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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **LH** | | | | **Date:** | | **20.6.24** | | **Manager:** | | **NH** | **Date:** | **20.06.24** |
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| **Application Ref:** | | | | 2023/0987 | | | | | | |  | | | |
| **Date Inspected:** | | | | 8.3.24 | | | **Site Notice:** | | 8.3.24 | |
| **Officer:** | | | | Lyndsey Hayes | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **APPROVAL** | | | |
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| **Development Description:** | | | | | Listed Building consent for the proposed drilling of two boreholes and underground pipework within the front driveway of the property, installation of heat pump unit within the garage and associated internal and external pipework | | | | | | | | | |
| **Site Address/Location:** | | | | | Grove House Malt Kiln Brow Chipping PR3 2GP | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | | |
| No representations received. | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| Environment Agency | | | | | No response received | | | | | | | | | |
| RVBC Environmental Health | | | | | Concerns about noise from the proposed heat pump causing a nuisance to nearby residents - require details. Having looked at the technical data supplied the levels internally should be fine.  Require details of control measures during the site preparation and construction phase to be submitted to prevent nuisance from noise/ dust/ fumes/ vibration. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | | |
| No representations received. | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1 – Development Strategy  Key Statement DS2 – Sustainable Development  Key Statement EN2 – Landscape  Key Statement EN5 – Heritage Assets  Policy DMG1 – General Considerations  Policy DMG2 – Strategic Considerations  Policy DMG3 – Transport and Mobility  Policy DME2 – Landscape and Townscape Protection  Policy DME3 – Site and Species Protection and Conservation  Policy DME4 – Protecting Heritage Assets  Policy DME5 – Renewable Energy  Policy DME6 – Water Management  Planning (Listed Buildings and Conservation Areas) Act  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **2024/0151:**  Listed Building Consent for removal of cement-based mortar from rear north-facing wall of dwelling and repair with lime mortar (Approved)  **2022/0402:**  Discharge of Condition 3 (Materials) of planning permission 3/2021/0813. (Approved)  **2021/0813:**  The removal of existing garden shed and greenhouse and the construction of a combined shed/greenhouse in the same location. (Approved)  **2020/0141:**  Repair and renew, like for like, damaged cast iron guttering/downpipes at front of kitchen and main dwelling. Replacement of black PVC downpipe adjacent to front door with cast iron equivalent. Rationalise arrangement of pipes and hopper above/adjacent to front door to reduce visual impact if possible. Removal of cement based repair mortars with hand tools and repoint worn lime mortar joints to match existing lime mortar using traditional methods. Installation of traditional style glass roofed veranda to side of main dwelling. Installation of a glass roofed link between kitchen and wash house to allow secure dry route between buildings. (Approved)  --  There are other pending applications for boreholes and associated works within the village which require planning permission or listed building consent as part of the Chipping Community Energy Project. | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  Grove House was Grade II listed on 10/9/19. It is a house, built in the late C18 by the owners of Kirk Mill, extended in the mid- to later C19.  The list description identifies reasons for designation:  *Architectural interest: largely intact late-C18 dwelling; articulation of the principal elevation and the good use of materials, combine to produce an attractive composition; retains a largely intact plan-form and a suite of original late-C18 features including a staircase, doors and fitted cupboards, unified by the incorporation of a reeded decoration; illustrates the conventions of a higher status dwelling modified by a vernacular approach within a strong local context.*  *Historic interest: constructed by the owners of one of the earliest cotton spinning mills in England, which included the pioneering designer of textile machinery Peter Atherton.*  *Group value: benefits from a spatial, historic and functional group value with the Grade II-listed Kirk Mill and Kirk House.*  The list description also identifies:    *Historic mapping indicates that a half-width, single-storey extension and slightly later lean-to were added to the east gable between 1844 and 1892. At an unknown date, the east gable of the building containing the chimney flues and stacks was modified and partially rebuilt, indicated by unbonded quoins to the north-east corner and a projecting moulded eaves cornice to the south-east corner. The fenestration to the north elevation has also been modified.*  The close visual and historic relationship between Grove House, Kirk Mill and its associated mill ponds retaining walls, outflow and stone-built leat (Grade II) and Kirk House (Grade II) means that works to the exterior of Grove House affects the setting of the other listed buildings in the group.  Grove House is very prominently sited adjoining Malt Kiln Lane and within Kirk Mill Conservation Area. An Article 4(2) Direction came into force on the 26 May 2011 to *control the potentially very damaging consequences of residential ‘permitted development’ works to this prominent building*.  The site is also within the Forest of Bowland National Landscape. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The application seeks Listed Building Consent for the drilling of two boreholes for ground source heating purposes within the driveway, underground pipework under the driveway to the detached wash-house, installation of a ground source heat pump in the wash-house, installation of heating pipes between the wash-house and main-house via attachment to an approved glass link (extant consent ref 3/2020/0141), and installation of internal pipework in the kitchen of the main-house through the roof cavity / ceiling void to the central heating network.  These are ‘closed loop boreholes’ between 50m and 200 metres deep and 130mm in diameter. They would not extract any water, but instead circulate a heat transfer water mix through a flow and return pipe that is to be installed throughout the length of each borehole once it has been drilled to collect the heat from the surrounding rock. The gap between the pipe and the surrounding rock will be filled with grout. These pipes will then connect to the underground pipework being installed under the driveway within the applicant’s curtilage. Once the pipework has been laid the intention is to return the affected driveway surface to the condition it was in prior to the development. | | | | | | | | | | | | | | |
