

**6. FULL APPLICATION – INSTALLATION OF 2 AIR SOURCE HEAT PUMPS AT THE BLIND BULL, MAIN ROAD, LITTLE HUCKLOW (NP/DDD/1220/1148, AM)**

**APPLICANT: RAAB DYKSTRA-MCCARTHY**

**Summary**

1. The site is within the rear garden of Manor House, a Grade II\* listed building in Little Hucklow.
2. The application proposes the retention of two air source heat pumps that have been erected on the site.
3. The development would harm the setting of the Grade II\* listed building and the Conservation Area and create noise that would harm the amenity of occupants of Manor House and neighbouring properties.
4. The application is recommended for refusal.

**Site and Surroundings**

5. The Blind Bull public house is located on the east edge of Little Hucklow.
6. The application site is located within the rear garden and within the curtilage of The Manor House a Grade II\* listed building. The site is also within the designated Conservation Area.
7. Access to the site is through The Manor House or from the track to the south along which runs a public footpath.
8. The nearest neighbouring properties are residential including Wragg Cottage to the west of the site, The Green to the north west and Millstone Cottage to the north.

**Proposal**

9. The installation of two air source heat pumps on land to the east of the Blind Bull. This land is located to the rear of and within the curtilage of Manor House a Grade II\* listed house within the ownership of the applicant.
10. Each of the air source heat pumps measure 1.15m high, 1.15m wide and 0.45m deep. The units are within a grey coloured metal housing with two grated fans to the front.
11. The air source heat pumps have been installed. Therefore, the application is retrospective and seeks to retain the development.

**RECOMMENDATION:**

**That the application be REFUSED for the following reasons**

1. **The development would harm the setting of Manor House a Grade II\* listed building and harm the Little Hucklow Conservation Area. The public benefits of allowing the development would not outweigh this harm. The proposed development is therefore not in accordance with policies GSP3, L3, CC2, DMC3, DMC5, DMC7 and the National Planning Policy Framework.**

**2. Noise generated by the development would harm the amenity of occupants of Manor House and neighbouring properties contrary to policies GSP3, DMC3, DMC14 and the National Planning Policy Framework.**

**Key Issues**

12. The impact of the development upon the setting of the Grade II\* listed building and the Little Hucklow conservation area.
13. The impact of the development upon the amenity of neighbouring properties.

**Relevant Planning History**

14. 2021: NP/DDD/0221/0182: Planning application for extension to accommodation block and car park. Application not yet determined.
15. 2020: 20/0089: Open enforcement case about incorporation of parts of the Manor House into the pub including erection of structures.
16. 2020: 20/0049: Open enforcement case about development not in accordance with approved plans at the Blind Bull.
17. 2017: NP/DDD/0617/0682: Planning permission granted conditionally for extension to public house and external access to residential accommodation at first floor level. Internal alterations to layout. Construction of rooms on the adjacent land.

**Consultations**

18. Parish Council – Support the application because it is in line with the Parish Council's policy to support actions to reduce climate change wherever practical.
19. Highway Authority – No highway comments.
20. District Council – No response to date.
21. Environmental Health – No objection.
22. Historic England – No comment. Suggest we seek to views of our specialist conservation and archaeological advisers.
23. Amenity Societies – No response to date.
24. PDNPA Conservation Officer – Object. The reasons are summarised below.
25. Three fan structures have been erected on this part of the site along with timber fencing, although the application is for only two air source heat pumps. The plans are confusing and may not show what has been installed.
26. No heritage statement has been submitted to assess the impact of the proposals upon the Grade II\* listed building. Having visited the site it has been possible to assess the harmful impact that the three fan structures have on the significance of the listed building.
27. The structures are sited in a line along the retaining drystone wall between the Manor House and the barn to the south. The development harms the garden setting between these two buildings and the setting of the listed building.

28. The application offers to screen the development with low fencing; however, this would not mitigate the harm due to the location of the development. Fencing would also not be a traditional feature and would harm the setting of the listed building.

### **Representations**

29. We have received one representation letter objecting to the development. The reasons given are summarised below.

#### **Object**

- Inaccurate information submitted with the application.
- The units have an adverse visual impact.
- The units are noisy and sited close to the boundary wall.
- The benefits of air source heat pumps are appreciated but this has to be balanced against the environmental impact in a Conservation Area and within the curtilage of a Grade II\* listed building.

