

Application Number:	P/FUL/2023/02868		
Webpage:	Planning application: P/FUL/2023/02868 - dorsetforyou.com dorsetcouncil.gov.uk		
Site address:	St Johns CE VC First School St Johns Hill Wimborne Minster BH21 1BX		
Proposal:	Installation of air source heat pumps (as amended)		
Applicant name:	St Johns CE VC First School		
Case Officer:	Victoria Chevis		
Ward Member(s):	Cllr Bartlett and Cllr Morgan		
Publicity expiry date:	9 August 2023	Officer site visit date:	8 August 2023
Decision due date:	15 September 2023	Ext(s) of time:	15 September 2023

1.0 Reason application is going to committee

The application site includes land owned by Dorset Council (the school field to the north of the site).

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 16 of this report

- The location of the proposed air source heat pump is considered to be discrete and is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The school is located in the settlement boundary where the principle of an air source heat pump is acceptable and sustainable.
Scale, design, impact on character and appearance	The units would be set against this large school complex where their impact would be modest.

Impact on amenity	The only amenity impact would be in terms of noise. A Noise Impact Assessment has been submitted which has been the subject of comments from the Environmental Health Officer who recommends a condition to secure the proposed mitigation measures.
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5.0 Description of Site

- 5.1 This school site is located to the east of Wimborne Town Centre. The main entrance is accessed from St John Hill with a further entrance to the playground accessed from Legg Lane. The site lies within Rowlands Hill/ St John's Hill Conservation Area.
- 5.2 Established residential properties of a variety of designs and sizes lie to the north, east and west of the school. Immediately to the south is St John's Church.

6.0 Description of Development

The proposal is to replace the existing school boiler with air source heat pumps which would be located on an area of flat roof, between 2 pitch roofs, towards the north end of the building. The two units would each be a maximum of 1.71 metres high with a depth of 0.75m and width of 1.98m.

Note - the plans have been amended since the original submission to include the acoustic fence in line with the recommendation of the Environmental Health Officer.

The proposal relocates the plant on to the roof rather than at ground level as within the original submission. The location will be in between two pitched roofs and the plant is therefore not visible from the road

2m high acoustic screens are included as part of the proposal. Materials specified for the acoustic barrier are white powder coated frame and posts with buff colour panels.

7.0 Relevant Planning History

03/02/0663/CON

Decision: No Objection Decision Date: 18/06/2002

Demolish Hall, Timber Frame Extension, Rear Ext, Toilet Block and Timber Frame Classroom. (Conservation Area App.)

03/02/0802/FUL

Decision: No objection Decision Date: 07/08/2002

Erection Of Single Storey Teaching Extension to Replace Temp Buildings Comprising School Hall, 2 Class Bases Associated Storage and Toilets

03/96/0883/FUL

Decision: GRA Decision Date: 05/12/1996

Change Of Use of Former Schoolhouse from Residential to Education Use, Erect Single Plant Room & Install Velux Window

03/96/0917/CO

Decision: No objection Decision Date: 21/11/1996
Demolition Of Brick Chimney Stack to Former School House, Removal of External
Timber Frame & Brickwork Under Front Porch of Former School House,

3/09/0208/CPO

Decision: No objection Decision Date: 07/05/2009
Single Storey Side Extension to South Side of School

3/19/1017/FUL

Decision: GRA Decision Date: 13/08/2019
Replacement of existing boundary fencing to enhance security.

3/2009/0208

Decision: GRA Decision Date: 07/05/2009
Extension to side of school

8.0 List of Constraints

Within the Rowlands Hill/ St John's Hill Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within settlement boundary: Wimborne/Colehill

Dorset Council Land (Freehold): St Johns CE First School

Wildlife Present: S41 - insect - beetle (Coleoptera)

Flood Zone 2

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

Dorset Council - Conservation Officers –No objection subject to conditions as the new units will not be visible from the street

Dorset Council - Environmental Protection - no objection subject to a condition to secure mitigation identified in the Noise Impact Assessment.

Wimborne Minster Town Council – No objection

Representations received

Site notices were erect on Legg Lane and St John's Hill on 08/06/2023 with an expiry date of the 29/06/2023. No comments were received.

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

Adopted Christchurch and East Dorset Local Plan:

The following policies are considered to be relevant to this proposal:

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

HE1- Valuing and Conserving our Historic Environment

HE2 - Design of new development

ME5 – Sources of renewable energy

Saved policy DES2- Criteria for development to avoid unacceptable impacts from types of pollution, of the East Dorset Local Plan 2002.

Material considerations

Dorset Council Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Neighbourhood Plans

Wimborne Minster Neighbourhood Plan- In preparation – very limited weight applied to decision making

Other material considerations

National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change' Paragraphs 152 - 158 advise that:

The planning system should support renewable and low carbon energy and associated infrastructure. It should help increase the supply of renewable energy and support community lead initiatives where impact are (or can be made) acceptable.

