

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2022/0628/FULL
Location: Campus West The Campus Welwyn Garden City Hertfordshire
 AL8 6BX
Proposal: Installation an Air Source Heat Pump (revision to approved
 scheme 6/2021/1788/FULL).
Officer: Mr Raymond Lee

Recommendation: Granted

6/2022/0628/FULL

Context	
Site and Application description	<p>The application site comprises of the Campus West building and associated carpark which fronts onto the Campus and is located on the corner with Digswell Road. Within the east of the building is a library, the central part of the site contains a cinema, and the west of the site is occupied by 'Roller City'.</p> <p>The application seeks planning permission for the installation of an air source heat pump (ASHP) along with associated acoustic screen. This application follows application reference 6/2021/1788/FULL, granted in December 2021. It was stated within the supporting cover letter that the current application seeks to adjust the location of the steel frame where the proposed ASHP unit would sit and the 3m acoustic fencing to accommodate an existing plant and equipment located on the roof (cable tray and pipework). It is noted that the size and specification of the unit will remain unchanged.</p>
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 0 Town - Welwyn Garden City Town Centre - Distance: 0 UOL - Urban Open Land (Proposal map 2) - Distance: 0 Wards - Handside - Distance: 0 Wards - Sherrards - Distance: 6.38 CP - Cycle Path (National Cycle Network) - Distance: 6.18 FM10 - Flood Zone Surface Water 100mm (2710121) - Distance: 0 FM10 - Flood Zone Surface Water 100mm (2710139) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7564970) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7564999) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7565070) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7564445) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7564502) - Distance: 0 WILD - Dismantled Railway E. of Sherrardspark Wood - Distance: 0 HEN - Existing S41 NERC Act habitat - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0 HPGU - Welwyn Garden City - Distance: 0 HPGU - Digswell Sherrardspark - Distance: 0</p>

<p>Relevant planning history</p>	<p>Application Number: E/1970/0520/ Decision: Granted Decision Date: 26 June 1970 Proposal: Erection of social and amenity centre divisional library, three staff houses, car parking, museum and underpass.</p> <p>Application Number: N6/1977/0404/DC Decision: Granted Decision Date: 08 September 1977 Proposal: Conversion of various meeting rooms in the tower block to offices</p> <p>Application Number: N6/1982/0081/DC Decision: Granted Decision Date: 18 March 1982 Proposal: Single storey extension to provide toilet/changing facilities, storage and kitchen to existing exhibition hall</p> <p>Application Number: N6/1982/0404/DC Decision: Granted Decision Date: 02 September 1982 Proposal: Rear extension to provide a store</p> <p>Application Number: N6/1982/0591/DC Decision: Granted Decision Date: 16 December 1982 Proposal: Single storey link building between existing exhibition hall and main building</p> <p>Application Number: C6/1986/0089/DC Decision: Granted Decision Date: 13 March 1986 Proposal: New public entrance foyer</p> <p>Application Number: N6/1993/0418/FP Decision: Granted Decision Date: 02 September 1993 Proposal: Installation of 6 PCN aerials 1.8m in length and 2, 600mm in diameter microwave dishes</p> <p>Application Number: N6/1995/0525/FP Decision: Granted Decision Date: 15 August 1995 Proposal: External alterations to Campus West</p> <p>Application Number: N6/1995/0524/FP Decision: Granted Decision Date: 01 September 1995 Proposal: New glazed shopfront and entrance lobby to library, and alterations to external steps and handrails</p> <p>Application Number: N6/1996/0311/FP Decision: Granted Decision Date: 07 June 1996 Proposal: External alterations incorporating replacement windows</p>
---	---

	<p>Application Number: N6/1999/0112/FP Decision: Granted Decision Date: 01 April 1999 Proposal: Formation of an access ramp</p> <p>Application Number: N6/1999/0339/DT Decision: Decision Date: 05 July 1999 Proposal: Erection of three antennae</p> <p>Application Number: N6/2000/1118/FP Decision: Withdrawn Decision Date: 08 May 2001 Proposal: SITING OF TELECOMMUNICATIONS CABIN IN GROUNDS AND REPLACEMENT OF EXISTING ANTENNAS ON ROOF</p> <p>Application Number: N6/2001/0316/FP Decision: Granted Decision Date: 11 June 2001 Proposal: REPLACEMENT OF EXISTING CHILLER AND NEW ACOUSTIC LOUVRED ENCLOSURE, HIGH PIPEWORK GANTRIES TO FLAT ROOF</p> <p>Application Number: N6/2008/2454/DC3 Decision: Granted Decision Date: 16 January 2009 Proposal: FORMATION OF NEW LOBBY, CANOPY AND REPLACEMENT FIRE EXIT DOORS</p> <p>Application Number: N6/2011/2720/PA Decision: Decision Date: 24 January 2012 Proposal: Programme for works to Library</p> <p>Application Number: N6/2013/1029/FP Decision: Granted Decision Date: 10 July 2013 Proposal: Replacement and relocation of 6 antenna on free standing platforms, relocation of existing 600mm transmission dish and additional 600mm transmission dish on freestanding platforms and replacement and upgrade of existing equipment within equipment room</p> <p>Application Number: N6/2013/0011/PA Decision: Decision Date: 16 September 2013 Proposal: Campus West Office Extension</p> <p>Application Number: N6/2012/2194/FP Decision: Granted Decision Date: 06 December 2013 Proposal: Retention of edge protection to the roof of Rollercity</p> <p>Application Number: N6/2012/0394/CD Decision: Granted Decision Date: 31 October 2015 Proposal: Proposed alterations to provide new entrance doors, new rooflights</p>
--	---

