

Client:	Ebbsfleet Development Corporation (EDC)		
Application:	Land to the Northwest of Factory Road		
Application Ref.:	EDC/25/0081 (Re-Consultation)		
Bureau Veritas Project No.	26148036		
Date Issued	16/02/2026		
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Approved By	R Cope MIOA	Technical Director, AVOH	

SUMMARY FINDING:

- ☐ Fully Satisfies Planning Application Requirements
- ☒ Planning Application Requirements Not Satisfied / Additional Information Required

Advisory Technical Note – Planning Application – Land to the Northwest of Factory Road

As requested, Bureau Veritas has reviewed the details submitted with the above planning application for:

Full planning application for the erection of a workshop (Use Class E(g)(iii)), access, parking, and associated landscaping.

The following Technical Note (TN) has been reviewed:

- *Land to the Northwest of Factory Road, Northfleet Works – Technical Note: Responses to Consultee Comments from EDC following consultation with GBC_02 (Ref: 332612492 dated 28th January 2026, Stantec Ltd.) (“the TN”)*

Bureau Veritas conducted a thorough review of a previously submitted TN (BV Review dated 16/01/26) with recommendations for additional information/clarification to be provided by the Applicant. Additionally, several several planning conditions to be implemented upon completion of the development have been proposed. This review therefore considers whether the previous recommendations have been suitably addressed in the revised TN, and considers the Applicant's evidence provided relating to the proposed planning conditions.

As noted within the previous TN review, despite outline planning permission for the site falling within the jurisdiction of Ebbsfleet Development Corporation (EDC), planning conditions and any noise nuisance investigations for the site shall be enforced by Gravesham Borough Council (GBC).

As such, EDC have requested that the full planning application is reviewed without regard for the extant outline planning permission EDC/16/004, and with consideration for GBC's position with regard to operational noise impacts, which are fully established within the previous review document.

BV Recommendation	Review of Updated NIA
Based upon consultation with the authority responsible for enforcement of this application (GBC), it is considered that BS 4142 operational noise levels from manufacturing plant should not exceed background sound levels at sensitive receptor locations. As such, the scheme should be revised to ensure manufacturing plant achieves BS 4142 rating levels no greater than the background sound level at sensitive receptor locations, inclusive of rating penalty.	The provided BS 4142:2014 Assessment has been revised to include an uprated roller shutter door, thereby reducing predicted breakout noise from workshop activity. The revised BS 4142:2014 Assessment demonstrates that noise rating levels shall achieve background sound levels at nearest sensitive receptor locations during four out of the five assessed scenarios. Further analysis of this revised assessment is provided below.
<u>Proposed Condition 1:</u> Operational activity associated with the workshop Angle Grinder shall be limited to weekday (Monday to Friday) use only, in accordance with the submitted Technical Note 332612492 dated 14th November 2025.	The Applicant notes that (inclusive of the uprated roller shutter) rating levels associated with the workshop Angle Grinder achieve background sound levels at sensitive receptor locations during weekend activity, dependent on the other manufacturing items operational simultaneously. Although one operational scenario demonstrates an exceedance of background sound levels by up to 3dB during weekend activity, it is stated by the Applicant that this is unlikely to occur more than once per year. It should be noted however that, in the absence of a planning condition limiting this operation, EDC and GBC would have no reasonable recourse should the operator choose to operate in this manner on a more regular basis. As such, additional context must be considered when considering the removal of this planning condition. Upon inspection of the background sound levels utilised within the BS 4142 assessment, it is apparent that the Applicant has chosen a robust approach which results in a worst-case assessment during this time period. Given that the operation of the Angle Grinder in isolation does not exceed relevant GBC criteria, and that the potential for Scenario 5 to result in specific sound levels 3dB below the background level (dependent on which background level is considered most representative within the assessment), it is agreed that, within context, the proposed uprated roller shutter is a suitable mitigation measure to allow weekend operation of the Angle Grinder, and that Condition 1 may therefore be removed.

