

Agenda Item	A10
Application Number	22/00388/FUL
Proposal	Installation of PV panels to the rear elevation and installation of 2 air source heat pumps to courtyard
Application site	City Lab 6 Dalton Square Lancaster Lancashire
Applicant	Elliott Grimshaw
Agent	HPA Chartered Architects
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval however delegation back to Head of Planning and Place to resolve 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 City Lab is an office complex located on Dalton Square. To the rear of the building is Charter House car park. The building comprises an ashlar stone and glass front elevation with slate roof. The rear elevation features a rendered exterior with multi-pitched roof arrangement finished with a metal sheet material.
- 1.2 The property is located within the Lancaster Conservation Area and is attached to No. 5 Dalton Square a Grade II listed building. The Queen Victoria Memorial is Grade II* listed and the walls enclosing it are Grade II listed. The site is located within the defined Town Centre boundary.

2.0 Proposal

- 2.1 The application seeks consent for the installation of solar panels to the rear elevation roof slopes and the installation of two air source heat pumps (ASHP) contained within the central courtyard.
- 2.2 The solar panels are to be installed on the upper most flat roof area, the largest mono-pitch roof slope and part of the smaller hipped roof.

2.3 The two air source heat pumps will be located within the central courtyard, mounted upon a concrete plinth and each enclosed within a noise attenuation enclosure. The units measure almost 3.7 metres in length and just over 2.2 metres in height including the enclosure and plinth height. The attenuation enclosure a metal units 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
08/00235/FUL	Installation of air-conditioning unit to south elevation	Permitted
09/00854/FUL	Installation of an air conditioning unit	Permitted
11/01071/DPA	Installation of photovoltaic solar panels to the south roof slope of the rear outrigger	Permitted

4.0 Consultation Responses

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

Consultee	Response
Environmental Health Officer	No response at the time of compiling this report.
Conservation Officer	No objection
Property Services	No response

4.2 The following responses have been received from members of the public:

- No responses received

5.0 Analysis

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

- Design and heritage
- Noise

5.2 **Design and heritage** (Sections 16, 66 and 72 of the Listed Buildings and Conservation Area Act, National Planning Policy Framework Section 12 and 16, SPLA DPD Policy SP7: Maintaining Lancaster District's Unique Heritage, Development Management DPD Policies DM29: Key Design Principles, DM30: Sustainable Development, DM37: Development affecting Listed Buildings, DM38: Development affecting Conservation Areas, DM39: The Setting of Designated Heritage Assets, DM53: Renewable and Low Carbon Energy Generation)

5.2.1 As set out in Policy 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. set out in Policy DM53.

5.2.2 In accordance with the Listed Building and Conservation Areas Act (in particular Sections 16, 66 and 72), 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. Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Specifically, they will be required to demonstrate that:

1. Proposals respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and the materials used;
2. Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;
3. Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
4. Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area

5.2.3 This proposal is in part for the siting of solar PV panels on the rear elevations of the modern City Lab roof. The panels would largely assimilate with the modern metal clad aesthetic of this part of the building. The majority of panels would be located on the largest south facing part roof to the rear of the Square. Some panels are also proposed on the eastward facing hipped roof slopes as well as the upper most flat roof. The shallow slope of the hipped roofs and height of the flat roof would mean these panels would not be prominent.

5.2.4 5 Dalton Square is a Georgian Townhouse dating from the early 18C in stone ashlar and one of the group of classical buildings which enclosed the northern end of the Square. The ground floor is raised above the basement and to the rear there is a courtyard, with a rear room with a fine bow window. The listed building now forms part of the Council Offices. The listed building has been harmed by the City Block extension which heavily encloses the rear courtyard, with the latter set down at a lower level.

5.2.5 The proposed ASHPs are somewhat industrial in scale and form, the large units are required in order to adequately serve the office buildings. The ASHPs will provide 100% of the buildings heating demands and will replace the existing gas supply. They are to be located within the enclosed courtyard to the rear of the listed building. The units are undoubtedly large and would cause some harm to the setting of the listed building and its bow window which overlooks this space. Had this been a well-preserved context this proposal would have been more difficult to justify. However, bearing in mind the character of the space has already been eroded by the newer City Lab building and extensions and that the courtyard level is at a much lower level than the bow window, the installation would cause a relatively minor further loss of significance.

5.2.6 Overall, it is considered that the solar PVs would cause little or no harm to the existing building, listed building and conservation area. The identified minor level of less than substantial harm arising from the ASHPs is outweighed by the public benefits in the form the removing reliance upon non-renewable gas supplies and the decarbonisation and improved efficiency and sustainability of building stock.

5.3 Noise (National Planning Policy Framework Sections 12, Section 14 and Section 15, Development Management DPD Policies DM29: Key Design Principles, DM30: Sustainable Development, DM53: Renewable and Low Carbon Energy Generation

5.3.1 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.

5.3.2 The proposed ASHPs produce noise whilst in operation, noise data is contained within the product specification information sheet which accompanies the application. 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 but are let to a range of tenants. 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.

5.3.3 A noise assessment has been undertaken which has established existing background levels, has assessed the resultant perceived impact of the two ASHPs (in particular when both units are operating in combination) and considered the requirement for noise attenuation measures. The report has concluded that the ASHPs will produce sound levels that may adversely affect the occupiers of the office spaces when windows are open and without attenuation. Therefore, the scheme will require attenuation in order to reduce the noise produced by the ASHPs to an acceptable level so as their operation does not implicate the surrounding office working environment. Due to the enclosed nature of the courtyard, the most appropriate form of attenuation is considered to be acoustic enclosures which effectively encase the equipment. The noise assessment has identified the specific acoustic enclosures that would be required in order to achieve the required attenuation. A condition can be imposed to ensure the development is undertaken in accordance with the specific ASHPs and that the attenuation measures are installed prior to operation of this equipment. The Environmental Health Officer has been requested to review the findings of the noise assessment, however, at the time of compiling this report no response has been received. It is considered appropriate to recommend the application be delegated back to the Head of Planning and Place in order for the final details of the attenuation requirements to be confirmed.

6.0 Conclusion and Planning Balance

6.1 The provision of the solar panels and ASHPs will result in a low level of less than substantial harm to the character and significance of No. 5 Dalton Square, a Grade II listed building. However, it is considered that this identified harm is outweighed by the public benefits that the scheme entails. Matters relating to amenity and noise have largely been resolved, 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	Time limit	Standard
2	Approved plans	Standard
3	Provision of noise attenuation measures	Prior to operation
4	Development in accordance with ASHP details	Control

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