

DELEGATED HOUSEHOLDER APPLICATION REPORT

Ward: Tilehurst Ward

App Ref: PL/24/1245

Address: 6 Atherton Close, Tilehurst, Reading, RG30 4NH

Proposals: Installation of 1No air source heat pump to the rear - Planning required due to MCS noise standards at 43.6 dB - mitigation from planners welcome in form of fence or canopy.

Case Officer: Mishga Marshall

Applicant: Mr Chris Harlin

Date received (valid from): 20/09/2024 **Target Decision date:** 18/11/2024

1. SITE DESCRIPTION

The application site is a two storey semi-detached property with pitched roof, located on the east side of Atherton Close. It is not a listed building, nor does it fall within a conservation area, however, is within an Area of Biodiversity Area, situated near an area of Local Green Space and Public Open Space. The surrounding area is predominantly residential, with a mixture of detached and semi-detached dwellings.

Site visit date: 04/10/2024

Site visit photos:



2. PROPOSAL AND SUPPORTING INFORMATION

The proposal is for the installation of 1No air source heat pump to the rear of the property, the applicant has highlighted that Planning is required as the MCS noise standards for PD development was exceeded. The proposed air source heat pump would be located to the rear of the dwelling.

No works have been undertaken or started in relation to the proposed extension development.

Plans submitted:

PP-13423268v1 Location Plan (dated 20-Sep-2024)

Daikin Altherma 3 - Low Capacity Monobloc

MCS NOISE assessment

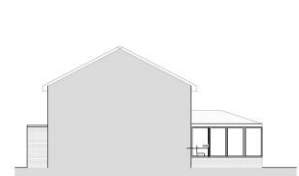
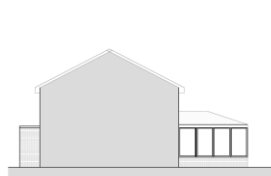
J-0C3D88E2 - 01 Existing Site Plan (dated 20.09.2024)

J-0C3D88E2 - 02 Proposed Site Plan (dated 20.09.2024)

J-0C3D88E2 - 03 Existing Elevations and Floor Plan (dated 20.09.2024)

J-0C3D88E2 - 04 Proposed Elevations and Floor Plan (dated 20.09.2024)

Existing Elevations:



Proposed Elevations:

3. RELEVANT PLANNING HISTORY

N/A

4. CONSULTATIONS

The following addresses were consulted by letter.

44 Hardwick Road, Tilehurst, READING, RG30 4LN
8 Atherton Close, Tilehurst, READING, RG30 4NH
4 Atherton Close, Tilehurst, READING, RG30 4NH

One letter of representation has been received:

8 Atherton Close - comments in favour of the application stating its sustainability alignment.

The following internal/external consultees were consulted by email.

Environmental Protection

Following comments were received:

1. Requesting the applicant to make changes to allow the air source heat pump to pass the MCS noise assessment such as increasing the distance from the heat pump to the assessment position, installing a quieter unit, or installing a solid barrier between the unit and the assessment position
2. Requesting the applicant complete a BS4142 assessment and to meet the requirements of noise policy. Requesting this to be up front as opposed to via condition in case changes are needed in order for it to comply.
3. Highlighting that the only way the applicant can avoid doing a full BS4142 assessment is if they achieve a rating level of 35 dB. Assuming there are no tonal features, this would mean the need to reduce the noise by 8.6 dB. Further outlining that the installation of a barrier would have achieved this.

Environmental Health - The relevant consideration is the noise impact from the ASHP. The applicant should submit a simple noise assessment as below: MCS Planning Standards for ASHPs: <https://mcscertified.com/wp-content/uploads/2021/10/MCS020.pdf>

If the noise from the units complies with the above limits then it will be acceptable, if not then a more detailed noise assessment is likely to be required.

