

<b>Agenda Item</b>	A12
<b>Application Number</b>	22/00543/FUL
<b>Proposal</b>	Installation of air source heat pumps, including associated security fencing
<b>Application site</b>	Ryelands House Owen Road Lancaster Lancashire
<b>Applicant</b>	Elliott Grimshaw
<b>Agent</b>	HPA Chartered Architects
<b>Case Officer</b>	Mr Patrick Hopwood
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval with delegation back to the Head of Planning and Place to allow for the consultation period to expire

(i) **Procedural Matters**

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

**1.0 Application Site and Setting**

1.1 The application site is within Ryelands Park, which – under the Strategic Policies and Land Allocations DPD – is designated as Open Space (Policy SC3) and Local Green Space (SC2). Ryelands House is a Grade II listed building currently used by the NHS, whilst the other two buildings are in use as day nurseries and a children’s centre. A hardstanding car parking area is situated between the buildings, which are surrounded by parkland, gardens and trees.

**2.0 Proposal**

2.1 This application seeks consent for the installation of two air source heat pumps (ASHPs) with perimeter boundary treatment. The proposed ASHPs are part of a series of measures to reduce carbon dependency at Ryelands House and the wider City Council estate.

2.2 The units measure approximately 3.7m in length, 1.4m in width, and just over 2.3m in height including the acoustic housing. The housing will be finished in grey powder coating (RAL 7030). A 1.8m high timber perimeter fence with personnel gate for maintenance access is also proposed. The total footprint of the development area is approx. 5.1m x 6.1m. The heat pumps would occupy a small area of the car park (two parking spaces) at the north end of the modern children’s centre and day nursery building.

2.3 This application is a resubmission of 22/00472/FUL. This was withdrawn due to the heat pumps being sited within the root protection area of a mature tree. The location which forms the subject of the current application was agreed in principle between the applicant, agent, case officer, and key consultees (Arboricultural Officer, Public Realm and Conservation Team) during a site meeting.

### 3.0 Site History

3.1 The most recent planning applications relating to Ryelands Park and Ryelands House include:

Application Number	Proposal	Decision
17/01500/FUL	Change of use of existing multi use games area to create a car park	Approved
17/01530/LB	Listed building application for replacement render to the exterior and interior of the rear courtyard walls and the installation of a door in an existing opening	Approved
22/00472/FUL	Installation of air source heat pumps, including associated security fencing	Withdrawn

### 4.0 Consultation Responses

4.1 At the time of writing this report, the following responses have been received from statutory and internal consultees:

Consultee	Response
Conservation Team	<b>No objection.</b> Very minor harm to setting, likely offset by sustainable heating contributing to future of the listed building. Consideration of fencing finish required.
Environmental Health	No response received.
Arboricultural Officer	<b>No comment,</b>
Public Realm	<b>Support,</b> satisfied with new location. Accords with Council's Climate Emergency declaration and Carbon Zero aspirations. Requirements of DM27 need to be met.
Sport England	Not within Sport England's statutory or non-statutory remit.
Property Services	No response received.

4.2 No public comments have been received at the time of writing this report. Any further consultee or public comments will be summarised by way of a verbal update.

### 5.0 Analysis

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

- Principle of Development
- Design and Heritage
- Protection of Open Space, Sports and Recreational Facilities
- Noise
- Trees

5.2 **Principle of Development** (NPPF Sections 12 and 14; Policies DM30 and DM53 of the Development Management DPD)

5.2.1 As set out in Policies DM30 and DM53, 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 the district where this energy generation is compatible with other sustainability objectives. Lancaster City Council declared a climate change emergency in January 2019 and set a target date of 2030 to make the Council's activities net-zero carbon. Accordingly, the Council will support proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts are, or will be made, acceptable with particular reference to the criteria I. – IV. (including scale, siting, design, biodiversity, heritage and noise matters) set out

in Policy DM53. Subject to this criteria and any other material considerations being satisfactorily addressed, the principle of the development is acceptable.

5.3 **Design and Heritage** (NPPF Sections 12 and 16; Policies DM29, DM30, DM39 and DM53 of the Development Management DPD; Policy SP7 of the Strategic Policies and Land Allocations DPD)

5.3.1 In accordance with the Planning (Listed Building and Conservation Areas) Act 1990, when considering any application that affects a Listed Building, Conservation Area or their setting the local planning authority must pay special attention to the desirability of persevering or enhancing the character or appearance of the heritage asset or its setting.

