

Delegated Report

Householder Planning Application

Planning Application No: 20240879

Location: 8 Artillery Row Gravesend Kent DA12 1LY

Description: Installation of a air source heat pump to front of property.

Applicant: Kathlyn Thomas

Site Visit Date: 07.10.2024

Submitted Documents/Plans

- Application Form
- Site Location Map
- Drawing No: 01 (Existing Site Plan)
- Drawing No: 02 (Existing Elevations)
- Drawing No: 03 (Proposed Site Plan)
- Drawing No: 04 (Proposed Elevations)
- Drawing No: 05 (Existing/Proposed Floor Plans)

Supplementary Information

- Heat Pump Details
- Manual Sound Calculator

Superseded

- ~~Site Location Plan~~

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as

necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed and Beautiful Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment

Consultations, Publicity and Representations

Local Ward Councillors

No comments received.

Environmental Protection Team

The MCS noise calculator shows that the noise level of the ASHP has failed. In addition, the calculator advises that the distance to the nearest receptor is 8m. Looking on google maps, the distance to the window above the garage of the adjoining house, which is likely to be a bedroom, is far less than this. This will result in an even higher outcome in terms of resultant noise level.

Guidance advises that where an ASHP fails any of the criteria of an MCS assessment, that a BS4142:2014+A1:2019 assessment should be undertaken to ensure that does not exceed 35dB as far as is reasonably practicable (including penalties for noise characteristics such as tonal components) at 1m from the façade of noise sensitive and neighbouring residential premises. This is based on a LAeq measurement made over 15 minutes.

Therefore, this is required and should be undertaken and submitted for assessment prior to any determination of the application.

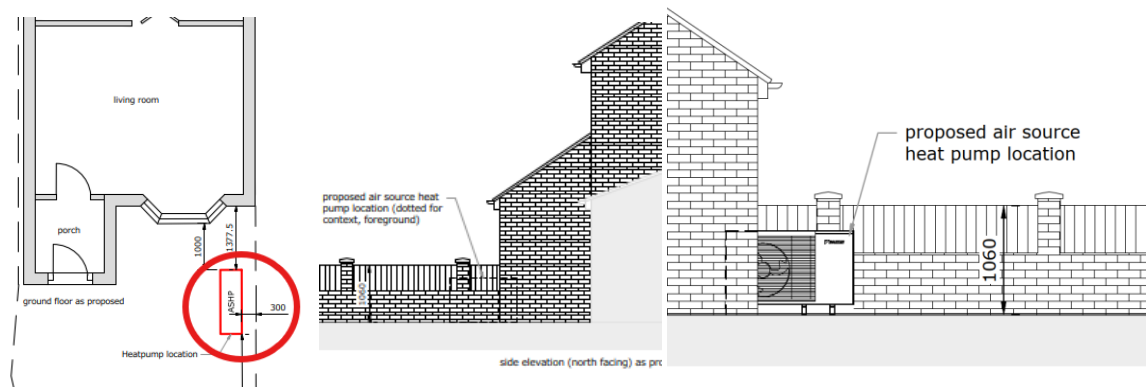
Neighbouring properties

The application was advertised by way of site notice and letters to 3 surrounding properties. The consultation period expired on 01.11.2024 and no comments were received.

Analysis

Procedural Matters

The proposed block plan shows the heat pump as being detached and situated away from the front elevation of the property, however the proposed elevations show the heat pump as being attached to the property.



Should permission be forthcoming then clarity will be sought regarding this matter.

