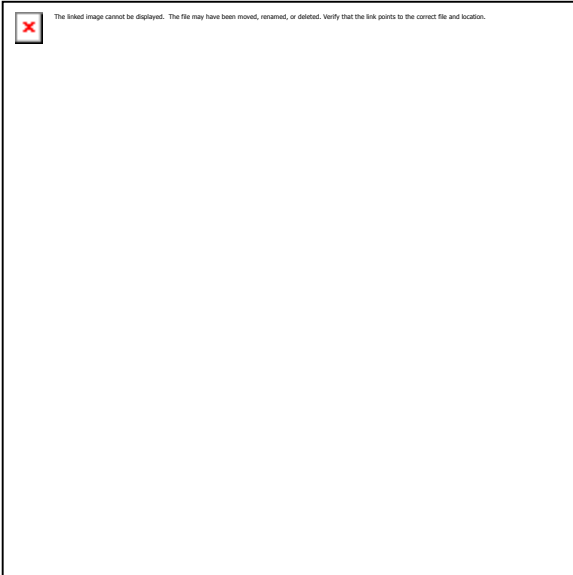




Delegated Report

Planning Application

Planning Application No: 20220424

Location: 4 High Street Northfleet Gravesend Kent

Description: EDC Consultation EDC/21/0209 - Erection of a three storey building providing 7no. residential units and associated car parking, amenity space and landscaping.

Applicant: Ebbsfleet Development Corporation

Site Visit Date: Desktop Assessment

Introduction

This application is submitted to the Ebbsfleet Development Corporation (EDC) as the determining authority (EDC ref EDC/21/0209) and is a re-consultation in respect of an application for the development of a three-storey residential accommodation building, providing 7no. residential units and associated car parking, amenity space and landscaping. The previous application was for 6 apartments and being four 2-bedroom flats and two one-bedroom flats (Ref. EDC/19/0145)

The application is submitted by Archspace Architecture Limited.

Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Consultation letter dated 12 April 2022.

Relevant Planning History

Reference	Description	Decision	Decision Date
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20191343	EDC Re-consultation EDC/19/0145 - Application for the development of a three-storey residential accommodation building, providing 6 apartments and being four 2-bedroom flats and two one-bedroom flats.	Objections Raised	16.01.2020
20191169	EDC Consultation EDC/19/0145 - Application for the development of a three-storey residential accommodation building, providing 6 apartments and being four 2-bedroom flats and two one-bedroom flats	Objections Raised	04.12.2019

The Site and Surroundings

The site is a roughly triangular shaped plot of land at the junction of Lawn Road and High Street, Northfleet and has an area of approx. 0.21 acres (0.085 hectares), as taken from previous planning records.

On the opposite corner is the Edinburgh Castle Public House (a three storey building) and adjoining this both on the Lawn Road and High Street frontages is a new development of 24 flats, constructed 2011, providing a three/four storey development (North Lawns). Opposite are two storey commercial properties and further to the west are two storey residential dwellings.

The site falls away steeply to the north and east where it adjoins the former (Lafarge) Northfleet Cement Works which is located within a chalk pit.

The site contained an air raid warden's post which had potential for listing but was demolished in 2010 after the land had been sold off. The site was at one time laid out as a garden and included both paved and soft landscaped areas. More recently the site was used on a temporary basis for the stationing of a mobile burger bar with a seating area on a hardstanding for a period of three years expiring in 2015.

The site has a bus shelter adjoining the site within the footway in the High Street which indents into the site. The site is enclosed by metal railings and there are some traffic regulation signs within the site.

Lawn Road is not a through road being gated next to the school entrance and gated near the new development opposite. There is no footway on the west side of the site in Lawn Road. Lawn Road is not an adopted highway being a private access road owned by Tarmac Cement and Lime/Northfleet LLP (formerly Blue Circle/Lafarge) over which various properties have rights of access including the North Lawns development and the Lawn Road primary school.