5.3.2 The proposed ASHPs are somewhat industrial in scale and form, however the large units are required in order to adequately serve the building. They are to be located on existing hardstanding area and adjacent to the children's centre building. The units are undoubtedly large and would cause some harm to the setting of the listed building and the associated former coach house which is opposite the application site. However, such harm is considered to be very minor harm, and the Conservation Team is content that the harm would likely be offset by the introduction of a sustainable form of heating which would contribute to the viability of the listed building in the future. Furthermore, the ASHPs would be seen within the context of the modern children's centre building, a walled yard area, and car parking area.

5.3.3 A stone or rendered wall to match the adjoining children's centre as a means of boundary treatment would be preferable, however the case officer understands that the funding available would not stretch to this. Given the presence of the listed building and the setting within the park further discussions will take place with the applicant to arrive at a boundary treatment that works in the context of the site. Such details can be secured through a suitably worded planning condition.

5.3.4 Overall, it is considered that the ASHPs would cause very minor or offset neutral harm to the setting of the listed building. The identified very minor level of harm arising from the ASHPs is considered to be outweighed by the public benefits in the form of the decarbonisation and improved efficiency and sustainability of the listed building, subject to final details of the boundary treatment being conditioned.

5.4 **Protection of Open Space, Sports and Recreational Facilities** (NPPF Section 8; Policies DM27 and DM43 of the Development Management DPD; Policies SC2 and SC3 of the Strategic Policies and Land Allocations DPD)

5.4.1 Policy DM27 seeks to protect and enhance existing designated open spaces and prevent the loss of designated open space, sports and recreational facilities, whilst Policy DM43 seeks to protect and enhance green spaces including recreational areas and parks. These aims are reiterated by Policies SC2 and SC3 of the Strategic Policies and Land Allocations DPD and Section 8 of the NPPF.

5.4.2 Whilst the ASHPs are located within designated open and green space, they are on an existing hardstanding area and adjacent to existing built development. In terms of car parking spaces being lost, there is ample parking available on the main car park (former MUGA site) and a reduction in the number of vehicles accessing this part of the site will in turn will reduce vehicle-pedestrian conflicts on the shared-use paths. Overall, the proposal will not impinge on the usability of the wider park site or any formal sports facilities, and as such complies with the relevant policies of the Local Plan and Section 8 of the NPPF.

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

5.5.1 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.

5.5.2 The proposed ASHPs will generate a non-trivial amount of noise whilst in operation. The ASHPs are to be located adjacent to the children's centre building, adjacent to the external play space for the

day nursery and within Ryelands Park, a relatively peaceful area when compared to the hustle and bustle of the city centre. It is important to ensure that the operation of the ASHPs does not harm the long-term viability and operation of the adjacent children's centre and day nursery uses, as well as the recreational value of the park.

5.5.3 Noise attenuation will be required in the form of acoustic enclosures, however at the time of writing this report the agent has been unable to supply the precise technical details of these and therefore the case officer is unable to determine if the enclosures as currently proposed will attenuate noise levels to an acceptable level. To this end, a condition requiring further details and implementation of a suitable acoustic housing system is recommended.

5.6 **Trees** (NPPF Sections 12 and 16; Policies DM29, DM45 and DM53 of the Development Management DPD)

5.6.1 The application site is separated from nearby mature trees by an existing wall, and by virtue of the siting on existing asphalted car parking area, the proposal site avoids the root protection area of said trees which can be safely retained as part of the proposal. The Council's Arboricultural Officer is satisfied that the revised proposal presents no likely risk to the long-term health and stability of the mature trees, which are an important feature of the park's landscape and biodiversity offering.

## **6.0 Conclusion and Planning Balance**

6.1 The provision of ASHPs will result in a very minor level of harm to the setting of Ryelands House, a Grade II listed building, within Ryelands Park, a designated open and green space recognised for its recreational and well-being value to local residents. However, it is considered that this identified harm is offset and outweighed by the public benefits that the scheme entails, subject to the specific noise attenuation measures and fencing finish details both being agreed.

### **Recommendation**

That Planning Permission **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Standard three year timescale	Control
2	Development in accordance with plans and details	Control
3	Details of boundary treatments	Control
4	Details and provision of noise attenuation measures	Control

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

In accordance with the above legislation, 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 made 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