	<p>and 12 sunpipes</p> <p>Application Number: 6/2020/1239/PA Decision: Withdrawn Decision Date: 21 April 2022 Proposal: Project for a potential Multi-Storey Car Park (MSCP) at Campus West in Welwyn Garden City that this can be increased by approximately 357 spaces</p> <p>Application Number: 6/2021/1788/FULL Decision: Granted Decision Date: 17 December 2021 Proposal: Installation of an air source heat pump.</p> <p>Application Number: 6/2021/2207/MAJ Decision: Granted Decision Date: 17 December 2021 Proposal: Expansion and adaptation of existing car park, including construction of new single suspended level parking deck, reorganisation of road and pavement arrangement, introduction of additional cycle parking, junction improvements and associated landscaping improvements</p>		
Consultations			
Neighbour representations	Support: 0	Object: 5	Other: 0
Publicity	<p>Site Notice Display Date: 25 April 2022 Site Notice Expiry Date: 17 May 2022 Press Advert Display Date: 13 April 2022 Press Advert Expiry Date: 7 May 2022 Neighbour notification letters.</p>		
Summary of neighbour responses	<p>Objections have been received from five neighbours to the proposed development. The representations are summarised below:</p> <ul style="list-style-type: none"> • Adverse noise impact from ASHP being high up on the roof facing residential roads and a conservation area. • The noise pollution will disrupt the quiet of the public footpath and local residents • The size and positioning of this ASHP is not appropriate • The proposed sources of heat are currently inefficient and will result in high electricity bills that the tax payer will be forced to meet • The application should be determined at planning committee by members due its scale and being a Council application 		
Consultees and responses	<p>Hertfordshire Ecology – No objection. The Gardens Trust – No comment. WHBC - Public Health and Protection – No objection, suggested condition. Conservation Officer – No objection.</p>		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF			

D1 D2 GBSP1 GBSP2 M14
 Supplementary Design Guidance Supplementary Parking Guidance Interim Policy for car parking and garage sizes
 Others

Draft Local Plan Proposed Submission 2016:
 SP9 Place making and High Quality Design
 SADM11 Amenity and Layout
 SADM15 Heritage
 SADM 18 Noise

Main Issues

<p>Principle of the development</p>	<p>It is important to note that the principle of the development has already been accepted under the previously approved application 6/2021/1788/FULL. The current resubmitted application seeks only a minor alteration from the approved application. Both local and national Policy has remained unchanged since the last grant of permission. On this basis, the development is considered acceptable in principle.</p>
<p>Design (form, size, scale, siting) and Character (appearance within the streetscene)</p>	<p>The development is located within the Welwyn Garden City Conservation Area. It should be noted that Section 72 of the Listed Buildings and Conservations Areas Act (1990) states that '<i>special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area</i>'. Section 16 of the NPPF 'Conserving and enhancing the historic environment' is broadly consistent with Policy SADM15 'Heritage' of the Emerging Local Plan. Also of relevance, and consistent with the NPPF, are Policies D1 and D2 of the adopted Welwyn Hatfield District Plan (2005) which seek to provide a good standard of design in all new development and require that all new development respects and relates to the character and context of the area in which it is to be sited.</p> <p>Campus West is located in the Welwyn Garden City Conservation Area and occupies a prominent location fronting the semi-circular space of The Campus. Dating to the 1970s, its modernist design and prominent height of the building contrast with the predominant neo-Georgian architecture of the Garden City.</p> <p>In this case, the proposed revisions include the slight relocation of the proposed roof plant, its steel frame mounting, and the acoustic screen. No changes are proposed to the ASHP unit itself, it would continue to measure approximately 2.58 metres in height and will be mounted on a 0.3m high steel plinth. It would have a width of around 2.2 metres and length of 7 metres. The unit will be finished in light grey which is the same as that previously approved. A 3 metre tall acoustic screen will be erected to the north of the unit, at a distance of approximately 1.8m, which is around 0.6m closer than that previously approved. The changes proposed are considered to be relatively minor and would not result in material harm over and above the previous approved scheme. The proposed relocated plant would not appear prominent nor form a discordant feature of the building when viewed from the street. It would continue to be sufficiently set back from the eaves line of the building and be seen in the context of other existing plant and equipment at rooftop level. The conservation officer was consulted and had raised no objections to the revised development. As such, there is not considered to be any harmful impact on the significance of the Conservation Area. Consequently the area's character and appearance will be preserved to an acceptable level.</p>