### **Main Policies**

30. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L3, CC1, CC2 and HC4

31. Relevant Development Management policies: DMC3, DMC5, DMC7, DMC8 and DMC14

#### **National Planning Policy Framework**

32. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park, the development plan comprises our Core Strategy 2011 and the Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
33. Paragraph 158 states that when determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b) approve the application if its impacts are (or can be made) acceptable.
34. Paragraph 176 states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation and enhancement of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

35. Paragraph 194 says that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
36. Paragraph 195 says that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
37. Paragraph 199 says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
38. Paragraph 200 says that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance (including grade II\* listed buildings), should be wholly exceptional.
39. Paragraph 202 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### Peak District National Park Core Strategy

40. Policy DS1 sets out the Development Strategy for the National Park and allows for extensions to existing buildings and renewable energy infrastructure in principle.
41. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
42. Policies L1 and L3 say that development must conserve or enhance the landscape character and cultural heritage of the National Park. Development that harms the landscape or cultural heritage will only be permitted in exceptional circumstances.
43. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.
44. Policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.

#### Development Management Policies

45. Policy DMC3. A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where

possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.

46. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, materials and finishes, landscaping, amenity and the principles embedded in the design related SPD and the technical guide.
47. Policy DMC5. A says that planning applications for development affecting a heritage asset, including its setting must clearly demonstrate its significance including how any identified features of value will be conserved and where possible enhanced; and why the proposed development is desirable or necessary. DMC5. E says that if applicants fail to provide adequate or accurate detailed information to show the effect of the development on the significance, character and appearance of the heritage asset and its setting, the application will be refused.
48. DMC5. F says that development of a designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage asset unless clear and convincing justification is provided that harm is outweighed by the public benefits of the proposal.
49. DMC7 says that planning applications affecting a listed building or its setting should be determined in accordance with policy DMC5. DMC7. D says that in appropriate impact on the setting of the listed building will not be permitted unless the impact results in less than substantial harm and that harm is outweighed by the public benefit of the development.
50. DMC8 says that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced. The application should be determined in accordance with policy DMC5.
51. DMC14 says that development that presents a risk of pollution or disturbance including noise pollution that could adversely affect the amenity of neighbours and neighbouring uses will not be permitted unless adequate control measures are put in place to bring the pollution within acceptable limits.

#### Climate Change and Sustainable Building Supplementary Planning Document (March 2013)

52. Paragraph 9.3.5 says that air source heat pumps have a heat exchanger installed on the outside of a building. With a similar appearance to an air conditioning unit, they might not be appropriate on front elevations or on listed buildings. Screening can help to reduce visual impact but needs to avoid interfering with the unit's operation. Careful siting is required to avoid the impact of noise on neighbours. An acoustic housing can help to reduce noise impact. Some air source heat pumps can also be installed within a building with vents for an air supply/discharge.

#### **Assessment**

##### Principle

53. This application proposes the retention of two air source heat pumps installed at the site. A number of unauthorised works have been carried out at the site; however, this application solely deals with the two proposed heat pumps and must be determined on its own merits.
54. The heat pumps are within the rear garden of Manor House a Grade II\* listed building. Historic England says that Grade II\* buildings are particularly important buildings of more than special interest; 5.8% of listed buildings are Grade II\*.

55. When making a decision on a planning application for development that affects a listed building or its setting, we must 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. The site is also within the designated Little Hucklow Conservation Area and therefore we must also pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
56. Our policies and the NPPF support renewable energy technologies in principle if they can be installed without harming the valued characteristics of the National Park, including its cultural heritage. Our policies require all development to conserve or enhance our cultural heritage assets, including listed buildings and Conservation Areas. There is a strong presumption against development that would result in harm, unless that harm is demonstrated to be outweighed by any public benefits.
57. The key issue therefore is the impact of the development.

#### Impact of the development

58. The proposed development is located within the rear garden of Manor House. Two air source heat pumps have been erected on the western boundary adjacent to an existing stone boundary wall. Various other development has also take place here including the erection of fencing and a third unit (it is not clear if this is another air source heat pump or an air conditioning unit).
59. The applicant owns the Blind Bull pub and Manor House. The air source heat pumps have been installed as part of wider renovation works to the pub and therefore heat the pub despite being located within the garden of Manor House. Each of the air source heat pumps measure 1.15m high, 1.15m wide and 0.45m deep. The units are within a grey coloured metal housing with two grated fans to the front.
60. The application is not supported by a heritage assessment. The application therefore fails to describe the significance of heritage assets affected by the development which in this case include the Grade II\* Manor House and the Little Hucklow Conservation Area. The development therefore is contrary to policies DMC5, DMC7, and the NPPF.
61. The heat pumps are within 10m of Manor House and clearly visible from the Grade II\* listed building and within the garden. The heat pumps are also visible from the public footpath that runs to the south of the site. From the footpath, the heat pumps are viewed with the listed building.
62. The air source heat pumps have an industrial design appearing as large air conditioning units stood on concrete pads. The units are seen within the garden of Manor House, which is lawn and bounded by by historic stone boundary walls. The air source heat pumps by virtue of their size and appearance are a visually incongruous development within the setting of the Grade II\* listed building and within the Conservation Area.
63. Our Conservation Officer has been consulted and considers that the development harms the garden setting of the Grade II\* listed building. For the reasons set out above we conclude that the development has resulted in harm to the setting of the listed building and the Conservation Area.
64. The harmful impact upon the setting of Manor House and the Conservation Area would be significant. However, the development would not result in substantial or total loss of either the Grade II\* listed building or the Conservation Area. In these circumstances, our policies and the NPPF say that development should be refused unless the application can demonstrate that the public benefits of the development outweigh the harm.

