

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 25 July 2018**

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<b>APPLICATION REF. NO:</b>	18/00415/FUL
<b>STATUTORY DECISION DATE:</b>	3 <sup>rd</sup> August 2018
<b>WARD/PARISH:</b>	BRINKBURN AND FAVERDALE
<b>LOCATION:</b>	West Park Hospital, Edward Pease Way
<b>DESCRIPTION:</b>	Installation of a self-contained Combined Heat and Power (CHP 100kWHE 175kWth) unit for the purposes of generating electricity and heat on a concrete plinth within the rear delivery/maintenance yard (additional plan received 26 June 2018)
<b>APPLICANT:</b>	Mr Steve Kent

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**APPLICATION AND SITE DESCRIPTION**

West Park Hospital is a single and two storey building located in the south west corner of the West Park housing development. The Hospital is bounded by dwellings on Teeswater and Collingsway to the north; West Park open space to the east; dwellings on Minors Crescent to the south and Mount Pleasant Farm to the west (albeit this Farm is part of the proposed West Park Garden Village residential development)

The proposal involves the installation of a Combined Heat and Power unit within the delivery and maintenance yard which is in the northern section of the Hospital site. A road which runs between the Hospital and the dwellings on Teeswater and Collingsway provides vehicular access to the yard area which is enclosed by a mix of brick walls and timber fencing. The unit would be located at ground floor level on a concrete base/plinth and would measure 3.1m long; 1.3m wide and 2.2m high. The unit would then be enclosed within a panelled/mesh housing unit. A flue would lead from the unit and be attached to the two storey Hospital building with a projection of 1m above the roof line.

In support of the application, the applicant has provided the following statement:

*“There are legally binding UK Government targets to reduce carbon emissions by 34% by 2020 and 80% by 2050 compared to 2007 levels. These targets are set out in the UK Climate Change Act (2008), which outlined a new approach to managing and responding to climate change in the UK. All health and social care organisations are required to deliver a reduction in greenhouse gas emissions, and must demonstrate how progress towards these targets is measured, monitored and managed. They are also bound by targets for increasing the energy efficiency of buildings.*”

*The Trust has a five year 2015-2020 Sustainable Development Management Plan (SDMP) which supports the NHS Sustainable Development Unit's view that a sustainable healthcare system must do more than focus on carbon – it must also consider how to minimise the impact of other negative environmental impacts, such as waste or water, and also to maximise opportunities to support the local economy and community.*

*The planned CHP unit at West Park Hospital is only one of a number of measures at this site to assist in reducing the trust's carbon footprint. In parallel with the installation of a CHP unit plant room insulation works are to be undertaken along with the replacement of old energy intensive heating pumps with highly efficient variable speed drive units. These planned measures as a package will reduce the Trust's carbon emissions at West Park Hospital by 14% a saving of 130 tonnes of carbon annually. There is also an economical saving to the trust annually of £36,000*

*All these saving are based on a 24 hour 365 days per year running schedule of the CHP unit (less maintenance and routine service requirements). The trust's contracted partners in this project, Centrica Business Solutions have given assurances based on their expertise with working on other similar NHS projects that the noise impact assessment will meet all the requirements of BS4142:2014 "Method for rating and assessing industrial and commercial sound" and all to the satisfaction of the Local Planning Authority.*

*The CHP is totally dissimilar to a diesel generator with the major difference being there is no noisy exhaust system. The fuel used by the CHP is Natural Gas which the CHP uses to generate electricity thereby making the trust non-reliant on the National Grid. Generating electricity on site also gives the trust security of supply during ever demanding Grid peak times.*

*The siting of the CHP unit will be non-intrusive visually as the actual unit is housed within a panelled configuration resembling a rectangular box. Several of the panels are removable to facilitate maintenance and servicing but as assembled also add to the abatement of any noise”.*

**Application documents including Planning Statement, Design and Access statement, detailed plans, consultation responses, representations received and other background papers are available on the Darlington Borough Council website.**

## **PLANNING HISTORY**

The relevant planning entries are:

01/00020/OUTE In February 2002 outline planning permission was GRANTED for reclamation of derelict land, provision of public open space and development for residential, sports and recreation, community and health care purposes, together with ancillary highways and landscaping works

02/01061/RM1 In February 2003 Approval was GRANTED for the details of mental health accommodation and day hospital including car parking and landscaping pursuant to outline planning application Ref No 01/00020/OUTE

11/00795/FUL In March 2012 planning permission was GRANTED for alterations to existing car park to provide more car parking spaces

17/00007/FUL In March 2017 planning permission was GRANTED for the erection of a single storey extension to existing Ward

17/00803/FUL In October 2017 planning permission was GRANTED for the erection of new garden area to provide outdoor space for patients and staff including new landscaping, fixed seating and planting

### **PLANNING POLICY BACKGROUND**

The relevant local development plan policies are:

#### **Darlington Core Strategy Development Plan Document 2011**

CS2 Achieving High Quality Sustainable Design

CS16 Protecting Environmental Resources, Human Health and Safety

#### **National Planning Policy Framework 2012**

### **RESULTS OF CONSULTATION AND PUBLICITY**

Four letters of objection have been received and the comments can be summarised as follows;

