

Environmental Protection COMMENTS

Case Number	20240241
Case Officer	Ms Amanda Cue
Address	Call Boy, Harmer Street, Gravesend, Kent, DA12 2AX

Proposal	Application for the approval of conditions 4, 6 and 8 attached to planning permission reference number 20210023 relating to the (4) remediation statement, (6) ventilation and (8) noise report.
Consultation Expiry Date	9 April 2024
Date of Response	26 March 2024 (JO)

With reference to the above conditions, the following comments are made:

Condition 4 (Remediation statement)

The 'Ground Investigation Report' dated July 2020 by Sub Surface (report ref SE1540A) has been reviewed. It is advised that Condition 4 is not discharged at this time as the requirements of the condition have not been addressed for the reasons detailed below.

Having checked back to the condition relating to contaminated land on the previous permission (20171021), Condition 8 did not appear to have been discharged. An application for discharge was submitted in June 2020 but withdrawn. The Ground Investigation Report refers to a 'Walkover Survey and Desk Study' dated February 2020 (Report Ref: SE1540), and this report was submitted with the withdrawn application. Comments from Environmental Protection on 2nd April 2020 advised that based on the report, only part a) of condition 8 could be discharged. Advice was that an intrusive investigation should take place in accordance with the recommendations of the Desk Study to address parts b) and c) of the condition. However, the July 2020 report was submitted with a variation application (Ref 20200855) and Environmental Protection advised (on 4th December 2020) that this met the requirements of parts b) and c) of condition 8 with parts d) and e) remaining outstanding.

The report recommends that the soil is removed from the garden and soft landscaped areas and replaced with 600mm of clean imported topsoil/subsoil in the back garden areas, with 450mm clean imported topsoil to other soft landscaped areas. Deeper rooted trees/bushes will also need to be planted in clean topsoil. In addition, the report advises that as only 3 of the suite of 6 scheduled gas monitoring samples had been completed, a remediation statement be submitted following this – hence the reason for Condition 4.

As the report submitted is the same, this does not represent a Remediation Statement. It may be that there is a later/updated report available and enquiries should be made of the applicant/agent regarding this.

Based on the information in this report, in addition to the additional gas monitoring, remediation measures are required and evidence that they have been undertaken are needed. This would be in the form of an updated report indicating the results of the gas monitoring and a closure report detailing what has taken place and where along with the required certification. This certification would be soil removal certificates to demonstrate the appropriate amount of contaminated soil has been taken off site for disposal, and certification and documentation regarding the clean imported soil (to include its source and laboratory testing) It would appear from google maps that the development is completed. If the additional gas monitoring and remediation measures for the gardens/soft landscaped areas have not been undertaken, this is a risk as the condition cannot be discharged which may hinder house sales.

Condition 6 (Ventilation)

Condition 5 of 20210023 does not appear to have been submitted for discharge. That condition relates to the scheme of ventilation that was to be submitted for approval and condition 6 is to demonstrate compliance with that scheme. Without having the full details of the scheme, the certification does not make much sense and are of no use. The certificates submitted are 'Building Regulations Part F - Ventilation for Dwellings Completion Checklist and Commissioning Sheet' which are not the details required. Condition 6 relates to the ventilation scheme being installed in order to deal with poor air quality and as such the system must be positively pressurised so that pollution cannot enter in from the road. This is made quite clear in the wording of the condition. In this respect, the inlet and outlet flow rates need to be specified to demonstrate positive pressure.

Some details of the mechanical ventilation scheme were submitted with the variation application – 20200855. However, these were not deemed sufficient to enable the condition attached to the 2017 permission to be discharged, hence the reason for conditions 5 and 6. From the details that were submitted, Envirovent Slimline 150 units were to be installed, however the certification attached to this application refers to Nuaire MRXBOX95AB units.

Condition 6 cannot therefore be discharged based on the information submitted. It is recommended that as the ventilation has already been installed, that details relating to Conditions 5 and 6 are submitted at the same time and the applicant/agent refers back to the correspondence and details submitted with the 2020 application. Environmental Protection's 'Air Quality Scheme Checklist' should be completed as part of the details for condition 5 and this can be made available.

Condition 8 (Noise report)

The post completion report by Peter Moore Acoustics Ltd dated 3 May 2023 has been reviewed. The report confirms that visually the sound insulation measures recommended in a previously submitted report had visually been undertaken. Noise measurements were undertaken on 2nd May 2023 and demonstrate that internal noise levels are compliant with the criteria contained in BS8233:2014 and Condition 8 can be discharged.