	<p>Overall, the proposal would be in compliance with the National Planning Policy Framework, Policies D1 and D2 of the District Plan and Policy SP9 and SADM15 of the emerging Local Plan. The proposal would also comply with Section 16 of the NPPF and the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 in preserving the Conservation Area.</p>
<p>Impact on neighbours</p>	<p>Policy D1 of the District Plan requires the standard of design to be of high quality in order to protect the living conditions of future and surrounding occupiers. This Policy is expanded upon in the Council's SDG which sets out general design principle for all development including noise and sunlight and daylight. Emerging Policy SADM11 aims to preserve neighbouring amenity. These policies are broadly consistent with the NPPF.</p> <p>Similar to the previous approved scheme (6/2021/1788/FULL), it is considered that the positioning of the development within the application site, screening of the development and separation distances involved would not result in adjoining neighbours to experience a loss of light or privacy (from personnel working on the roof) nor would the development appear overbearing or unduly dominant. The amenity of the adjoining occupants would therefore be maintained to an acceptable level.</p>
<p>Access, car parking and highway considerations</p>	<p>No changes are proposed to the access or car parking availability on site. Therefore the proposal would not impact upon highway safety.</p>
<p>Any other issues</p>	<p><i>Noise and disturbance</i></p> <p>Policy R19 of the District Plan states that proposals will be refused if the development is likely to generate unacceptable noise or vibration for other land uses nearby. This approach is reflected in Policy SADM18 of the Emerging Local Plan.</p> <p>In terms of noise impact, the revised proposals would continue to introduce an air source heat pump at the application building sited amongst existing plant and equipment at roof level. In comparison to the previous approved scheme, the air source heat pump unit is proposed to be moved approximately 1.2m towards the south of the building's rooftop which would be closer to the street and further away from the neighbours situated to the rear of the site. The current application also proposes a 3 metre tall acoustic barrier to the north of the unit at a distance approximately 0.6m closer than the last scheme. As noted above, the unit size and specifications are to remain the same as that previous approved. In this case, given the minor changes to the positioning of the proposed ASHP unit, it is not considered that the proposed revisions would have any material impact from the noise and vibrations generated over and above the approved scheme. No objections have been raised by the Councils Environmental Health Officer to the proposed submission. Therefore, subject to the imposition of a condition on noise from construction works, the proposed revision to the approved scheme is considered to be acceptable in terms of noise and disturbance.</p> <p><i>Ecology</i></p> <p>The submitted details of the current revised scheme have been further reviewed by Hertfordshire Ecology and no objections were raised to the</p>

	<p>proposals on impact upon the local Wildlife. As such there will be conflict with the NPPF, Policy R11 of the District Plan and relevant emerging policy SADM16.</p> <p><i>PV Panels</i></p> <p>It is noted that the submitted plans indicate PV panels on the roof of the Campus West building. The applicant states in the submitted documentation that the PV array benefits from Permitted Development Rights under Schedule 2, Part 14, Class J of the General Permitted Development Order 2015, as amended and not proposed as part of the current scheme.</p> <p><i>Neighbour representations</i></p> <p>It is noted that neighbour comments have been received stating that due to the scale of the development proposed and that fact that it is a Council application, the scheme should be determined at planning committee by elected members. However, in this instance, the proposal for an air source heat pump unit on the roof of an existing building amongst existing plant and equipment. Furthermore, it was clear from the application form that the application site within which the development is to take place, is under 16 square metres, which is below the threshold set out in the relevant planning legislation for this development to have been considered as a major application. As such it is considered that this application can be determined under delegated powers which is the same approach as that of the previous approved scheme (6/2021/1788/FULL).</p>
<p>Conclusion</p> <p>Having regard to all of the above, subject to the suggested condition regarding noise being imposed, the proposal would be in accordance with the Welwyn Hatfield District Plan; the Supplementary Design Guidance; and the National Planning Policy Framework. The application is therefore recommended for approval.</p>	

Conditions:

1. All noisy works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays
8.00am and 1.00pm Saturdays
and at no time on Sundays and Bank Holidays

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect residents from noise from construction works beyond reasonable times in line with Policy R19 and D1 of the District Plan 2005,

Supplementary Design Guidance 2005 and the National Planning Policy Framework.

DRAWING NUMBERS

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
		Site Location Plan	17 March 2022
P4252- PESP-AZ- RF-DR-ME- 58-9150	5	Roof Level Mechanical and Electrical Services Layout	17 March 2022
P4252- PESP-AZ- RF-DR-ME- 58-9153	2	Roof Level Proposed Mechanical and Electrical Services Layout	17 March 2022
P4252- PESP-AZ- RF-DR-ME- 58-9160	2	Block plan	21 March 2022
P4252- PESP-AZ- RF-DR-ME- 58-9151		Existing Roof Plan	22 June 2022

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.

2. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
3.
 1. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
 2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions
 3. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
 4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
 5. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
 6. All pile driving shall be carried out by a recognised noise reducing system.
 7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
 8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
 9. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
 10. Any emergency deviation from these conditions shall be notified to the Council without delay
 11. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
 12. Permissible noise levels are not specified at this stage.
4. All efforts shall be made to reduce dust generation to a minimum

Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.

Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.

Determined By:

Mr Francis Saayeng
22 June 2022