recovery (MVHR) system)

Unfortunately, the wording of the condition does not make reference to the checklist which is a useful document for ensuring that the required information has been submitted and addressed. For ease of reference, the condition has been copied below and comments made in *italics* against the various parts:

Prior to commencement of the development full details of the Mechanical Ventilation Heat Recovery (MVHR) system to be installed, to include full layout plans, technical specification etc, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following: *Layout plans have been included, but there are no technical specifications*

- a heat exchange unit, *Vent Axia Kinetic MVHR units are proposed. This appears to be acceptable subject to other information.*
- noise attenuation *No details regarding noise levels or any noise attenuation have been provided.*
- location of air intakes, flues and all ducting *Details have been provided and these are acceptable.*
- the air intakes must be sited away from all pollution sources e.g. traffic fumes, flues, soil and vent pipes and must not bring in odour from any commercial extraction system. *The air intake is via an air shaft at the rear – this is acceptable.*

The scheme as approved shall be installed prior to first occupation of any of the flats hereby permitted. The installed scheme shall be commissioned, before occupation, by an independent ventilation engineer to ascertain if the flow rates are correct and that it is fit for purpose i.e. that it fulfils its purpose of positively pressurising the residential units so that pollution cannot enter from the roadside or any other sources and is not drawn into the property through the air system. *No details of any flow rates have been given and no commissioning information has been provided. It may be that the applicant has submitted the details for approval prior to installation so commissioning hasn't taken place as yet.*

Based on the above, it is advised that the condition is not discharged until all the required information has been submitted.

Condition 5 (Details of new internal walls/partitions; new internal joinery; joinery details of all new doors including architraves; joinery details of any secondary glazing; drawing of vents)

The reason for this condition being attached does not fall within Environmental Health's remit. No comments to make.

Condition 3

Condition 3 is as follows:

No development shall commence until a Construction Environmental Management Plan (CEMP) covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) A Dust Management Plan; and*
- b) Measures of minimising the impact of noise and, if appropriate, vibration during the conversion.*

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that the construction of the development does not impact on the Air Quality Management Area (AQMA) or result in harm to the amenity of local residents and businesses in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

The information that has been submitted in pursuance of this condition is:

- Construction and Environmental Management Plan.

GBC Environmental Protection advise that the submitted CEMP covers the requirements for the condition in terms of noise/vibration and dust control and that there is no objection to this condition being discharged. It is considered condition 3 of planning permission ref. 20240144 can be discharged.

Condition 4

Condition 4 is as follows:

Prior to commencement of the development full details of the Mechanical Ventilation Heat Recovery (MVHR) system to be installed, to include full layout plans, technical specification etc, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- *a heat exchange unit,*
- *noise attenuation*
- *location of air intakes, flues and all ducting*
- *the air intakes must be sited away from all pollution sources e.g. traffic fumes, flues, soil and vent pipes and must not bring in odour from any commercial extraction system.*

The scheme as approved shall be installed prior to first occupation of any of the flats hereby permitted. The installed scheme shall be commissioned, before occupation, by an independent ventilation engineer to ascertain if the flow rates are correct and that it is fit for purpose i.e. that it fulfils its purpose of positively pressurising the residential units so that pollution cannot enter from the roadside or any other sources and is not drawn into the property through the air system.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and in order to protect the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan Core Strategy (2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994).

The information that has been submitted in pursuance of this condition is:

- Drawing no. BPC-8045190819 Rev. 2 – MVHR System – flats 1 & 4;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 2 & 3;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 2 + 3;
- Drawing no. BPC-8045190819 Rev. 2 - MVHR System – flats 1 + 4;

GBC Environmental Protection advise that layout plans have been included but there are no technical specifications. They state that the Vent Axia Kinetic MVHR units that are proposed appear to be acceptable subject to other information but that no details have been provided regarding noise levels and no noise attenuation has been provided. They do advise that sufficient information has been submitted in respect of location of air intakes, flues and all ducting and the air intakes. They conclude overall however, that given the lack of information on technical specifications, noise levels and noise attenuation, the condition cannot be discharged until this information has been submitted.

From a heritage point of view, it is considered that insufficient information has been submitted in order to assess the full impact of the MVHR system on the listed building and conservation area. No details have been submitted to show the level of the different elements of the system such as the Vent Axia boxes, wall vents, supply and return radial pipes, extract and supply ducts and insulated spiral intake and exhaust ducts. It cannot therefore be ascertained where those elements are in the rooms exactly and the impact such elements may have in those rooms, similarly, externally with regards the vent extracts.

As such with regards condition 4 it is considered insufficient information has been submitted in order to demonstrate that the living conditions of future occupants of the residential units would be safeguarded and that the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area would be protected. As such the proposal is considered contrary to Policies CS19 and CS20 (LPCS) and saved Policies TC2 and TC3 (LPFR). It is recommended that condition 4 of planning permission ref. 20240144 cannot be discharged.

Condition 5

Condition 5 is as follows:

Prior to commencement of the development hereby permitted the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Scaled drawings and details of all new internal walls/partitions;*

b) Scaled drawings of all new internal joinery;

c) Scaled drawings to a scale of 1:10 with 1:2 or 1:1 joinery details of all new doors including architraves;

d) Scaled drawings to a scale of 1:10 with 1:2 or 1:1 joinery details of any secondary glazing;

e) Scaled drawings of vents.

The development shall be carried out in accordance with the approved details prior to first occupation of any of the flats hereby permitted.

Reason: To protect the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan Core Strategy (2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994).

The information that has been submitted in pursuance of this condition is:

- Drawing no. 821-12 Rev. A – Proposed New Internal Door Details;
- Drawing no. 821-11 Rev. B – Proposed Secondary Glazing Details;
- Drawing no. 821-10 Rev. B – Proposed Details.

In respect (a) details of the new internal walls/partitions have been submitted and these appear acceptable in respect of their detail and would protect the architectural and historic importance of this grade II listed building.

In respect of (b) details have been submitted showing skirting details which are to match the detail in flat 1 (first floor) south facing rooms.

In respect of (c) details have been submitted of the new doors including architraves and these appear acceptable – traditional four panel doors.

In respect of (d) details have been submitted showing the proposed secondary glazing which appears acceptable and matches up with the existing sash window arrangement and does not appear of acceptable proportions.

In respect of (e) no details have been submitted of the vents. There are a number of vents proposed at first and second floor levels and with no details of what these are proposed to look like it is not known what impact they would have on the architectural and historic interest of this listed building and the character and appearance of the conservation area

Sufficient information has therefore been submitted in respect of 5 (a), (b), (c) & (d) however, insufficient information has been submitted in respect of 5 (e).

As such with regards condition 5 it is considered that insufficient information has been submitted in order to demonstrate that all new vents (condition 5 (e)) would protect the architectural and historic importance of this grade II listed building and the character and appearance of the King Street Conservation Area. As such the proposal is considered contrary to Policies CS19 and CS20 (LPCS) and saved Policies TC2 and TC3 (LPFR). It is recommended that condition 5 of planning permission ref. 20240144 cannot be discharged.

Recommendation:

Refusal of details

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	21st March 2025	Dated:	24th March 2025