| **Principle of Development**  The development is required to provide a low carbon heat source including ground source heat pump, as part of a wider community project to support the transition to low carbon heating in the rural community of Chipping which includes harder to heat old stone properties. The principle is supported by policy DME5 subject to the development having an acceptable impact on the local environment and on local amenity.  Policy DME5 requires consideration to be given to the potential benefits of such proposals. The proposal if approved would form a network of community financed and owned boreholes developed by Chipping Community Energy Group who have been working for three years to develop a viable low carbon heat option for Chipping residents. The applicant cites that the benefits to members of the community include access to economies of scale e.g. drilling multiple boreholes at the same time, a community scale solution which all properties can benefit from, community finance and the most efficient heat pump technology (access to warmer ambient heat where temperatures typically range from 50C to 100C). The applicant goes onto state that community wide surveys confirm wide consumer demand for such a solutionas such the proposal would appear to have local community support.  Policy DME5 goes onto state that such schemes will not be allowed in AONB’s (now National Landscapes) unless the proposals cannot be located outside such statutory designations. As the entire village of Chipping lies within the National Landscape, and this is a community wide project with the aim to be as inclusive as possible, then it is not possible for it to be located outside of this designation. The policy also states these will not be allowed where they compromise the objectives of the designation and fail to mitigate any adverse environmental impacts. This will be considered in due course below.  Policy DMG2 identifies the type of development acceptable in tier 2 villages and outside settlement boundaries. This includes ‘small-scale uses appropriate to rural areas where a local need or benefit can be identified’. Once the boreholes have been dug the underground pipework laid and the driveway surface returned to the condition it was in prior to the development, this will not be visible. Neither would the heat pump and the pipework within the main house. The only aspect that would be visible is the pipework running between the wash-house and main-house. The impact is considered to be immediate to its surrounds, and so could be considered a small-scale development. The benefits are identified above. In which case the proposal is considered to be compliant with policy DMG2 subject to an assessment on visual and landscape impacts below.  Even if the proposal were not considered small-scale, this policy conflict with policy DMG2 would have to be balanced against the policy support expressed by policy DME5 for renewable energy schemes in rural areas, and where all other policy requirements of DME5 are met, it would be difficult to conclude that the proposal would not be an appropriate form of development in a rural area. | | | | | | | | | | | | | | |
| **Impact upon the special architectural and historic interest of the listed building, the setting of listed buildings, and the character and appearance of Kirk Mill Conservation Area:**  In assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. At a local level, Key Statement EN5 and Policy DME4 are relevant for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.  Key Statement EN5 states that:  *There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.*  With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:  *1: CONSERVATION AREAS*  *Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.*  *In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*  *2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST*  *Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.*  Policy DMG1 is also relevant insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion on design and environment that are relevant to the assessment of the current proposal.  Planning (Listed Building and Conservation Areas) Act 1990:  Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.  The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;  Listed Buildings – Section 66(1) (as amended by s.58B of Levelling-up and Regeneration Act 2023):  In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving or enhancing the building or its setting. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.  Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):  In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.  National Planning Policy Framework (December 2023):  The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 205 – 214 being of particular relevance.  **Assessment of Impacts:**  The proposal will involve three penetrations of the historic fabric, two in the wash-house walls and one in the main-house wall of approx. 120mm diameter, to allow for access points for the pipework. The remainder of the works would not affect historic fabric. Inside the wash-house pipework will be mounted to the surface of two walls and a heat pump installed underneath the window on the front elevation. Externally pipework would be placed above ground on a new glass roof link which benefits from an extant consent. Internally in the main house the pipework would run in ceiling voids above the kitchen. Growth Lancashire, heritage advisors acting for the Council, have reviewed the scheme and advised that having reviewed the supporting documents, they do not consider there will be any impact on the significance of the listed building and the proposal will preserve its special interest in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.  There are a number of Listed Buildings in the immediate vicinity, including the Grade II Listed Kirk Mill and associated Mill Pond, and Kirk House. There will be little, if any, impact on the public realm and on listed buildings outside of the property curtilage. For this same reason the proposal would not adversely impact on the conservation area.  Conditions are necessary to require precise details of pipework routing, penetrations in historic fabric and how the pipework will interface with the glass link. Conditions are suggested below requiring a method statement and risk assessment to evaluate the environmental risks and mitigation measures - this will also help to protect the significance of the heritage asset.  