<u><i>Proposed Condition 2:</i></u> Prior to the operation of any additional manufacturing equipment associated with the development (beyond that considered within submitted Technical Note 332612492 dated 14th November 2025), an updated Noise Impact Assessment shall be undertaken to demonstrate that $L_{A90,T}$ background sound levels as reported within submitted Technical Note 332612492 dated 14th November 2025 by Stantec Ltd. shall not be exceeded at nearest sensitive receptor locations when assessed in accordance with BS 4142:2014+A1:2019.	The Applicant has stated that the installation of new internal noise sources or non-noise generating manufacturing equipment should not be included within the proposed Condition 2. This element is accepted, however the Applicant's proposed planning condition wording states that '<i>equipment ratings levels shall not exceed the representative $L_{A90,T}$ background sound levels by more than 3dB when measured at a location 1 m from the face of the worst-affected window of the nearest sensitive receptor locations</i>'. It is assumed that this 3dB exceedance is accounting for façade reflections at the assessment location. Whilst it is considered correct that façade corrections should be considered within any future assessment, it is considered more appropriate that the assessment (inclusive of any relevant façade corrections) should demonstrate that the sound levels impinging upon the dwelling façade are below representative free-field background sound levels. The wording of Condition 2 has been revised based upon the above.
<u><i>Proposed Condition 3:</i></u> Prior to the commencement of the development, an updated Noise Impact Assessment shall be undertaken to demonstrate that all non-manufacturing equipment (inclusive of air conditioning, MVHR and dust extraction in addition to manufacturing equipment) achieves a noise rating level no greater than 5dB below $L_{A90,T}$ background sound levels as reported within submitted Technical Note 332612492 dated 14th November 2025 by Stantec Ltd. at nearest sensitive receptor locations when assessed in accordance with BS 4142:2014+A1:2019.	As no building services plant items are specifically proposed for the development, the wording of Condition 3 has been revised to allow for commencement of the development in the absence of an updated Noise Impact Assessment. Given the context of the development (i.e. commercial/industrial with manufacturing equipment), it is not agreed that a planning condition controlling the noise emissions of extraction equipment is not relevant. As such, it is considered that the revised Condition 3 should be retained.

Proposed Condition 4:

Within one month of the operation of the development, a validation noise survey shall be undertaken during typical weekday operations and submitted to the council to demonstrate that noise emissions from the site achieve the following requirements:

- Noise emissions from manufacturing equipment shall not exceed $L_{A90,T}$ background sound levels as reported within submitted Technical Note 332612492 dated 14th November 2025 by Stantec Ltd., when assessed in accordance with BS 4142:2014+A1:2019.
- Noise emissions from non-manufacturing plant (inclusive of air conditioning, MVHR and dust extraction in addition to manufacturing equipment) shall not exceed 5dB below $L_{A90,T}$ background sound levels as reported within submitted Technical Note 332612492 dated 14th November 2025 by Stantec Ltd., when assessed in accordance with BS 4142:2014+A1:2019.

In the event that these requirements are not met, all operations shall be ceased until a scheme of additional mitigation measures has been agreed by the Local Planning Authority and implemented. These additional mitigation measures shall be thereafter retained unless alternative arrangements are agreed in writing by the Local Planning Authority.

The Applicant states that the implementation of planning conditions requiring validation measurements is contrary to the statutory nuisance regime under Part III of the Environmental Protection Act 1990 (EPA 1990), and Condition 4 is therefore not necessary.

This matter is not accepted, as it is a widely established planning requirement to validate that the levels predicted within Noise Assessments are achieved following a development's completion. It is considered a necessary measure to validate that the assumptions contained within the Noise Assessment are robust, particularly within a highly sensitive location for industrial operations such as that proposed.