65. The installation of air source heat pumps instead of more conventional gas or oil fired heating does contribute to the reduction of energy consumption and greenhouse gas emissions. This is a public benefit because the development would contribute to mitigating the impacts of climate change. We recognise that the development would make a small but valuable contribution in this regard.
66. However, the impact of the development upon the setting of the Grade II\* listed building and Conservation Area would be significant. Grade II\* listed buildings are particularly important buildings of more than special interest and we are required to pay special regard to the desirability of preserving and enhancing the listed building and Conservation Area. In this case it is clear that the public benefits of allowing the development do not outweigh the harm the setting to the Grade II\* listed building and Conservation Area.
67. Furthermore, while the environmental benefits of the development are welcomed, there is no justification for siting the proposed air source heat pumps within the curtilage of the Grade II\* listed building. The application does not justify the development or explore how other potential locations or technologies (such as ground source heat pumps or solar panels) have been considered. Alternatives could potentially achieve comparable benefits without harm.
68. The applicant has indicated that he would erect timber fencing to conceal the units. In this location timber fencing would itself be an inappropriate development that would harm the setting of the Grade II\* listed building. Fencing that has already been erected nearby has already resulted in a harmful visual impact. Therefore, the proposal to erect fencing would not mitigate the impact of the development.
69. The proposed development is therefore contrary to policies GSP3, L3, CC2, DMC3, DMC5, DMC7 and the NPPF.

#### Impact upon amenity

70. The application is unusual because it proposes to site the proposed air source heat pumps within the garden of a separate property. As set out earlier in the report, the heat pumps would heat the pub but are sited within the garden of Manor House. The applicant owns both properties, but in planning terms the properties are separate and could be sold, let and occupied independently from each other.
71. In addition to potential visual impact, the heat pumps also cause noise when in operation. Concern has been raised in representations that the heat pumps are a source of noise and that this is a disturbance to neighbouring properties. The application is not supported by a noise impact assessment but does include a specification for the heat pumps, which includes sound power levels.
72. At a distance of 2m (in free field conditions), each unit would create a sound pressure level of 47 dB(A). There is no indication of the sound pressure level of two units in operation, but it is logical to conclude that the two units combined would be louder. This noise level would be noticeable within a rear garden especially in this location where there are likely to be very low background noise levels, especially during the evening and night.
73. The rear garden to Manor House is quiet and relatively private and therefore occupants would have a reasonable expectation to the peaceful enjoyment of the space. It is acknowledged that use of the neighbouring pub would create noise; however, this would be intermittent whereas the noise created by the heat pumps would be constant and ultimately unavoidable given the location of the heat pumps in the garden. The development would therefore result in noise disturbance that would harm the amenity of occupants of Manor House.

74. Concern has also been raised about the impact of noise upon neighbouring properties. Given the proximity of neighbouring properties, particularly Wragg Cottage to the west it is likely that noise could affect neighbours. In the absence of a noise impact assessment, it is not possible to rule out harm to the amenity of neighbouring properties.
75. The development is therefore contrary to policies GSP3, DMC3, DMC14 and the NPPF because the development would harm the amenity of neighbouring properties and there is no evidence that mitigation could be put in place to bring noise generated by the development within acceptable limits.

### **Conclusion**

76. The development would harm the setting of Grade II\* listed building Manor House and the designated Little Hucklow Conservation Area. The public benefits of allowing the development would not outweigh the harm. Noise generated by the development would harm the amenity of neighbouring properties.
77. The development is therefore contrary to the development plan. Therefore, having assessed all other material considerations we recommend the application for refusal.

### **Human Rights**

78. Any human rights issues have been considered and addressed in the preparation of this report.

### **List of Background Papers** (not previously published)

79. Nil
80. Report Author: Adam Maxwell, Senior Planner