As such, taking account of the above matters, it is not considered that the proposed development raises any conflict(s) with Key Statement EN5 or Policies DMG1 and DME4 of the Ribble Valley Core Strategy, nor any conflicts with the aims, objectives and requirements of Sections 16 and 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 nor Paragraphs 205 and 208 of the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **Visual Impact / Impact upon the Forest of Bowland National Landscape / Other Environmental Impacts:**  Policy DMG1 is relevant insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion on design and environment that are relevant to the assessment of the current proposal.  Key Statement EN2 requires the landscape and character of the Forest of Bowland National Landscape to be protected, conserved and enhanced. Development will be expected to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, features and building materials.  As previously stated, once the boreholes have been dug and the pipework laid, the proposal will be unseen being mostly underground and then the driveway surface returned to its pre-development condition. The surface affected by the proposed development is tarmac. As such the development would not impact upon important landscape features and re-instatement of an appropriate surface finish can be secured by condition.  The visual impact of the drilling rigs / fenced off drilling site during the installation of the boreholes would be temporary in nature. The applicant states typically 2-3 days to drill one borehole and install the associated pipework, grout and then tidy and reinstate the site, even extending this to a week to allow for the second borehole proposed, would not give rise to any concerns.  The environmental effects are mainly associated with the installation of the boreholes.  Paragraph 180 of the NPPF requires decisions to contribute to and enhance the natural environment by…preventing new development from contributing to… unacceptable levels of soil, air, water or noise pollution or land instability.  Noise and vibration and air quality (dust) impacts are limited to the construction phase. In view of the construction timescale indicated, it would not be reasonable to refuse the application on this basis. Conditions can require the submission of a method statement which details the working methods to mitigate impacts as well as a construction management plan to demonstrate that appropriate mitigation has been considered to reduce impacts.  In terms of water and contamination impacts the Environment Agency has been consulted. Whilst no response has been received , they raise no objection to the other pending applications referred to in the planning history section of this report. The site is located in flood zone 1 (lowest risk of flooding) and the proposal is required to satisfy the Environment Agency’s Good Practice Guide in respect of existing water extraction points and proximity to a watercourse.  Paragraph 189 of the NPPF states ‘Planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation. There is nothing on the Council’s GIS mapping system to indicate that the site is at risk from contamination and the site is not within a coal mining constraint area. Whilst a land stability report has not been undertaken, it is understood that a risk assessment will be carried out on each site to evaluate the environmental risks and mitigation measures required. Paragraph 190 of the NPPF goes onto state that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Imposing a condition which requires the submission of a method statement and risk assessment together with mitigation is reasonable and sufficient to meet this requirement.  As such, taking account of the above matters, it is not considered that the proposed development raises any conflict(s) with Key Statement EN2 or Policy DMG1 of the Ribble Valley Core Strategy, nor any conflicts with the objectives of the National Planning Policy Framework in respect of protecting National Landscapes and avoiding environmental harm. | | | | | | | | | | | | | | |
| **Impact upon Residential Amenity**  The impacts are twofold.  Firstly, in respect of the installation of the boreholes from a noise and vibration and dust perspective, however in view of the construction timescale indicated it would not be reasonable to refuse the application on this basis. Conditions are to be imposed requiring the submission of a method statement which details the working methods to mitigate impacts as well as a construction management plan to demonstrate that appropriate mitigation has been considered to reduce impacts.  Secondly, in respect of the installation of the ground source heat pump from a noise perspective, however the Environmental Health Officer having viewed the technical data sheets provided, is content that this together with the internal installation, means that there should be no unacceptable noise impacts as a result. | | | | | | | | | | | | | | |
| **Impact upon Highway Safety**  There will be some disruption to the road network and restricted access to neighbouring properties during the construction phase, however these impacts would be temporary in nature and comparable with disruption caused by relevant authorities when undertaking works in the highway. A construction management plan is to be conditioned which can help to identify mitigation to reduce impacts on the network. | | | | | | | | | | | | | | |
| **Ecology and Trees**  There are no trees nearby that would be affected by the proposal.  In terms of immediate ecology impacts. Clark House Farm Pasture BHS is nearby. This site is designated for its diverse grassland communities which represent a species rich pasture as well as areas of scattered copse. This together with the rural nature of the site and presence of older buildings and watercourses in the immediate vicinity means that wildlife is likely to be prevalent in the area, including protected species habitats. However, as the drilling would be temporary it is not considered that the development would result in any unacceptable impacts on ecology. The construction management condition could include reference to details of any site lighting. | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  As such, for the above reasons and having regard to all material considerations and matters raised that the application for Listed Building Consent is recommended for approval. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | |  | | | | | | | | | | | |
| That Listed Building Consent be granted subject to the imposition of conditions. | | | | | | | | | | | | | | |

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