



Planning Committee 10th September 2023

APPLICATION NUMBER		23/01330/FUL	
SITE ADDRESS:		Carsington And Hopton (Voluntary Aided) Church Of England Primary School School Lane Carsington Derbyshire DE4 4JN	
DESCRIPTION OF DEVELOPMENT		Installation of air conditioning system	
CASE OFFICER	Aspbury Planning	APPLICANT	Jon Nix YMD Boon
PARISH/TOWN	Carsington	AGENT	Mark Berrill YMD Boon
WARD MEMBER(S)	Cllr Peter Slack Cllr Dawn Greatorex Cllr Lucy Peacock	DETERMINATION TARGET	01/03/2024 Extension agreed: 13/09/2024
REASON FOR DETERMINATION BY COMMITTEE	Requested by Ward Member: Cllr Peacock	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES

Principle of the development
Impact on the Listed Building
Impact on the character and appearance of the Conservation Area
Impact on residential amenity
Climate Change

RECOMMENDATION

Approval subject to conditions

1.0 THE SITE AND SURROUNDINGS

- 1.1 The application site is located within the Carsington and Hopton Conservation Area. The school building is Grade II listed. Carsington is a fourth tier village, with limited facilities as defined within Policy S2: Settlement Hierarchy of the Adopted Derbyshire Dales Local Plan 2017 whereby development is limited to that needed to help maintain existing services.
- 1.2 South elevation and oil tank (photo taken 24th January 2024)



2.0 DETAILS OF THE APPLICATION

- 2.1 Full planning permission is sought to install an energy efficient air conditioning system to replace the existing failed oil-fired heating system at Carsington and Hopton (Voluntary Aided) Church Of England Primary School, School Lane Carsington Derbyshire DE4 4JN.
- 2.2 The proposal comprises the installation of seven units to be mounted at the south and east elevations of the extended southern section of the school building.
- 2.3 Two larger units and three smaller units are proposed to be attached the east facing elevation, with the remaining two smaller units to be floor mounted adjacent to the south facing elevation facing east to occupy the space where the oil tank once stood.
- 2.4 Full technical specifications and dimensions of the proposed units have been provided as part of the application submission
- 2.5 An acoustic screen is proposed around the west and south of the two floor mounted units to the south of the building, with timber palisade fencing to the eastern boundary.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1. Adopted Derbyshire Dales Local Plan 2017
- S1: Sustainable Development Principles
 - S2: Settlement Hierarchy
 - S4: Development in the Countryside
 - S9: Rural Parishes Development Strategy
 - PD1: Design and Place Making
 - PD2: Protecting the Historic Environment
 - PD7: Climate Change
 - PD9: Pollution Control and Unstable Land

3.2. Other:

Derbyshire Dales District Council – Climate Change Supplementary Planning Document (2021).

The National Planning Policy Framework (2023)

National Planning Practice Guidance

4.0 RELEVANT PLANNING HISTORY

Extensions and alterations (County App No. CD3/0807/98)
Ref. No: 07/00735/CM | Status: Withdrawn

Alterations to listed building - Extensions and internal alterations (County App No. LB3/0807/97)
Ref. No: 07/00736/CM | Status: Withdrawn

Provision of a 1.4 m high boundary fence on the front elevation and raise height of boundary wall, erect a 2.5 m high short security fence to the rear of the school, relocate one storage shed 2740 x 2130 x 2500 and provide a similar additional shed (County App. CD3/1207/192)
Ref. No: 07/01046/CM | Status: Withdrawn

Provision of a 1.4 m high boundary fence on the front elevation and raise height of boundary wall, erect 2.5 m high short security fence to rear of the school, relocate one storage shed 2740 x 2130 x 2500 and provide a similar additional shed (County App. LB3/1207/193)
Ref. No: 07/01047/CM | Status: Withdrawn

Erection of timber shed (County App. CD3/0808/66)
Ref. No: 08/00611/CM | Status: Permitted