SPG 11 Wimborne, St John's (Rowlands Hill/St John's Hill) Conservation Area

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposal will not materially impact anyone with protected characteristics.

14.0 Financial benefits

None relevant

15.0 Environmental Implications

The proposal will lead to a reduced carbon footprint by decarbonising the school estate.

16.0 Planning Assessment

16.1 The main planning considerations for this application are:

- Principle of development
- Scale, design and impact on character and appearance
- Impact on amenity

Principle of development

16.2 As this site lies within the settlement boundary of Wimborne/Colehill the principle of the proposed air source heat pumps is acceptable. Local Plan Policy ME5 encourages the sustainable generation of energy from renewable and low carbon sources where adverse social, environmental and visual impacts have been minimised to an acceptable level.

Scale, design and impact on the Conservation Area

- 16.3 Policy HE1 requires that heritage assets are conserved and where appropriate enhanced for their historic significance and importance. NPPF chapter 16 identifies that where a proposal will lead to less than substantial harm to the significance of a heritage asset then this harm should be weighed against the public benefits of the proposal.
- 16.4 St John's First School lies within the Rowlands Hill/St John's Hill Conservation Area and is part of the strong Victorian building legacy that accounts for much of the character of the area. It was constructed in the mid-19th century and has been extended and altered over time. It is red brick with a slate roof with architectural features such as buff brick detailing to windows and doors and deep reveals and steep pitched roofs. The building makes a positive contribution to the street scene alongside St John's Church.
- 16.5 The position of the air source heat pumps was amended during the application process as it was identified that the original position, close to the existing boiler room, would have resulted in a loss of useable space in a small area of playground used as a reflection area and an access route for the students. The amended position, utilising the roof space, allows the school to retain all of their playground area and the pumps will no longer be visible from the street.
- 16.6 The amended location of the air source heat pumps is on an area of flat roof between 2 pitched roofs towards the north end of the school. While the pumps will have a utilitarian appearance when viewed from the raised playing field to the north, they are modest in size when compared to the school buildings. The pumps will be screened immediately to the east and west and also to the south by pitched roofs. To the north trees provide screening from views beyond the site. Within this setting harm to the Conservation Area will be avoided.
- 16.7 The air source heat pumps in this revised location are acceptable features within the proposed setting, particularly bearing in mind the benefits of sustainable energy provision. In conclusion, on this matter it is considered that the proposals would avoid harm to heritage assets so accord with policy HE1 and the requirements of the NPPF to protect heritage assets.

Impact on amenity

- 16.8 It is noted that The Institute of Acoustics (IOA) and the Chartered Institute of Environmental Health advise against positioning plant on a roof. However, it is accepted that there will be exceptions, for example, in urban areas where walls and roof space may be the only realistic option, as is the case in this application.

- 16.9 The proposed air source heat pumps would be located well away from neighbouring residential property such that they would have no adverse neighbour impacts in terms of light or shadowing. The only potential impact that has been identified is that relation to potential noise nuisance.
- 16.10 A Noise Impact Assessment (NIA) has been submitted which has identified that the closest residential properties are two storey Bramley House (approx. 50m to the north) and the bungalow at 43 Legg Lane (approx. 40m to the west). In order to mitigate any impacts on neighbouring amenity a 2m high acoustic fence is proposed to screen the pumps. This is anticipated to result in low noise levels experienced at the facades of the two properties; the levels accord with the CIEH/loA Professional Guidance Note: Heat Pumps (Nov 2022).
- 16.11 The report has been the subject of consultation with the Environmental Health Officer who has raised no objection to the proposals subject to a condition that secures the mitigation measures proposed in the NIA which would ensure that any noise impacts would be limited to those that would avoid demonstrable harm to neighbouring amenity in accordance with policy HE2 and saved policy DES2.

17.0 Conclusion

The proposed air source heat pump is acceptable in principle with no adverse visual impacts in the Conservation area or harmful impacts on amenity for occupants of neighbouring properties.

18.0 Recommendation

Grant, subject to conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

576 P 01 - Location plan submitted 30/05/2023

576 P 05 - Proposed plant plan and elevations - submitted 12/05/2023

576 P 06 Rev B - Proposed roof plan - submitted 04/07/2023

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the development hereby approved being first brought into use, the mitigation measures set out in paragraph 4.2 of the Noise Impact Assessment, received 26/07/2023, must be complete. The development shall be completed

in accordance with these approved details and the noise attenuation measures shall be retained thereafter.

Reason: In order to protect the living conditions of surrounding residential properties.

Informative Notes:

1. We would advise applicant to follow guidance: heat-pumps-briefing-note-professional-advice-note.pdf (cieh.org).
2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

3. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.