Proposal

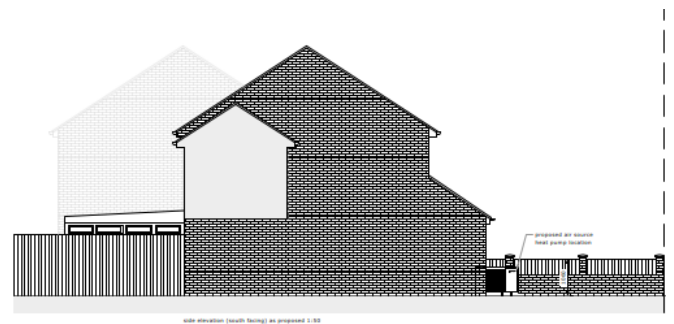
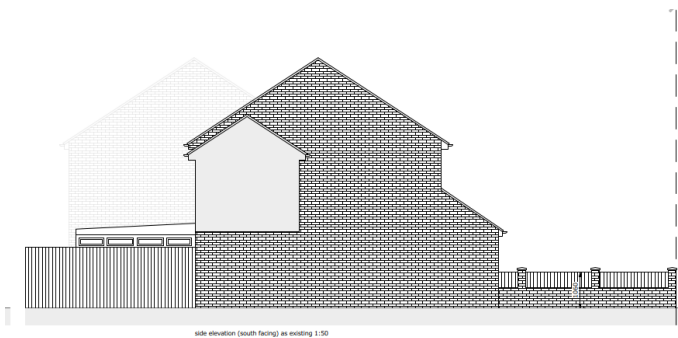
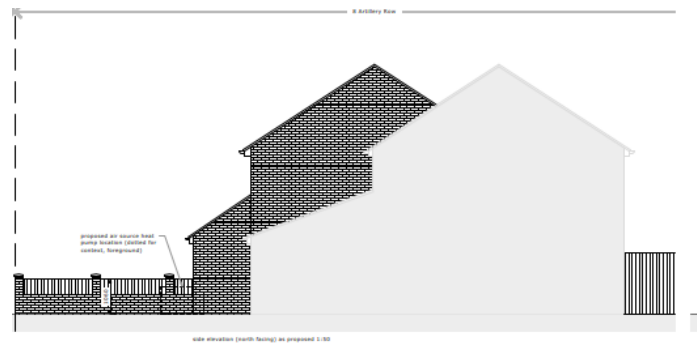
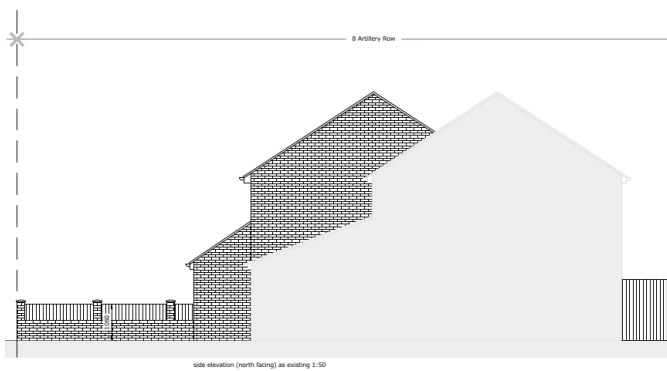
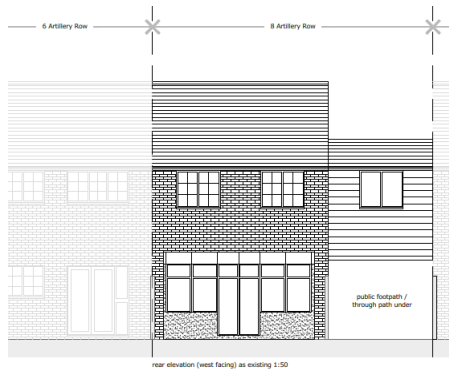
The proposal is for the installation of an air source heat pump to the front of the property.

Existing



Proposed



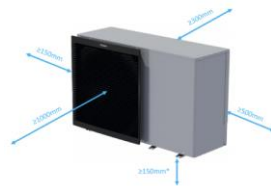


Character and Appearance

The application site is a two storey dwelling situated in a residential area. The property currently has solar panels on the front roof slope. The property frontage comprises an enclosed hard paved front garden which is used for off road parking.