Proposed first floor extension, raise roof to create new classroom and internal alterations, demolish redundant boiler room, new railings and alteration to boundary wall (County App. No. CD3/0908/89)
Ref. No: 08/00662/CM | Status: No Objection

Alterations to listed building - First floor extension to create a new classroom, associated internal alterations and demolition of boiler room together with new railings and alterations to boundary wall (County App. LB3/0908/90)
Ref. No: 09/00073/LBALT | Status: Permitted with Conditions

Installation of a wet pour soft play area onto an existing tarmacadam play area (County App. CD3/0711/39)
Ref. No: 11/00557/CM | Status: No Objection

Works to trees in the Conservation Area of Carsington and Hopton
Ref. No: T/11/00095/TCA | Status: Withdrawn

Change of use from a field to a school playground (County App. CD3/0413/6)
Ref. No: 13/00281/CM | Status: No Objection

Part demolition and rebuild of boundary wall (County App. LB3/0513/32)
Ref. No: 13/00345/CM | Status: No Objection

Installation of air conditioning system
Ref. No: 23/01330/FUL | Status: Pending Consideration

EXTENSION AND ALTERATIONS TO SCHOOL
Ref. No: 0194/0053 | Status: A

ALTERATIONS TO LISTED BUILDING
Ref. No: 0194/0045 | Status: A

Listed Building Consent - Reinstatement of external door and alterations to boundary wall
Ref. No: 04/01/0079 | Status: A

5.0 CONSULTATION RESPONSES

5.1 Carsington and Hopton Parish Council

18/02/24 Objects on the following grounds:

Concerns regarding noise pollution affecting tranquillity and residential amenity.
Obtrusive by Design

25/06/24 Following amended plans submitted 04/06/24

Relocation of five pumps welcomed.
Concerns remain regarding height of acoustic screen.
Acoustic modelling report forecasts higher noise levels – concern over impact on neighbours and school children.
Clarification requested on running times of equipment.

31/07/24 Following amended plans 24/07/24

Concerns remain over height of acoustic screen and noise impact

5.2 Cllr Peacock, District Councillor, Wirksworth Ward

20/01/24 Requested that the application is called in to committee.

5.3 Environmental Health

17/01/24 No objection in principle

10/07/24 No objection following revised Noise Impact Assessment, clarification of hours of operation and height of acoustic barrier fence.

5.4 Conservation Officer

15/07/24 Carsington and Hopton (Voluntary Aided) Church of England Primary School, School Lane, Carsington is a Grade II listed building (List Entry Number: 1109456). Built as a school, it dates from 1726, and was restored in the 20th century. A plaque on the west wall with a carved coat of arms has the inscription: 'This School was Built and Given by Mrs Temperance Gell of Hopton for Twenty Poor Children of Hopton and Carson, to Learn to Read, Write, and other proper Works. Anno Dom: 1726.' The application site also lies in the Carsington and Hopton Conservation Area, first designated in 1971, and extended in 1994.

Observations Pre-application advice (ref: 23/00801/PREAPP) noted: 'It was discussed at pre-app that a LBC app would not be required due to the proposed siting next to the modern extension to the listed building.' I disagree with this as the building appears to be physically attached to the principal listed building and is in the same use as an education facility, and whilst the extension of the building is not of special historic or architectural interest, the application should take note of this sensitive context. It would have been helpful in the full application if contextual drawings had been provided thereby allowing the proposed air conditioning units, palisade and acoustic fences to be assessed in the setting of the core listed building. The Heritage Statement submitted with the application could also have provided more comprehensive information on the significance of the heritage assets identified above, thus helping to make an informed decision, rather than the Conservation Officer having to do this themselves (for example: a historic map regression). I agree with the use of more sustainable heating and cooling mechanisms, especially in rural contexts relying on fuels to be transported there. I have no objection in principle to the proposed method of heating and cooling. Having discussed this application with officers, I appreciate the requirements of Environmental Health with regard to the most appropriate materials for the acoustic fencing. An L-shaped 2 metre fence is acceptable, provided this is finished in a colour that mitigates its appearance.

