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Development Management - Delegated Officer Report

Application Number: AWDM/0368/24 Recommendation – Grant

Site: 14 Sea Spray Avenue, Shoreham

Proposal: Installation of an air source heat pump (ASHP) in rear garden

Date of site visit: applicant's photos and Google Earth

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to a mid terraced three storey house on the east side of Sea Spray Avenue between Harbour Way and Sussex Wharf. These properties built in the early 2000's have narrow rear gardens and back onto a single storey garage block. Nos. 12 and 14 are of a different design and staggered deeper into the terrace.

The house is not in a conservation area and is not listed. There are no protected trees on the site. Permitted development rights were removed with the original permission.

The application has been revised to reposition the Air Source Heat Pump to the end of the garden adjacent to the garage and to sit it on anti vibration feet. The dimensions in mm are 1250(w) x 362(d) by 770(h).

Relevant Planning History

SU/56/03/TP - Mixed Use Dev Of 289 Dwelling Units; Doctors Surgery; 17 employment units; 2 retail shops; Open Space; Riverside Promenade; Roads & Parking (Duplicate Applc) (NB. one additional dwelling agreed as an amendment- giving 290). Granted

Consultations

Health:

'I visited the property on the 10th April to get a better feel for the location of the proposed ASHP and the proximity to bedroom windows. I discussed the use of the ASHP with the applicant.

The applicant advised that as the property is fairly new and mid terraced, the heating does not go on until winter. Therefore for heating purposes the ASHP will be operating when the garden is not in use and windows are typically closed. My concern was the heating of hot water and the ASHP operating throughout the night in order that there is hot water in the morning. It was too close to bedroom windows for

my liking and my own calculations suggested a likely problem, if bedroom windows were open.

This new position, away from the house is much better and is around 9m distant to the first floor windows. This is a hypotenuse measurement. So we are looking at an MCS020 assessment of 42.5dB(A).Just over the permitted development level.

Using the IOA assessment method which is based on BS4142 and adds a noise character correction I calculate a rating level of 43dB(A) which will just be above background levels for the area at night, which I would expect to be around 39dB(A) The daytime background levels will be higher. BS4142 assessment, a rating level of + 5dB is an indication of an adverse impact depending on the context. A rating level of +10dB or more is an indication of a severe adverse impact depending on the context.

With context, an open window will reduce external sound by 13dB(A) so the internal noise in the bedroom with the ASHP operating will meet the 30dB(LAeq) BS8233 standard for night time.

Furthermore, noise from ASHP's will have directionality, i.e the noise will be most prominent in front of the unit. However, the paper based assessment whether the IOA or the MCS 020 does not allow for this, and assumes the noise radiates equally in all directions so could overestimate the impact.

The ASHP may be audible in the neighbouring gardens but will typically be operating when the gardens are not in use for outside leisure.

If the Country is to meet its net zero targets we will need to be pragmatic when considering these applications and on this occasion, I would be minded to allow this application.'

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 15, 19 and 34
Supplementary Planning Guidance: Sustainable Energy, Aug 2019
National Planning Policy Framework (December 2023)

Planning Assessment

Principle

The proposal involves upgrading the existing housing stock located within the built up area and can be supported in principle. The Council has declared a climate emergency and is supportive of renewable sustainable energy sources where neighbour amenity and the character of an area can be protected.

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Visual amenity

This modest ASHP has been relocated towards the end of the garden. It will have no impact on visual amenity.

Residential amenity

Policy 19 supports the development of stand alone energy schemes 'subject to compliance with other policies in this Plan'. Policy 15 seeks to ensure development does not 'have an unacceptable impact on adjacent properties, particularly residential dwellings'. Policy 34 states:

'Development should not result in pollution or hazards which prejudice the health and safety of the local community.

Mitigation measures will need to be implemented for developments that could increase levels of pollution. Where there are significant levels of increased pollution that cannot be mitigated, development will be refused.

Where appropriate, air quality assessments and/or noise assessments will be required in conjunction with development proposals.'

Adopted Supplementary Planning Guidance: Sustainable Energy dated August 2019 references the need for proposal for Air Source Heat Pumps to include a noise assessment including background noise levels.

Environmental Health has advised that the relocated position of the proposed ASHP and the anti-vibration feet will ensure neighbour amenity is sufficiently protected.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Anti vibration feet to be used at all times

Is recommendation contrary to letter(s) of representation? N

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in

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favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer:	MOK	Date: 24/5/24
Authorised by:	Peter Barnett	Date: 24 May 2024