- *We are extremely concerned at the potential noise level this will produce potentially 24 hours a day. We already have issues with noise levels from the hospital from current equipment and maintenance and as a residential area we should not be subjected to this level of commercial activity as we pay full Council Tax. We also have concerns regarding the size, look and design of the object and the impact of the disturbance with the work scheduled as the neighbourhood is constantly disturbed with ongoing work at the hospital which has an effect on our residential life*
- *The current heating system during winter can be particularly loud when it kicks in. I would be against this application if noise levels exceed those as recommended in a residential location. In addition we currently have noise issues with deliveries early on a morning and weekends, some as early as 6:30am on a Saturday*
- *We already have issues with noise from the utility area and this installation will make the noise situation worse. There is no way this unit will not create a noise nuisance which will probably be constant. A wooden fence and a few trees and bushes will not help with the constant noise a generator will create*
- *My only concern would be about the noise produced from the unit and the type of fuel used. The fuel needs to be non-polluting and it is important for us to be able to sit in our gardens without being able to hear it. We already have a lot of noise from the hospital since the recreation yard and new extension were built and have had to complain to the hospital on more than one occasion*

### **Consultee Responses**

The **Council's Highways Engineer** has raised no objections

The **Council's Environmental Health Officer** has raised no objections subject to a planning condition to secure the submission of a noise impact assessment

### **PLANNING ISSUES**

The main issues for consideration as whether or not the proposed development is acceptable in the following terms:

- Residential Amenity

- Highway Safety
- Visual Amenity

### **Residential Amenity**

Policy CS16 (Protecting Environmental Resources, Human Health and Safety) of the Core Strategy seeks to ensure that new developments do not harm the general amenity and health and safety of the local community which echoes one of the core principles of the NPPF which seeks to secure high quality design and good standards of amenity for all existing and future occupants of land and buildings.

The dwellings to the north of the Hospital are 2 and 2.5 storey detached and semi detached properties whose rear elevations and gardens are separated from the Hospital by an access road which leads to the entrance of the delivery yard. There are metal railings, a timber fence and a mature hedge that run alongside the rear gardens and the northern edge of the access road which will provide a visual barrier between the dwellings and the location of the CHP unit, along with the walls and fencing that enclose the yard itself. The proposal would not adversely harm the outlook from the rear gardens or upper level windows of the neighbouring dwellings.

The Council's Environmental Health Officer has considered the planning application and advised as follows:

#### ***Air Quality***

*I note the proposal was the subject of a pre application enquiry (17/00080/PREAPP) and it was highlighted in Environmental Health's response that as long as catalysts are installed to ensure lower level emissions of NOx and CO from the Combined Heat and Power (CHP) unit the impact on air quality was considered not to be significant and no further assessment would be required. Within the submitted documentation it is confirmed that the catalysts will be fitted to achieve the lower level emissions detailed on the technical data sheet. I am satisfied with this information.*

#### **Noise**

*As part of the pre application discussions between Environmental Health and the Applicant it was highlighted that noise from the CHP will be required not to exceed the day-time and night-time background level at nearest noise sensitive receptors in accordance with BS4142:2014 "Method for rating and assessing industrial and commercial sound". The Applicant has confirmed within the information accompanying the application that noise monitoring will be undertaken before and after the installation of the CHP unit (in accordance with BS4142), to ensure compliance with any planning requirements. What I would say in response to this is that Environmental Health would not necessarily require monitoring to be undertaken before and after the installation of the unit. This could be done once the unit is installed with the unit switched off and then switched on."*

Having considered the advice from the Environmental Health Officer and the limited visibility of the unit and associated pipework from the neighbouring dwellings, the proposal is acceptable in residential amenity terms.

### **Highway Safety**

The Council's Highways Engineer has raised no objections to the proposed development

**Visual Amenity**

The unit would replace an existing lock up cage and it would not be clearly visible at street level from outside of the delivery yard apart from via the entrance into the yard when the gates are open. The pipework leading from the unit and up the gable elevation of the two storey Hospital building will be visible but the size, location and extent of the pipework would not harm the visual appearance of the building or the surrounding area as it would look very similar to existing pipework on the elevations of the building.

**SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

**CONCLUSION**

The proposed development is considered to be acceptable in visual terms and it would not harm the amenities of the neighbouring dwellings provided that the unit accords with the requirements of the suggested planning condition. The proposal raises no highway safety issues.

**RECOMMENDATION**

**PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1) A3 – Implementation Limit (Three Years)
- 2) During the commissioning and prior to the use of the Combined Heat and Power Unit for the purposes of generating heat and power, a noise impact assessment shall be carried out by a suitably qualified acoustic consultant/engineer (appointed by the applicant) to assess the noise rating level in accordance with BS4142:2014 – ‘Method for rating and assessing industrial and commercial sound. The rating level ( $L_{Ar,Tr}$ ), as defined in BS4142:2014, from the Combined Heat and Power Unit shall not exceed the day-time and night-time background noise level ( $L_{A90,T}$ ) at noise sensitive receptors. The noise sensitive receptors and background noise levels to be used in the BS4142:2014 assessment shall be agreed in advance with the Local Planning Authority. Any mitigation measures shown to be necessary following the assessment shall be implemented within a timescale to be agreed in writing with the Local Planning Authority and thereafter shall be retained and maintained for the life of the development to the satisfaction of the Local Planning Authority

REASON: In the interests of residential amenity

- 3) The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - a) CHP 1/1 Rev A – Existing and Proposed Elevations
  - b) 14498 Rev D – External Enclosure Model with Head Trim Radiator

REASON – To ensure the development is carried out in accordance with the planning permission

**THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:**

**Darlington Core Strategy Development Plan Document 2011**

CS2 Achieving High Quality Sustainable Design

CS16 Protecting Environmental Resources, Human Health and Safety

**National Planning Policy Framework 2012**