Conclusion No objection in principle, provided the proposed finish of the fencing be conditioned.

I suggest the following condition:

Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details. Reason: To ensure a satisfactory external appearance of the development in accordance with the attached listed building and the conservation.

6.0 REPRESENTATIONS RECEIVED

6.1 17 representations to original plan & 2 non-attributable representations were received as summarised below:

6.2 Objections to original plans:

- Objection to proposed siting and suggestion that units are moved to east side.
- 2 metre acoustic barrier not proven to be effective in noise reduction.
- Noise impact.
- Impact on Residential amenity.
- Noise assessment flawed re. operating hours.
- Internal work has already started.
- Obtrusive by Design
- Impact on Conservation Area and Listed Building
- Lack of consultation with residents prior to submission of application

6.3 9 Objections following amended plans and revised noise assessment 04/06/24:

- Amended siting of units is still unacceptable further suggested amendment to siting of units
- Acoustic barrier not to recommended height
- Noise impact
- Visual impact

- Hours of operation unrealistic
- Loss of amenity
- Conditions requested
- Inaccurate location plan
- Impact on children's wellbeing
- Impact on wildlife
- Alternative heating schemes not explored

6.4 **3 Objections following amended plans 24/07/24:**

- Stone wall to south not shown on plans – boundary of Listed Building
- Concerns re. effect of acoustic barrier installation on integrity of wall
- Block plan inaccurate
- Concerns over noise impact on children
- Operational time not resolved
- No landscaping details
- Previous issues remain unanswered
- Loss of amenity
- Noise impact – no noise modelling for L shaped acoustic fence / night noise
- Frost protection mode details not provided
- Auto-timer or manual operation?
- Visual impact
- Query on listed building consent application

7.0 OFFICER APPRAISAL

Principle of development

- 7.1 Carsington is a fourth-tier village, with limited facilities as defined within Policy S2 of the Adopted Derbyshire Dales Local Plan 2017 whereby development is limited to that needed to help maintain existing services.
- 7.2 The principle of the proposed development is considered acceptable having regard to the requirement for a sustainable source of air heating and cooling for the existing school.

Other matters for consideration:

- 7.3 Impact of the external alterations proposed to the existing building on the special historic and architectural interest of the Listed Building and Conservation Area.
- 7.4 The impact on the amenity of neighbouring residents in regard to the noise output of the units.
- 7.5 The impact of the proposal on addressing the move to a low carbon future for the Derbyshire Dales.

Impact on Heritage assets

- 7.6 The siting of the proposed units has been considered in terms of the sensitive setting within the Carsington and Hopton Conservation Area and the curtilage of a Grade II Listed Building. The location of the proposed development is to the rear of the existing school building, utilising an area which has been previously used for oil storage and plant for the current heating system, which is no longer viable.

- 7.7 The acoustic fencing proposed is necessary to ensure that the amenity of nearby residents is not affected by the installation in terms of noise. The height at two metres is considered acceptable having regard to the sensitive setting, and the colour and finish can be conditioned to ensure that the finished appearance is appropriate should the application be subject to approval.
- 7.8 It is considered that it would also be advisable to attach appropriate conditions in relation to landscaping of the area and retention of the existing stone wall should the application be approved by the committee.
- 7.9 Paragraph 205 of the National Planning Policy Framework 2023 (NPPF) states 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.
- 7.10 Paragraph 208 states 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.
- 7.11 Whilst it is considered that the proposed development would result in less than substantial harm to the heritage asset, this must be balanced with the requirements of the school to provide an adequate and energy efficient heating and cooling system in order to maintain a suitable environment for pupils and teachers within the school building.
- 7.7 It is considered therefore that the public benefits of the proposed development outweigh the less than substantial harm to the significance of the designated heritage asset, and that the proposal is therefore acceptable in terms of impact on heritage assets in accordance with NPPF guidance.
- 7.12 The proposal is considered to comply with the relevant policies of the Adopted Derbyshire Dales Local Plan 2017: PD1 Design and Place Making and PD2 Protecting the Historic Environment.

