

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

DELEGATED APPLICATION

Application No: 6/2021/1788/FULL
Location: Campus West The Campus Welwyn Garden City AL8 6BX
Proposal: Installation of an air source heat pump.
Officer: Mr Raymond Lee

Recommendation: Granted

6/2021/1788/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 along with an associated acoustic screen. The proposed unit would measure approximately 2.58 metres in height (high mounted on a 0.3m high steel plinth), 2.2 metres in width and 7 metres in length, and would be finished in light grey. The acoustic screen would be erected to the north of the unit to reduce the noise pollution.</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 (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>
Relevant planning history	<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>

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

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

Application Number: N6/1982/0404/DC
Decision: Granted
Decision Date: 02 September 1982
Proposal: Rear extension to provide a store

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

Application Number: C6/1986/0089/DC
Decision: Granted
Decision Date: 13 March 1986
Proposal: New public entrance foyer

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

Application Number: N6/1995/0525/FP
Decision: Granted
Decision Date: 15 August 1995
Proposal: External alterations to Campus West

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

Application Number: N6/1996/0311/FP
Decision: Granted
Decision Date: 07 June 1996
Proposal: External alterations incorporating replacement windows

Application Number: N6/1999/0112/FP
Decision: Granted
Decision Date: 01 April 1999
Proposal: Formation of an access ramp

Application Number: N6/1999/0339/DT

	<p>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 and 12 sunpipes</p>
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Consultations

Neighbour representations

Support: 0

Object: 5

Other: 0

Publicity

Site Notice Display Date: 3 September 2021

	<p>Site Notice Expiry Date: 24 September 2021</p> <p>Press Advert Display Date: 25 August 2021</p> <p>Press Advert Expiry Date: 16 September 2021</p> <p>Neighbour notification letters.</p>
Summary of neighbour responses	<p>A total of five neighbour objections have been received to the proposed development. The representations are summarised below:</p> <ul style="list-style-type: none"> • Notification letters were not sent to all local residents of Scholars Mews, Densley Close, Roundwood Drive and Bridge Road • Excessive noise from the development will disturb the local wildlife and local residents • There will be combined noise impact from the proposed heat pump plus the noise that would come with the proposed multi-storey carpark • Noise levels monitored at street level in Scholars Mews and not in the back gardens - Noise impact assessment requested for properties along Densley Close and Scholars Mews • Lack of sufficient noise mitigation - an acoustic barrier should be erected • The air source heat pump will be visible from the ground • Not clear in submitted report whether any assessment has been made for vibration • The installation of solar panels on Campus West building in a conservation area would require planning permission • Potential glare from PV panels
Consultees and responses	<p>The Gardens Trust – No comments.</p> <p>Hertfordshire Ecology – No objections.</p> <p>Conservation Officer – No objections.</p> <p>WHBC - Public Health and Protection – No objections, suggested condition.</p>
Relevant Policies	
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes Others	
<p><u>Draft Local Plan Proposed Submission 2016:</u> SP9 Place making and High Quality Design SADM11 Amenity and Layout SADM15 Heritage SADM 18 Noise</p>	
Main Issues	
Is the development within a conservation area?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Would the significance of the designated heritage asset be preserved or enhanced?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Comment (if applicable): See below	

Would the development reflect the character of the area?

Yes No

Comment (if applicable):

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 '*special attention shall be paid to the desirability of preserving or enhancing the character or the appearance of that area*'. 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.

The application site (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.

In this case, the proposed roof plant structure is a large structure at approximately 2.58 metres in height and 7 metres in length. The elevation and section drawings illustrate the position of the plant structure on the roof, and section C-C demonstrates that it is set relatively far back on the roof from the elevation (A) fronting The Campus. Long views of Campus West from locations across The Campus are possible, but many are filtered by trees when they are in leaf. The proposed plant structure would be located alongside existing plant on the roof which is perceivable in some views, but not prominent. Whilst the proposed plant structure is much larger than the existing structures on this part of the roof, it is not considered that it would appear as a prominent feature in views of Campus West from The Campus and would not detract from its overall appearance due to its set back position. No objections were therefore raised by the Conservation Officer.

Overall, the impact upon the character and appearance of the building and the conservation area would be acceptable, and 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 the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 in preserving the Conservation Area.

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No N/A

Comment (if applicable):

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.

Would the development provide / retain sufficient parking?

Yes No N/A

Comment (if applicable):

Any other issues

Noise and disturbance

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>In this instance, the proposal would introduce the use of an air source heat pump at the application building, which is to be sited amongst existing plant and equipment at roof level. An initial noise report was submitted for review which demonstrated that the required noise criteria would not be met at the nearest residential receptor. However following a discussion with the planning team and the applicant, amendments have been made to include additional mitigation. This has been assessed by the Councils Environmental Health Officer who confirmed that the noise criteria can now be met. No concerns were also raised with respect to the vibrations generated by the proposed development. Subject to conditions, the proposed air source heat pump is considered to be acceptable in terms of noise and disturbance.</p> <p><i>Ecology</i></p> <p>The submitted details have been reviewed by Hertfordshire Ecology and no objections were raised to the proposals on impact upon the local Wildlife.</p> <p><i>Neighbour representations</i></p> <p>Whilst concerns were raised with regards to the PV panels on the roof of the Campus West building, these are shown on the existing plans submitted and not proposed as part of the current scheme. 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.</p>
<p>Conclusion</p>	
<p>Having regard to the above, subject to the suggested condition regarding noise, 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
P4252- PESP-AZ- RF-DR-ME- 58-9160		Block Plan	29 June 2021
Location Plan		Location Plan	22 July 2021
P4252- PESP-AZ- RF-DR-ME- 58-9160		Block Plan	22 July 2021
P4252- PESP-AZ- RF-DR-ME- 58-9152		Roof Level Mechanical Services	22 July 2021
P4252- PESP-AZ- RF-DR-ME- 58-9151		Existing Roof Plan	22 July 2021
P4252- PESP-AZ- RF-DR-ME- 58-9150	3	Proposed Plans & Elevations	17 September 2021
P4252- PESP-AZ- RF-DR-ME- 58-9150	4	Proposed Roof Plan & Mechanical Services	13 October 2021
P4252- PESP-AZ- RF-DR-ME- 58-9153	1	Proposed Elevations	16 November 2021

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. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at www.hertfordshirebc.co.uk

4.
 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.

5. 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 Derek Lawrence
17 December 2021