Whilst the Applicant has identified some constraints relating to the validation survey, it is not considered that these are sufficient to remove the requirement for validation testing:

- It is recognised that background sound levels may increase within the vicinity of the development, however it is considered that there are multiple methods that may be implemented to demonstrate that operational noise sources are not the source of increased background sound levels (for instance, internal measurements identifying 'on' and 'off' conditions for specific plant items, with simultaneous external measurements and observations at the receptor location).
- It is considered appropriate to use the background sound levels established within the Technical Note to test the validity of the Noise Assessment assumptions. The background sound levels established during the initial Noise Survey provide a standardised reference point against which the structural design of the scheme has been undertaken. Whilst it is recognised that background sound levels may naturally fluctuate within the vicinity of the development, it is considered that demonstrating compliance with the background sound levels established within the initial noise survey (which are considered robust) is the most appropriate method of demonstrating the Noise Assessment's assumptions are sound with regard to the final construction.

	- It should be noted that Condition 4 does not state that calculations may not be used in support of the validation survey, however it is considered that any calculations should be undertaken based upon in-situ measurements of installed plant during operation. It should be noted that the specific intention of Condition 4 is to ensure that the specific noise levels associated with equipment (inclusive of any rating penalties) achieve the levels established within the TN. As such, it is recognised that the qualifier 'in accordance with BS 4142:2014+A1:2019' may limit the Applicant's approach to discharging this Condition. Condition 4 has therefore been revised to remove this statement and reference to non-manufacturing plant (which is not proposed to be installed prior to initial operation of the development).
<u>Proposed Condition 5:</u> A log of complaints shall be retained by the operator shall be made available to the Local Planning Authority upon request.	The Applicant has not provided any specific reasoning as to why Condition 5 should not be implemented. It is not considered that Condition 5 is incompatible with the requirements of statutory nuisance regime under Part III of the Environmental Protection Act 1990 (EPA 1990) and should therefore be retained.

Recommendation

Whilst a number of matters raised by the Applicant are appropriate and reasonable, it is considered that Planning Conditions should be retained upon the scheme. It is recognised that the Applicant has considered intrinsic mitigation in the form of uprated roller shutters to further reduce manufacturing noise breakout from the development.

Should the scheme be revised to achieve the above requirements, it is recommended that the following conditions are attached to any permission granted to the scheme:

1. Prior to the operation of any additional noise-generating mechanical equipment associated with the development (beyond that considered within submitted Technical Note 332612492 dated 28th January 2026), a Noise Impact Assessment shall be undertaken to demonstrate that rating levels associated with equipment shall not exceed the representative $L_{A90,T}$ background sound levels at nearest sensitive receptor locations when assessed in accordance with BS 4142:2014+A1:2019.
2. Prior to the operation of any additional noise-generating non-manufacturing equipment (inclusive of air conditioning, MVHR and dust extraction in addition to manufacturing equipment) a Noise Impact Assessment shall be undertaken to demonstrate that rating levels associated with equipment shall achieve a noise rating level no greater than 5dB below the representative $L_{A90,T}$ background sound levels when assessed in accordance with BS 4142:2014+A1:2019.
3. Within one month of the operation of the development, a validation noise survey shall be undertaken during typical weekday operations and submitted to the council to demonstrate that noise emissions from manufacturing equipment do not exceed the representative $L_{A90,T}$ background sound levels reported within submitted Technical Note 332612492 (dated 28th January 2026 by Stantec Ltd.), inclusive of any applicable noise rating penalty as determined in accordance with Section 9 of BS 4142:2014+A1:2019.

In the event that these requirements are not met, all operations shall be ceased until a scheme of additional mitigation measures has been agreed by the Local Planning Authority and implemented. These additional mitigation measures shall be thereafter retained unless alternative arrangements are agreed in writing by the Local Planning Authority.

4. A log of complaints shall be retained by the operator shall be made available to the Local Planning Authority upon request.