Impact on residential amenity

- 7.13 A noise impact assessment was submitted with the application on 22/12/2023. The report recommended a noise mitigation measure in order to reduce the level of impact of the proposed units, to comprise a 3m screen around the floor mounted plant.
- 7.14 The calculations and mitigation recommended were based on the proposed siting of 7 floor mounted units to the south of the school building. The calculations were made having regard to the noise output from the units, minus the background noise. Continuous background noise measurements were undertaken between 15th – 18th August 2023 at an assessment position established as the residential property directly adjacent to the proposed development.
- 7.15 The assessment concluded a low impact noise level of -1dB at the closest residential façade to the units.
- 7.16 The applicant proposed a 2m high acoustic fence to reduce the visual impact of the proposal due to the sensitive location and designated heritage assets.

- 7.17 Following the concerns expressed within representations from local residents regarding the mitigation recommendation of a 3m fence not having been followed, amended plans were submitted on 04/06/2024 along with an amended Noise Impact Assessment.
- 7.18 The amended plans were devised having consideration to the concerns and suggestions of local residents, as well as having regard to the feasible relocation of the units within the physical limits of the site.
- 7.19 Five of the units including the two larger units are proposed to be wall mounted on the east elevation, with the remaining two smaller units to be floor mounted in the location originally proposed.
- 7.20 The noise assessment was re-calculated on the revised layout, with a 2m acoustic fence to the west of the 2 proposed floor mounted units, resulting in a low impact noise level of 0dB.
- 7.21 Assessment and background measurement position.



- 7.22 Following re-consultation with the Environmental Health Officer, further details were requested regarding the operational hours of the heating and cooling system. It was confirmed that the units would work intermittently as required through the school day. This is generally 7am until 5pm through the winter. The system will also provide cooling within the school day in the summer months. A frost protection feature is activated when the temperature drops below a set temperature through the night.
- 7.23 The Environmental Health Officer responded to the additional information with no objection.
- 7.24 In response to the specific concerns of the residents of the property closest to the proposed development, further negotiations were carried out with the applicant to secure the proposal for additional 2m acoustic screening around both the western and southern aspects of the

two proposed floor mounted units to the south of the school building, forming an 'L shaped' barrier around these units to provide additional mitigation over and above the level recommended by the acoustic consultant. Re-consultation was carried out on the amendments.

7.25 Further confirmation and clarification was provided by the agent and the acoustic consultant in response to representations following the re-consultation. Points confirmed are summarised below:

- No assessment was carried out on the mitigation provided by the proposed 'L shaped' acoustic barrier as the noise impact calculation based on the previously proposed barrier to the west of the units only was assessed as low impact 0dB. The additional mitigation would serve to reduce this further, therefore assessment is not necessary.
- The units will operate on a digital timer from 7am to 5pm, however this may vary due to events such as parents evenings.
- The frost protection feature will activate intermittently overnight only when the temperature drops below the frost protection level, this is expected to occur only in extreme conditions.
- Space constraints on the east elevation do not allow for all units to be wall mounted in that location.
- The amended noise assessment submitted 04/06/24 is based on mitigation with a 2m high acoustic barrier.
- Comments received from Impact Acoustic noise consultant 16/08/24

1) The improvement of the screening will increase the level of mitigation required decreasing the level of potential diffraction from around the screening. The assessment (7.3) page 22 shows that 31 dB specific equates to a rating of 36 and a resulting conclusion of 0 dB at first floor window.

2) Whilst no night time noise assessment has been undertaken as it was unknown that the plant would run outside of school hours; the absolute levels from the plant are in accordance with night noise guidelines (table 5.4.1 page 16) where a resulting level of 31dB (output from plant at first floor window) falls below the "no observed Adverse Effect level "(NOAEL) with a partially open windows (10-15dB(A) reduction – section 5.4.3 page 16)).