The proposed air source heat pump will be situated on the northern side of the property frontage and the manufactures details state that the pump would exceed 42dB at a standard sound mode.



**Unit Dimensions
Including Drip Tray:**
Height 870mm
Width 1250mm
Depth 362mm

The installation of an air source heat pump would normally be permitted development under Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. However Class G.1 (b) only permits an air source heat pump which does not exceed 42dB, in this instance this threshold is breached and permission is required.

The proposed air source heat pump is not considered to have a detrimental impact on the character or appearance of the area, and is in accordance with Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Neighbouring Amenity

The pump will be located on the northern boundary of the application sites and is in close proximity to a bedroom window at No. 6 Artillery Row. The details state that on a standard sound mode, that the noise generated exceeds 42dB.



The MCS Planning Standards for Permitted Development Installations of Air Source Heat pumps on Domestic Premises (MCS 020) stipulate that noise levels for an air source heat pump on its own must stay at or below **42.0 dB(A)** from a metre distance away from any habitable room.

In this instance this threshold has been breached. If the equipment exceeds the 42dB it must be situated 8 meters away from the nearest receptor, however as can be seen from the above image and the comments from the environmental health team this is incorrect as there is a window situated above the neighbouring garage which likely serves a bedroom and so the impact of the unit in terms of noise would be harmful to the amenity of a neighbouring property.

The environmental protection team have also provided the below comments which state;

“Where an ASHP fails any of the criteria of an MCS assessment, that a BS4142:2014+A1:2019 assessment should be undertaken to ensure that does not exceed 35dB as far as is reasonably practicable (including penalties for noise characteristics such as tonal components) at 1m from the façade of noise sensitive and neighbouring residential premises. This is based on a LAeq measurement made over 15 minutes”

In this instance the proposal has failed to comply with the requirements of the MSC assessment and so a BS4142:2014+A1:2019 assessment is required and has not been supplied. The applicant has therefore failed to provide adequate information and so any future proposal should ensure this information is submitted alongside any planning application.

Based on the fact that the Air Source Heat Pump exceeds 42dB on the Manual Sounds Calculator and with no BS4142:2014+A1:2019 assessment being provided, it must be assumed that the proposed air source heat pump will result in unacceptable noise levels to the occupants of No. 6 Artillery Row. The proposal therefore fails to safeguard neighbouring amenity and is contrary to the requirements of Policy CS19 (LPCS) 2014 and Section 12 NPPF (2023).

Amenity of Future Occupiers

Based on the above comment, it cannot be assumed that the Air Source Heat Pump will not cause disturbance to the occupants of 8 Artillery Row itself, which is equally improvement. As such, it is considered that the same concerns as outlined above are valid also for occupants of the host dwelling. The proposal therefore fails to safeguard amenity and is contrary to the requirements of Policy CS19 (LPCS) 2014 and Section 12 NPPF (2023).

Parking and Highways

The proposed development will be situated in the property frontage which is also used for vehicle parking, it is considered that the unit will not impact the drive and access to and from the vehicle would remain unaffected.

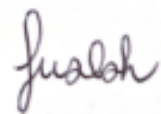
The proposal complies with SPG4 – KCC Parking Standards 2006.

Conclusion & Recommendation

The proposed development is recommended for refusal owing to the below ground:

Due to the Air Source Heat Pump exceeding 42dB on the Manual Sounds Calculator and with no subsequent BS4142:2014+A1:2019 assessment being provided, based on the information provided the proposed air source heat pump will result in unacceptable noise levels to future occupiers but more notably, the occupants of No. 6 Artillery Row. The proposal therefore fails to safeguard neighbouring amenity and is contrary to the requirements of Policy CS19 (LPCS) 2014 and Section 12 NPPF (2023).

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	25/11/2024	Dated:	25 November 2024