Proposal

Introduction

GBC were previously consulted by the EDC on 25 October 2021 in respect of an application (EDC/19/0145) for the development of a three-storey residential accommodation building, providing 6 apartments and being four 2-bedroom flats and two one-bedroom flats.; GBC ref was 20191343.

The Borough Council responded on 16th January 2020 in summary stating:

The Ebbsfleet Development Corporation (EDC) is advised that the Borough Council still objects to the application generally and also in relation to highway/parking grounds.

Whilst noting that there are some positive improvements to the design and appearance of the proposed development including the provision of balconies and a proposed roof garden there remain concerns that the proposals are still an over development of the site. The GBC Highways Development Management Officer has commented in relation to the revised proposals:

The applicant has attempted to address the various highway issues raised. I do not believe the layout to be ideal as it is possible for a vehicle parked in space marked 23 could obstruct visibility for vehicles

emerging from the development.

Also to conform to adopted guidance the space adjacent to the stair case should be 2.7 metres wide and not 2.5 metres. The same would be true for the opposite end of this parking area if there is a boundary wall or fence.

It is also noted that the parking spaces adjacent to the High Street are not rectangular and whilst this may only be a minor issue with vehicle sizes growing it could restrict the future use of these spaces.

I understand that KCC Highways and Transportation have had swept path drawings submitted and so I consider it more appropriate for them to comment on that issue.

As it stands I consider that development is excessive and a smaller scale one may be more appropriate with improved parking for fewer dwellings.

GBC were also previously consulted by the EDC on 31 October 2019 in respect of an application (EDC/19/0145) for the development of a three-storey residential accommodation building, providing 6 apartments and being four 2-bedroom flats and two one-bedroom flats; GBC ref was 20191169.

The Borough Council responded on 4th December 2019 in summary stating:

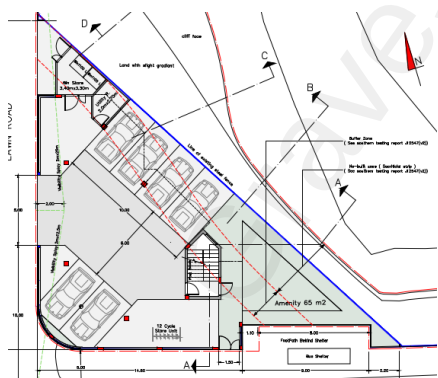
The Ebbsfleet Development Corporation (EDC) is advised that the Borough Council objects to the development.

There are a number of concerns to the current level of development and the overall design and appearance of the scheme following internal consultations and a design assessment from Design South East (DSE) at a Gravesham Design Surgery on 13 November 2019.

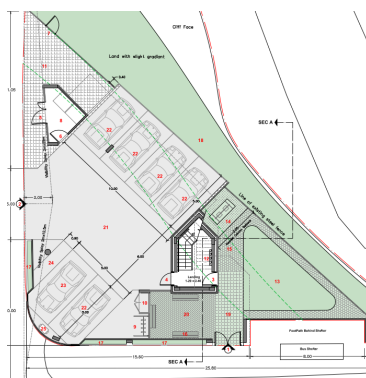
The overall conclusion is that the Borough Council objects to the development on parking and design grounds and the proposals constitute overdevelopment.

The current application has been revised altering from 6no. units comprising four 2-bedroom flats and two one-bedroom flats to 7no. comprising of five 2-bedroom flats and two one-bedroom flats. In respect of the ground floor the revised layout is shown below alongside the original submitted layout:

Original Layout



Previous Revised Layout



Current Revised Layout



A comparison of original and revised elevations is also shown below

Original South Elevation

Previous Revised South Elevation

Current Revised South Elevation



Original West Elevation



Previous Revised West Elevation



Current Revised West Elevation



Internal Consultations

GBC - Highways Development Management Officer

This is an intensification of a proposal that has already been exhaustively analysed.

The swept path for the additional parking space demonstrates that whilst the vehicle may be able to access the parking space in forward gear the reverse out manoeuvre will have significant reduced visibility as the visibility splay is based on driving forward onto the highway.