7.26 It is considered that the assessment of proposed noise impact reported is to an acceptable level, which is further mitigated by the additional acoustic screening proposed. Hours of operation can be limited by condition.

7.27 The proposed installation is therefore considered to accord with policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan 2017.

Climate Change

7.28 Policy PD7 states that: In addressing the move to a low carbon future for the Derbyshire Dales, the District Council will promote a development strategy that seeks to mitigate global warming, adapts to climate change and respects our environmental limits. This will be achieved by, amongst other criteria: Promoting energy and water efficiency and the use of renewable / low carbon energy in new development and through retro-fitting or refurbishment of existing buildings.

7.29 It is considered that the proposed retro-fitting of an energy efficient heating and cooling system to the existing school building is in accordance with policy PD7 of the Adopted Derbyshire Dales Local Plan 2017.

Conclusion

- 7.30 The less than substantial harm to designated heritage assets is outweighed by the public benefits of the proposal.
- 7.31 The effect on residential amenity as a result of the proposed development in terms of noise impact is mitigated to an acceptable level.
- 7.32 It is considered that the proposed development is in accordance with the guidance contained within the NPPF and the relevant policies of the Adopted Derbyshire Dales Local Plan 2017 as set out in Section 3 above.
- 7.33 For the reasons set out above it is recommended that the application is approved subject to the conditions listed below.

8.0 RECOMMENDATION

That planning permission is granted subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason: This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. This planning permission relates to Site Location and Site Plan Drawing no. J4780-01 Revision A received on 25/07/2024; Proposed Floor Plan Drawing no. J4780-40 Revision B received on 24/07/2024; Proposed Elevations Drawing no. J4780-51 Revision C received on 24/07/2024; Technical Specifications 1 and 2 received on 22/12/2023; Industrial Noise Impact Assessment IMP7422-2 received on 04/06/2024 except insofar as required by other conditions to which this permission is subject.

Reason: For the avoidance of doubt.

3. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance of the development in accordance with the attached listed building and the conservation in accordance with policies S1, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

4. The operation of the air conditioning system shall not commence until the acoustic barrier is in place in compliance with the technical specifications set out within the Noise Impact Assessment IMP7422-2 received on 04/06/2024 and to the dimensions and layout set out in the Proposed Floor Plan Drawing no. J4780-40 Revision B received on 24/07/2024 and Proposed Elevations Drawing no. J4780-51 Revision C received on 24/07/2024.

Reason: In the interests of residential amenity in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

5. The equipment hereby approved shall not be operated continuously except for between the hours of 7am and 7pm. Between 7pm and 7am (overnight) the equipment shall be set to frost protection mode only unless otherwise agreed in writing with the local planning authority.

Reason: To minimise the noise impact of the equipment and in the interests of the amenity of neighbouring residents in accordance with Policies PD1 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

6. This consent does not extend to the removal in whole or in part, or disturbance of any other existing external elements other than those included in the proposed works without the prior written consent of the Local Planning Authority.

Reason: In the interests of preserving the character and appearance of the listed building.

7. A scheme of planting shall be submitted to and approved in writing by the Local Planning Authority within 56 days of the commencement of development.

Reason: To ensure a satisfactory landscaped setting which contributes positively to the historic environment in accordance with policies PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT:

1. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in revised proposals which overcame initial problems with the application relating to noise mitigation.

2. This decision notice relates to the following documents:

Site Location and Site Plan Drawing no. J4780-01 Revision A received on 25/07/2024; Proposed Floor Plan Drawing no. J4780-40 Revision B received on 24/07/2024; Proposed Elevations Drawing no. J4780-51 Revision C received on 24/07/2024; Technical Specifications 1 and 2 received on 22/12/2023; Industrial Noise Impact Assessment IMP7422-2 received on 04/06/2024

3. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £43.00 per householder request and £145.00 per request in any other case. The fee must be paid when the request is made and cannot be required retrospectively.