

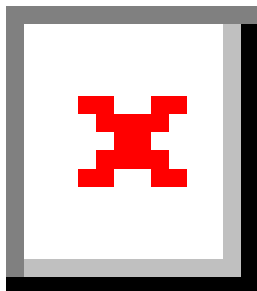
Environmental Protection COMMENTS

Case Number	20230362
Case Officer	Mrs Amanda Grout
Address	39 The Terrace, Gravesend, Kent,

Proposal	Refurbishment of an existing Listed building including reinstatement of basement windows and internal alterations to form three additional flats
Consultation Expiry Date	6 June 2023
Date of Response	18 May 2023 (JO)

Although it's appreciated that this application does not represent a change in use and the existing use is residential, it does provide the opportunity to address the issues in this area of noise and air quality. This will improve the living conditions for future occupants in terms of noise and air quality. Having reviewed the submitted information, the following comments and advice is offered regarding this application:

Noise from traffic:



The property is in a town centre location adjacent to the A226 one-way system which is heavily trafficked. No consideration has been given by the applicant to traffic noise with habitable rooms being located at the road frontage of the building on all floors. A noise assessment will be needed to assess the impact of traffic noise on future occupants and mitigation (as appropriate) will be required to ensure that internal noise levels are in accordance with BS8223.

Internal noise:

There are some concerns with the stacking arrangements of the proposal. The kitchen and part of the bathroom of flat E4 is over bedroom 2 of Flat E2 and the kitchen of Flat E3 is over the bedroom of Flat E1. Rooms such as kitchens and bathrooms can have higher noise levels than bedrooms particularly at night-time, which could result in sleep disturbance.

Being a Listed building, it is possible that the sound insulation quality of the internal floor/ceiling and also wall partitions may not be that robust. As the building is Listed providing suitable and sufficient sound insulation for both internal (room to room) noise transmission and also insulating against external noise may be difficult to achieve without significant structural alterations. These alterations are likely to be contrary to Conservation stipulations.

The quality and the standard of the sound insulation properties of the building should be assessed to ensure that future residents are not impacted by internal noise between the flats, especially of the stacking arrangements are not ideal. A noise assessment should be undertaken to assess this. The assessment should include details of the assessment methodology and any enhanced sound insulation performance of the construction that separates the residential and ground floor commercial use and internal partitions between flats. This should resist the transmission of airborne sound such that the weighted standardised difference ($D_{nT, W} + C_{tr}$) is not less than 53 decibels (i.e. an enhancement of the minimum levels stated in the Building Regulations of 10dB).

The assessment should look at any required mitigation measures to ensure that internal noise levels are appropriate. Overheating and ventilation must be considered in the design of any mitigation and noise from any mechanical ventilation systems (if required as a mitigation measure for air quality - see below), should be included.

Air Quality:

This area is within the A226 One Way System Air Quality Management Area (AQMA) declared for exceedances of the annual Air Quality Objective (AQO) for nitrogen dioxide (from traffic). With the proposal to reconfigure the building to add 3 additional flats (so 6 in total), new sensitive receptors will be introduced into an area recognised as having poor air quality. In this respect, air quality is considered to be a material planning concern and measures need to be investigated and put into place to ensure that there is no detrimental impact on future occupiers of the flats. Bearing this in mind, it is appropriate that a condition be applied to any planning permission that requires the applicant to undertake an air quality assessment and propose suitable mitigation measures as required.

It is advised that all habitable rooms (bedrooms and living rooms) of the flats fronting the A226, have upgraded and sealed windows so as to prevent pollution from entering the residential units. A Mechanical Ventilation and Heat Recovery (MVHR) system be installed to all habitable rooms fronting the A226 as a means of alternative ventilation and cooling. A MVHR system will provide a means of alternative ventilation and cooling to having windows open. This will also provide the

occupants with choice i.e. to close windows to shut out noise from traffic.

To deal with the external/internal noise, air quality and other matters, the following conditions are recommended:

External Noise:

- a) A noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:
 - 1. The internal ambient noise levels in all habitable rooms, including the roadside rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014
 - 2. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
 - 3. The rating noise from fixed building services/mechanical plant/equipment, including any air systems, associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

The noise impact assessment must take into account traffic noise and noise from any air systems that are required, as well as the night-time economy.

Where compliance with these criteria will rely on closed windows, the development must include sufficient and suitable ventilation to affected residential dwellings by means other than opening windows to ensure that the internal noise levels required by the above conditions can be retained all year round.

- b) Prior to first occupation of the flats, a suitable post-completion demonstrating compliance with a) shall be submitted to and approved, in writing, by the Local Planning Authority

The approved details shall be maintained for the lifetime of the development.

Internal noise:

Prior to the first occupation of the flats, a sound insulation assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority. The Assessment shall include details of the assessment methodology and the sound insulation performance of the internal wall partitions, internal floor/ceiling partitions and also adjacent party wall partitions. The sound insulation performance of these shall resist the transmission of airborne sound and impact sound to demonstrate that the minimum levels stated in the Building Regulations are capable of being complied with. The assessment will also include details of any proposed works to achieve these levels.

Any works identified being required in order to achieve these minimum levels shall be implemented and evidence provided (if necessary, by way of a further sound insulation assessment report) for approval by the Local Authority prior to first occupation.

Air Quality:

- a) The applicant must submit an air quality assessment undertaken by a suitably qualified person which should include an scheme of air quality mitigation for approval **prior to determination of this application** which should include the installation of an air system (or air systems) which positively pressurises all relevant residential units i.e. brings in more air than it extracts so that no air seeps into the residential unit through the fabric of the building or doors when people are entering and leaving etc. This requirement applies to the rooms on the first and second floor roadside of Milton Road. The scheme must include the following:

- a heat exchange unit,
- noise attenuation
- must bring in air from the upper most and furthest point away from the source of pollution i.e. the traffic on Milton Road, and
- must be sited away from other pollution sources e.g. flues, soil and vent pipes and must not bring in odour from any commercial extraction system.
- Windows to the affected rooms on the 1st floor shall not have trickle vents and shall be fixed shut.

The applicant will be provided with the checklist of points that must be considered and included in the scheme and which must be adequately demonstrated to the LPA by the submission of required information, plans, commitments etc. in order for the scheme to be approved.

- b) The approved scheme must be installed, **before occupation**. The installed scheme must 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 and is not drawn into the property through the air system. The commissioning report must be submitted to the LPA including a signed declaration from the engineer that they are satisfied that it is fit for purpose it has been required for i.e. prevention of air pollution entering the building.

The LPA will visit the site following commissioning to ensure the approved systems are installed, seen working and are in the correct residential units etc.

Code of Practice on Construction and Demolition:

Please apply to prevent nuisance from noise and dust during the conversion and construction occurring to nearby premises.

Smoke Control Informative:

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used

according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative:

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Asbestos informative:

Owing to the likelihood of the existing building containing asbestos products, the applicant should be informed to contact the Health and Safety Executive (HSE) for advice on the submission of a suitable method statement for removal. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator. This is in the interests of safeguarding the amenities of the surrounding area and safety.