

does not include any analysis of traffic noise impacts. They have advised that the Council cannot properly determine the application without such an assessment being undertaken.

It has not therefore been demonstrated that the Applications will have not have an unacceptable noise and vibration impact on surrounding amenity – contrary to the requirements of Policy CE6 *would have an unacceptable noise and vibration impact on surrounding amenity*

## **8. Air Quality Impacts**

Our client has commissioned Air Quality Consultants Limited ("AQCL") to review the Air Quality Assessment submitted with the Applications.

AQCL have identified that no diffusion tube monitoring has been undertaken within South End itself. In any event the submitted Air Quality Assessment acknowledges that there will be moderate adverse impacts on properties in South End during the Construction phase.

The only practicable mitigation available to attempt to address this significant impact would be through an alternative vehicular access.

During the operation phase it is inevitable that vehicles will be required to wait and manoeuvre to allow those coming in the opposite direction space to pass given the extremely narrow carriageway. No assessment has been undertaken of the increase in emissions as a result of vehicles having to accelerate, decelerate and manoeuvre which will be a daily (if not hourly) occurrence.

For the reasons set out above our client considers that the Applicant has underestimated the likely increase in traffic levels along South End. However even on its own figures, the Applicant's Air Quality Assessment identifies that there will be a permanent 'moderate adverse' impact in Kensington Square (to the extent that the air quality objective will be exceeded by more than 10% in some locations) and likewise a 'slight adverse' impact in South End, which in itself is a somewhat surprising conclusion.

However, these conclusions do not reflect the true likely increase in traffic movements along South End.

Given the predicted levels it would only take a marginal increase to move the predicted impact in South End from "slight" to "moderate" adverse. In most circumstances this would indicate a need for a developer to carefully consider mitigation options. In this case this is not possible as the only practicable mitigation available to attempt to address the impact is the provision of alternative vehicular access to the site.

## **9. Impact on Conservation Area**

As set out above South End (and the application site) falls within the Kensington Square Conservation Area.

The recently adopted Conservation Area Appraisal, specifically identifies South End as a "small and quiet lane".

In accordance with its statutory duty under Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990, the Council is required to pay special attention to the