Rule 201 of the Highway Code states. When, using a driveway, reverse in and drive out if you can. I see no reason why that cannot occur here, but in driving out in forward gear vehicles would have to travel on the wrong side of the road in close proximity to a junction where visibility would be restricted for on coming vehicles due to the adjacent junction. I therefore consider the use of the parking space to be hazardous, even if vehicle speeds may be low it will be an unexpected situation and would recommend refusal on highway safety grounds. It should be also noted that visibility splays are always measured to the nearside edge of the carriageway and not the centre line of the main carriageway except in very special circumstances which do not apply here.

On highway safety grounds I therefore recommend refusal.

GBC – Waste & Recycling Manager

I have reviewed the above planning application and I am happy with the access and position of the bin store.

Our standard guidance is

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1,100 litre refuse and recycling Eurobins for the number of dwellings in each block.

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their own 1,100 litre bins however the bins must be metal and comply with European Standard EN840.

The following provision is required

Refuse - 1 x 1,100ltr bin per 6 flats

Recycling – 1 x 1,100ltr bin per 6 flats with special recycling lid

Food Waste – 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

The immediate area outside the bin store should be level with the road, should not include an incline and the installation of a drop kerb where necessary is mandatory. Car parking spaces should not be allocated immediately in front of the access to the bin store.

The maximum distance bins will be moved by collection crews should be no more than 15 metres.

It is recommended that bin stores are fitted with a lock which is accessed via a key or a key code pad.

Where there is a building of mixed use (ie flat above shop), then separate waste provision must be made for the domestic and commercial premises.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the council taking place.

GBC – Housing Development & Strategy Manager

I have had a look at this application on public access. It is only for 7 apartments which would not trigger any affordable housing, the threshold being 15 units.

GBC – Environmental Protection Team Leader

This service has no objection to the application in principle.

These comments relate only to the following matters:

- air quality general including report as it relates to the MVHR system only
- noise control and assessment as it relates to the MVHR system only
- mechanical ventilation heat recovery system report MVHR
- construction environmental management plan (dust and emissions to air)
- lighting
- EV charging
- drainage informative

Comments on the technical reports relating to air quality, noise and contaminated land have not been included in these comments as it is understood the LPA ie Ebbsfleet Development Corporation (EDC) will ordinarily have consulted their own consultants with regards to these matters who will have produced technical reports/notes for EDC.

This service therefore makes the following comments:

Air Quality - General

The site is located within the Northfleet Industrial Area Air Quality Management Area (AQMA) declared for windblown particulate matter PM10, the level of which have reduced significantly over time, and which is now currently below the national objective. However in order to ensure the amenity of the occupants of the development going forward and so as not to stifle the provision of new homes, it is expected that mechanical ventilation heat recovery systems are installed in each residential unit so as to give the

occupant's choice as to whether to open their windows or not with them still having a satisfactory level of ventilation in their home.

As part of the application an Air Quality Assessment by AVAL, dated 28 December 2021, report no. 608/B Revision B was submitted in relation to the impact of the local air quality on the new residential units and the impact of the new development on the existing air quality in the locality.

This service is in broad agreement with the findings of the report however the LPA is expected to seek a technical review of the Air Quality Assessment from their own consultants.

However we still wish to make the following comments.

Section 6 of the assessment relates to the proposed mitigation measures during the construction phase and the operational phase. Reference is made to the mitigation measures having been set out in Appendix E in accordance with the mitigation measure set out in the IAQM guidance for construction dust to reduce the potential impacts presented in Section 5 of the report.

Reference is also made to there being no specific mitigation measures for the operational phase and recommends the installation of low emission gas boilers.

It is recommended that these mitigation measures are required by condition.

Whilst the report appears to have no real conclusion specifically about "disamenity dust" ie particulate matter that is large enough to be visible and to cause a nuisance eg windblown dust from local industrial and construction sites this is an issue in the locality and will be until such time as the construction phase of the developments in the area, particularly located at the Northfleet Embankment, are complete. However with occupants being given choice, by the provision of the MVHR systems, as to whether they have their windows open this service therefore has no objection to the site being used for residential development.

