

Delegated Report

Adjoining Authority Consultation Application

Planning Application No:	20230494
Location:	Land at Crete Hall Road, Northfleet, Gravesend
Description:	EDC Consultation - Discharge of 31 (Mechanical Ventilation Heat Recovery System) pursuant to planning permission reference no. EDC/19/0049 in respect of apartments blocks A, B, C and D.
Applicant:	Ebbsfleet Development Corporation
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

The Ebbsfleet Development Corporation (EDC) has submitted the following in support of the application:

Consultation letter dated 10 May 2023

Relevant Planning History

EDC/22/0050: Application for approval of reserved matters (relating to layout, scale, appearance and landscaping) pursuant to conditions 4 and 6 of hybrid planning permission reference no. EDC/19/0049 for the refurbishment and change of use of the WT Henley Building comprising ground floor community floorspace, 4no. dwellings at first and second floor, single storey rear extension and associated external landscaping including details relating to noise mitigation, surface water drainage (condition 9), MVHR (condition 31), and soft landscaping (condition 40). (GBC ref. 20220630) Permitted by EDC 04.08.2022

EDC/19/0049: Application for the variation of conditions 2, 3, 4, 5, 6, 10, 11, 39 and 58 attached to planning permission reference no. EDC/17/0038 to relocate residential apartment block building (Block A) in the north-west corner of the site and associated works, including diversion of the public footpath, changes to car parking and installation of a landscaped bund. (GBC ref 20190488) Permitted by EDC 06.09.2019.

Note: The above s73 or minor material amendment application effectively results in the grant of a fresh planning permission, and it was necessary to re-impose the original planning conditions under ref EDC/17/0038, albeit subject to some variation where they are required to reflect the amended scheme, principally relating to updated drawing references.

EDC/17/0038: Hybrid planning application (part full and part outline) comprising: (1) full planning application for the erection of 598 residential dwellings including affordable housing; retail floorspace (Use Classes A1, A2 and/or A3); amendments to existing highway accesses and realignment of Crete Hall Road; demolition of rear of WT Henley Building; provision of open spaces, equipped areas of play and landscaping; and associated internal accesses/roads, parking, infrastructure, attenuation features and earthworks; and (2) outline planning application (with all matters except access reserved) for a two form entry primary school and for the refurbishment, change of use (for Use Classes A1/A2/A3/B1(a)/C3/D1) and demolition of the boundary wall and rear portion of the WT Henley Building (GBC Ref 20170316). Permitted by EDC 20.03.2019

There are several other planning applications that relate to the discharge of various planning conditions

approved by the EDC and which were the subject of consultation with GBC but are not relevant to the consideration of this application.

There are also previous GBC planning applications relating to the whole site.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS18 – Climate Change
- CS19 – Development and Design Principles

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving sustainable development
- 15 – Conserving and enhancing the natural environment

Internal Consultations

GBC Environmental Protection

These comments refer to the “Advisory Technical Note – Discharge of Condition 31 – Northfleet Embankment, East Crete Hall Road, Gravesend” by Bureau Veritas dated 25/05/23 for Ebbsfleet Development Corporation (EDC).

Noise

This service is happy with BVs approach and support their recommendations, inc. use of acoustic louvres to minimise noise ingress and the insulated Sentinel Kinetic system/ductwork to benefit from the reduced noise breakout and in-duct noise this affords.

Air Quality / Dust Nuisance

This service is satisfied with the approach from BV and support the recommendations of the Technical Note and would wish to see them implemented accordingly; however the following additional comments need to be taken into consideration in this matter before the MVHR system can be considered suitable to prevent an adverse impact on the occupants of the residential units.

All blocks

Positive pressure – there is a lack of confirmation that the systems in all residential units will be set up to create a positive pressure which will help to prevent the ingress of nuisance dust and fine particles through openings into, and the fabric of, the building. The flow rates of each Sentinel Kinetic unit should be set up so that the intake flow is greater than the extract flow creating a positive pressure. The positive pressure is easily achieved and should be set up when the MVHR units are being commissioned. The commissioning report being provided to the LPA to confirm the MVHR units have been installed in all residential units and the flow rates for each.

Balconies and windows - The presence of balconies will encourage the opening of the balcony doors and

for them to be left open. This is likely to impact the efficacy of the MVHR considerably while the doors are open. The windows are also openable which will also impact the effectiveness of the MVHR. As such the designers and installers of the systems need to ensure that firstly, the necessary flow rates, to ensure a positive pressure is created effectively enough to ensure dust and fine particles are not able to enter through the balcony doors and windows and secondly the MVHR can operate effectively to bring in clean air for the occupants with the windows and balcony doors open. This will be difficult to achieve but is especially important in the apartments facing the aggregate site. It is therefore recommended that the windows are not openable in these apartments so as to ensure the effectiveness of the MVHR and the prevention of nuisance dust in the apartments.

Passive Vents

To prevent the ingress of dust through passive vents in the building the use of them should be avoided in all locations.

Block A

Location of inlets on elevation facing primary source of dust – it is concerning that the inlets for the MVHR systems in the apartments facing the aggregate facility are on that elevation i.e. facing the primary source of particulate matter/dust from the aggregate importation facility. This needs to be addressed as the inlets to the MVHR should be positioned so as to prevent dust being drawn by the system into the apartments. These inlets should be relocated to an elevation that is not facing the aggregate facility or on to the roof. They should be located so as to limit the amount of dust being brought into the MVHR system from outside. If situated on a flat part of the roof they should be located so as to prevent the intake of heated air i.e. in a raised duct rather than flush with the roof surface.

BV has commented that consideration should be given to the height of the air intakes. The Technical Note makes reference to the inlets being at a height of 10.05m upwards and that it is feasible that the dust from the mounds could be drawn into the MVHR at a similar level. It is understood that the stacks of aggregate at the site are not permitted to be above 10m in height. However, it is believed that they have been well over that height in the past and may continue to be so. As such the relevant planning authority should be called upon to carry out enforcement of mound height restrictions as appropriate to help to avoid a detrimental impact on the development and in particular Block A.

It may be that inlets above 10m height will draw in less dust than inlets at a lower height. This should be researched and assessed through modelling by the applicant's air quality consultants if it has not been done so already.

BV's recommendation for the inclusion of appropriate filters in the system is supported and viewed as a necessity. However there also needs to be a strict regime in place to ensure that these filters are cleaned and or replaced in accordance with the manufacturer's instructions.

Officer's Analysis

This application comprises an Ebbsfleet Development Corporation consultation on application EDC/23/0066, specifically in relation to relevant details for condition 31 (mechanical ventilation heat recovery system) of planning permission EDC/19/0049.

Comments are required from GBC on environmental protection matters. The detailed comments are set out above. On the whole, the submissions are acceptable, and the recommendations should be implemented accordingly, but with regards to the MVHR system, there are certain matters that should be addressed before the system can be considered suitable to prevent an adverse impact on the occupants of the residential units.

Recommendation

The EDC is requested to consider the recommendations from the Borough Council's Environmental Protection Officers.

The EDC is thanked for consulting the Borough Council.

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	29th June 2023	Dated:	29 June 2023