Equality Act 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework 2023

National Planning Practice Guidance 2014 onwards

Reading Borough Local Plan (2019)

CC1: Presumption in Favour of Sustainable Development

CC2: Sustainable Design and Construction

CC3: Adaptation to Climate Change

CC7: Design and the Public Realm

CC8: Safeguarding Amenity

EN16: Pollution and Water Resources

EN17: Noise Generating Equipment

H9: House Extensions and Ancillary Accommodation

SPD

Sustainable Design and Construction SPD (2019)

Other

Microgeneration Installation Standard: MCS 020 - MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises, Issue 1.3 dated 19/6/2019

6. APPRAISAL

Principle

The provision of an air source heat pump would accord with the sustainable principles as set out in Policies CC1-CC3 and the Sustainable Design and Construction SPD and would therefore be acceptable in principle subject to adhering to other Policies discussed below.

Design

Policy H9 states that an extension to a house will be acceptable where it respects the character of the house in terms of scale, location, materials and design and respects the character and pattern of neighbouring properties and the street as a whole in terms of scale, location, materials and design, and any important existing building line. Policy CC7 also further sets out relevant considerations for design stating, all development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located.

The pump would be sited within the rear garden of the application site and would be of a modest scale. There would be no detrimental effect with regard to the character and appearance of the existing dwelling nor the wider street scene.

Environmental Matters

Policy EN16 states development will only be permitted where it would not be damaging to the environment and sensitive receptors through land, noise or light pollution. Policy EN17 states where noise generating equipment is proposed, the noise source specific⁶¹ level (plant noise level) should be at least 10dBA below the existing background level as measured at the nearest noise sensitive receptor. Policy CC8 states development will not cause a detrimental impact on the living environment of existing residential properties in terms of noise.

The main issue is with respect to noise and disturbance and this application was submitted in response to the proposed air source heat pump not meeting the required threshold for noise to be considered permitted development. The applicant outlines in their MCS Noise Assessment that the heat pump would be is greater than 42 dB(A) by 2 dB(A), this is rounded to the nearest whole number, and as such fails the assessment.

The Environmental Protection Officer was consulted as part of the assessment process and raised concerns in relation to the noise generated by the heat pump and requested initially for the applicant to make changes to the heat pump which would pass the required PD assessment, such as increasing the distance from the heat pump to the assessment position, installing a quieter unit, or installing a solid barrier between the unit and the assessment position. The agent responded stating *“the current heat pump cannot be moved and a quieter heat pump or installing a barrier is not an option”*. Upon the receipt of this response, the Environmental Protection Officer requested a BS4142 Assessment to be carried out to assess the heat pump further and stated the air pump would need to meet the relevant noise policy EN17.

No noise assessment has been forthcoming, with cost cited as a reason, alongside lack of incentive for pursuing greener heating alternatives. The agent further stated *“the passing noise level for permitted development is 42db, and this installation is 43.6db, which is 1.6db over the permitted development limit, which is less than a person breathing at 10db”*.

Officers acknowledge permitted development noise levels. However, the noise level would be above this level and hence the application. The Permitted Development level of 42dB is in place to protect neighbouring amenity and preserve the character of the area. If above this level, it is not unreasonable for the LPA to require further assessment to fully assess the potential impact of the noise level.

The applicant has repeatedly refused to provide the required and requested information and changes and therefore the Environmental Protection team has been unable to confirm if the noise levels would be acceptable and, therefore, it has not been possible to establish whether the proposal would be acceptable when assessed against Policies CC8, EN16 and EN17 of the Reading Borough Local Plan.

7. CONCLUSION

The application has not been supported by an appropriate noise assessment and nor are any mitigation measures proposed. Whilst the sustainability merits are recognised, as well as ensuring greener energy the noise climate for the benefit of amenity and people’s health should also be preserved.

8. RECOMMENDATION - REFUSE

The application fails to demonstrate that the proposed air source heat pump would not result in harmful noise and disturbance to neighbouring properties. The proposal is therefore contrary to Policies CC8, EN16 and EN17 of the Reading Borough Local Plan 2019 and paragraphs 180 and 191 of the NPPF 2023.