Noise Control

The site is located on the edge of a cliff overlooking the Northfleet Embankment made up of new mixed-use development and the Northfleet Industrial Area. In order to ensure the amenity of the occupants of the development going forward and so as not to stifle the provision of new homes, it is expected that mechanical ventilation heat recovery systems are installed in each residential unit so as to give the occupant's choice as to whether to open their windows or not if the noise from the locality, traffic or the nearby construction sites are disturbing them so as to ensure the residents have a satisfactory level of ventilation in their home.

As part of the application a Noise Impact Assessment by DAA Group dated 20 December 2021, issue 01 was submitted in relation to the impact of the noise from transport on the new residential units. Section 6 of the report – Ventilation and overheating confirms that the environmental noise levels in the locality "would themselves cause unacceptable adverse effects on the health and quality of life if left unmitigated. It is therefore understood that a reliance on natural ventilation, or opening windows, in these areas would be inappropriate due to the potentially adverse effect on future occupants of the development. It is acknowledged from the measured sound data, that mechanical ventilation is necessary. Windows should not be sealed, but operable for times when purge ventilation is needed."

The report goes on to detail the external noise levels from the MVHR units.

The report goes on to conclude that if appropriate mitigation measures outlined including mechanical ventilation that on noise grounds the proposed development will not prejudice the amenities of the any future occupants. It is therefore requested that these mitigation measures are secured by condition.

This service is in broad agreement with the findings of the report however the LPA is expected to seek a technical review of the Noise Assessment from their own consultants.

Mechanical Ventilation Heat Recovery Scheme (MVHR)

The applicant has provided details of a mechanical ventilation heat recovery system in a report from Arch Space Architecture, dated 26 March 2022 ref: V.2. It identifies the need for such a system for the south facing flats in order to meet the WHO recommended noise limits and comply with BS 8223, whilst still allowing residents access to fresh air when their windows are closed.

The report includes two drawings, which are also provided separately, and which provide locations of inlets, ducting etc. as follows:

- Drawing ref: MVHR Ventilation – Grille Locations. Sheet No. VT-E01 May 2020 First and Second Floor Plan
- Drawing ref: MVHR Ventilation – Grille Locations. Sheet No. VT-E02 May 2020 Roof Floor Plan
- Elevation drawings for south, east, west and north were provided showing the locations of the inlets which gave an insight as to the heights relative to the ground. As the residential units are at first floor and above the height of the inlets would be sufficient to prevent traffic pollution being drawn into the flats.

The scheme submitted lacks some information that is needed for this service to approve the scheme. A MVHR checklist was used to ensure the relevant details had been submitted. Through the use of the checklist some details have been identified as being outstanding. This is likely to be an oversight with the information easily provided to the LPA. As such the checklist completed by this service has been provided for information and should be passed on to the LPA and applicant in order that the omitted details to be provided as soon as possible.

In summary the outstanding information relates to the following:

- Supplier
- Installer
- Acoustic attenuation – air bricks
- Continuous operation
- Flow rates
- Boost
- Air Temperature
- Electricity supply
- Service and Maintenance
- Building Regulations
- Solar Gain
- Information pack for residents
- Commissioning
- Site visit

In order to cover this and the installation of the approved scheme we would request that the following comments and conditions be applied:

Condition - Mechanical Ventilation Heat Recovery (MVHR)

The applicant is required to provide all residential units within the development, as proposed in the Noise Impact Assessment by DAA Group dated 20 December 2021, issue 01 with a suitable Mechanical Ventilation Heat Recovery (MVHR) system to the satisfaction of the LPA so as to provide a sufficient supply of fresh air to the occupants should they wish to keep the windows closed at any time as follows:

a) The applicant must submit the details of the Mechanical Ventilation Hear Recovery (MVHR) Scheme for approval prior to commencement of works on the development site. This requirement applies to all residential units in this application and is in addition to the requirement under health and safety legislation for all places of work to be provided with ventilation to provide clean air to the occupants etc. The scheme must include the following:

- a heat exchange unit,
- noise and vibration attenuation
- it must bring in air from a location eg the furthest point away from any source of

pollution i.e. the road traffic, windblown dust from the Northfleet embankment sites, etc, and

- it 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.

