

<b>Agenda Item</b>	A11
<b>Application Number</b>	22/00481/FUL
<b>Proposal</b>	Installation of air source heat pumps
<b>Application site</b>	Lancaster City Council Palatine Hall Dalton Square Lancaster
<b>Applicant</b>	Lancaster City Council
<b>Agent</b>	HPA Chartered Architects
<b>Case Officer</b>	Ms Charlotte Greenhow
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval however delegation back to Head of Planning and Place to resolve an outstanding matter regarding appropriate noise attenuation measures.

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application site is owned by Lancaster City Council, and as such the application must be determined by the Planning Committee.

**1.0 Application Site and Setting**

1.1 The application site relates to a three storey Grade II listed building known as Palatine Hall on Dalton Square within Lancaster City Centre. The building was originally built as a Roman Catholic Church in 1798-99 and has been constructed from Sandstone Ashlar with a natural slate roof. It has since been converted into a public hall, music hall and cinema before becoming Council offices in the early 1980's. It was subsequently listed in 1989. Dalton Square itself is home to a number of listed buildings including the Grade II\* Queen Victoria Memorial. The site forms part of Lancaster Conservation Area.

**2.0 Proposal**

2.1 Planning permission is sought for the installation of air source heat pumps (ASHP's). The two ASHP's will be located within the external courtyard to the rear of the property, mounted on a concrete plinth and enclosed within a noise attenuation enclosure. The units will measure approximately 1.2m in width, 3.66m in depth, 1.9m in height and just over 2.2m in height including the enclosure and plinth height. The enclosures will be formed of an extruded aluminium alloy pentapost frame with double-skinned acoustic panels. They will be finished in grey (RAL 7030).

### 3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
09/00544/LB	Listed building application for the installation of CCTV cameras to the front and rear, and installation of a door entry system to the front entrance door	Permitted July 2009
01/01333/LB	Listed Building application to form a new step and ramp from emergency exit door including new railings	Permitted March 2002
01/01332/DPA	Construction of disabled access ramp and step with railings to fire exit door	Permitted March 2002

### 4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Environmental Health	No response at the time of compiling this report
Conservation	No response at the time of compiling this report

4.2 No public representations have been received to date. Publicity expires 16 May 2022, any representations will be verbally relayed to councillors.

### 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of development
- Design and heritage
- Noise

5.2 Principle of development (NPPF Sections 2 and 14; Policies DM30 and DM53 of the Development Management DPD)

5.2.1 On 30 January 2019, the council declared a climate emergency. Whilst the newly adopted Local Plan does seek to address climate change, it was too far advanced in the plan preparation process to incorporate some of the actions and directions of the climate emergency declaration. The Council are therefore entering into an immediate Local Plan review to ensure that the aspects of this important agenda are adequately considered and include the necessary mitigation and adaption measures necessary to address the climate emergency.

5.2.2 As above, the Council is committed to supporting the transition to a lower carbon future and will seek to maximise the renewable and low carbon energy generated in Lancaster District, where this energy generation is compatible with other sustainability objectives. The overall principle of the development is therefore supported and subject to other considerations set out below, the proposal complies with policies DM30, DM53 and NPPF Section 14.

5.3 Design and heritage (Sections 16, 66 and 72 of the Listed Buildings and Conservation Area Act; NPPF Sections 12 and 16; Policy SP7 of the Strategic Policies and Land Allocations DPD; Policies DM29, DM30, DM37, DM38, DM39, DM53 of the Development Management DPD)

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Any harm (substantial or less than

substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal. This is reiterated by the relevant heritage policies in the Development Plan DPD.

5.3.2 Palatine Hall dates back to the late 18C and is both architecturally and historically important due to its high aesthetic value and former community use. This is owed to its Georgian Townhouse appearance and ecclesiastical roots. However, the listed building has been altered throughout the years with a rear stairwell extension, insertion of modern windows, and external air conditioning unit all resulting in harm to the courtyard area of the building.

5.3.3 The proposed ASHP's will be located within the existing rear courtyard and in close proximity to the existing air conditioning unit which is mounted on the wall. By their nature, the ASHP's are industrial in appearance and are undoubtedly large in scale, materiality could be improved and therefore discussions will occur with the applicant and agent and councillors verbally updated. The units will therefore cause some harm to the setting of the listed building when viewed within the courtyard. Had this area been better preserved, this proposal would have been more difficult to justify. However, given the character of the courtyard area which has already been affected by the newer stairwell extension, modern windows, and air conditioning unit, the installation would cause relatively minor further loss of significance.

5.3.4 Overall, whilst it is considered that the ASHP's would result in less than substantial harm to the setting and appearance of the Grade II Listed Building and Conservation Area, this is outweighed by the public benefits arising from the scheme which will enable renewable energy to be captured and utilised within the site.

#### 5.4 Noise (NPPF Sections 12, 14 and 15; Policies DM29, DM30, and DM53 of the Development Management DPD)

5.4.1 Paragraph 187 of the NPPF sets out that planning decisions should ensure that new development can be integrated effectively with existing surrounding businesses to ensure that appropriate standards of amenity can be achieved for surrounding uses and occupants. Likewise, existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. This is known as the agent of change principle.

5.4.2 The proposed ASHPs produce noise whilst in operation. The ASHPs are to be located within the enclosed courtyard onto which numerous office facilities face. The facilities are owned and managed by the Council and utilised by various Council departments. It is important to ensure that the operation of the ASHPs does not harm the long-term viability and operation of the existing office use. This is particularly important given the need to ensure the provision of main town centre uses such as office facilities within the town centre location.

5.4.3 To establish the impacts of noise generated by the operation of the proposed infrastructure, a formal noise assessment must be submitted to assess the existing background levels of the building, resultant impact of the ASHPs (in particular when both units are in operation), and a requirement for attenuation measures. This had not been provided at the time of writing this report. However, it is evident that the attenuation will be in the form of acoustic enclosures which effectively encase the equipment. Once confirmed, the final details of the attenuation measures will be forthcoming. Subject to these details being provided and noise levels attenuated to an acceptable level, the provision of the ASHP infrastructure is considered to be acceptable. It is considered appropriate to recommend the application to be delegated back to the Head of Planning and Place in order for the final details of the attenuation requirements to be confirmed. A subsequent condition can be imposed to ensure the attenuation measures are installed prior to the operation of the equipment.

### **6.0 Conclusion and Planning Balance**

6.1 The provision of ASHPs will result in a low level of less than substantial harm to the character and significance of Palatine Hall, a Grade II listed building, and Lancaster Conservation Area. However, it is considered that this identified harm is outweighed by the public benefits that the scheme entails, subject to the specific noise attenuation measures being agreed.

## Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Planning Permission Timescale	Control
2	Development in accordance with approved plans	Control
3	Details and provision of noise attenuation measures	Prior to occupation

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Background Papers**

None.