The applicant will be provided with the MVHR checklist of information to be submitted as part of the scheme to the LPA. This will include the submission of written details, drawings, etc. in order for the scheme to be considered satisfactory and therefore approved.

b) The approved scheme must be installed in the relevant units before occupation. The installed scheme must be commissioned, before occupation, by an independent ventilation engineer to ascertain if the flow rates are as approved and that it is fit for purpose. The commissioning report must be submitted to the LPA.

Officers from the council's Regulatory Services will visit the site following commissioning to ensure the approved scheme is installed, seen working and are in the correct residential units etc.

Construction environmental management plan

These comments relate only to noise and dust. The applicant has provided a Construction Environmental Management Plan dated 01 March 2022 by Arch Space Architecture Ltd that advises construction work will only take place 7am to 6pm Monday to Friday and 8am to 1pm on Saturdays which will prevent the impact of noise on nearby residents during evenings, Saturday afternoons and on Sundays/bank holidays.

Information is also provided in the report in respect of a wheel wash on site to control dust and reduce tracked material onto the highway, as well as other dust mitigation measures such as using hoses to dampen down dust build ups. We are sceptical as to whether there is available room on site for a wheel wash and therefore the other measures must ensure that dust, mud or dirty water are not tracked out on to the pavement or highway as well as other measures to replace the provision of a wheel wash.

It is recommended that the LPA condition the compliance with the Construction Code of Practice.

Lighting

The applicant has provided a Lighting Impact Assessment report dated January 2022 by Arch Space Architecture Ltd and a Lighting Strategy January 2022 V.3. We are satisfied that the lighting at the development if installed as per the assessment and strategy is unlikely to cause statutory nuisance to neighbouring properties. However the applicant should be advised that in the event of a light nuisance complaint being confirmed as being justified by the council's Environmental Protection Team, enforcement action can be taken against the building owners/occupiers to require suitable works to abate the nuisance.

EV Charging

We are happy to see that provision has been made for electric vehicle charging at the development, consisting of 6 wall mounted EV Charging Units. We recommend that as an informative the applicant provides the LPA with suitable confirmation that these have been installed as the applicant has proposed.

Foul Drainage

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems. It is noted that the Foul Sewage and Surface Water Drainage Assessment makes reference to this and that that Southern Water have been consulted and advised the applicant to make an application to connect to their main sewer network. It is recommended that the LPA condition the connection to the mains sewerage.

Contaminated Land

EDC to seek comments from their own consultants.

Recommendation:

The Ebbsfleet Development Corporation (EDC) is advised that the Borough Council still objects to the application generally and also in relation to highway safety grounds.

Whilst noting that there are some positive improvements to the design and appearance of the proposed development including the provision of balconies and a proposed roof garden there remain concerns that the proposals are still an over development of the site. The GBC Highways Development Management Officer has commented in relation to the revised proposals:

This is an intensification of a proposal that has already been exhaustively analysed.

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Rule 201 of the Highway Code states. When, using a driveway, reverse in and drive out if you can. I see no reason why that cannot occur here, but in driving out in forward gear vehicles would have to travel on the wrong side of the road in close proximity to a junction where visibility would be restricted for on coming vehicles due to the adjacent junction. I therefore consider the use of the parking space to be hazardous, even if vehicle speeds may be low it will be an unexpected situation and would recommend refusal on highway safety grounds. It should be also noted that visibility splays are always measured to the nearside edge of the carriageway and not the centre line of the main carriageway except in very special circumstances which do not apply here.

On highway safety grounds I therefore recommend refusal.

The EDC is thanked for consulting the Borough Council.

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	8 th June 2022	Dated:	9th June 2022