

DELEGATED OFFICER REPORT

Application Ref: H/24/98271

Site Address: 56 ARNOLD ROAD, EASTLEIGH, SO50 5PF

Case Officer: Dorothy Hei-Tung-Hoh

Description: Installation of heat pump external unit in garden.

Particular Site Constraints?	Yes ☒	No ☐
• Within the Urban Edge • Within Established Residential Area • Within Built-up Area Boundary		

Planning History?	Yes ☒	No ☐
• H/24/96734 - Installation of an Air Source Heat Pump at the rear of the property - Return Invalid - 30/04/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None received.		
Parish Council:	Although the council notes that the noise dB(A) level slightly exceeds the threshold for permitted development, it raises no objection to the application.		
Pollution Control Specialist:	The untitled noise assessment item 16 follows MSC format; suggests that this proposed installation would fail the standard by 5 dBA. The assessment position is not specified, the plans submitted show a dividing fence not mentioned in the assessment, which may affect the result. The application is unsatisfactory as it stands, and I cannot recommend approval. Options that are most likely to be successful would be to identify quieter plant or plant where a proprietary sound enclosure is available and can be installed to reduce noise emission.		
Asset Management:	No response is required from Asset Management Consultations for planning application (H/24/98271).		

Site Visit:	Yes ☒	No ☐
Details: 16 th October 2024.		

Policy:
National Planning Policy Framework Planning Practice Guidance
Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM2, DM4, and DM8.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisal for Eastleigh (ELAC 21)

Assessment:**Site context and surroundings**

56 Arnold Road is a modern two-storey terraced house situated in the southern part of Eastleigh. The front elevation features brickwork complemented by a light render, with a pitched roof that aligns with the adjoining terraced houses to the left. To the rear, the property benefits from a private garden enclosed by timber fencing. The surrounding area is predominantly residential, characterised mainly by terraced properties, while the opposite side of the street consists of semi-detached dwellings.

Proposal

The application seeks planning approval for the installation of an air source heat pump at the rear of the property. According to the submitted plans, the heat pump is proposed to be sited adjacent to the rear elevation, within 300mm of the host dwelling and near the north-east boundary. While the proposal aims to provide a sustainable heating solution, its potential to exceed acceptable noise levels makes it unsupportable. This will be further explained in the following section of the report.

Principle

- The application site lies within an established residential area where the basic principle of development is acceptable, with any formal approval being based upon the exact nature, design, and impact of that proposed being considered acceptable and in accordance with the relevant policies within the adopted local plan and supplementary planning guidance.
- The site is also part of the character area of Eastleigh (ELAC 21) which provides the following guidance on developments and that they should ensure that:
 - i) Retain the wide grass verges/open green spaces between buildings and associated semi-mature broadleaved tree planting.
 - ii) Maintain the predominant open frontages while seeking to maintain a clear distinction between public and private space.
- Policy DM4 of the Eastleigh Borough Local Plan (2016-2036) seeks to safeguard the amenity of existing and future occupiers by ensuring that proposed developments do not result in undue disturbance, harm, or discomfort. Policy DM8 focuses on preventing and mitigating pollution, including noise, to ensure that developments do not negatively affect human health, quality of life, or the environment. This application directly relates to both policies due to the potential noise impacts associated with the proposed air source heat pump.

Layout, design, and impact upon the character of the area

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible in terms of mass, scale, layout density, design, and siting.
- The proposed heat pump is to be installed in the rear garden, positioned close to the rear elevation of the property, and screened by the existing timber fencing. Due

to its location away from public viewpoints and the presence of boundary treatments, the unit would not be prominently visible from the surrounding area or the street. Its modest size and functional appearance ensure it remains unobtrusive within the residential setting. Overall, the proposal is considered to have a limited visual impact on the street scene and would not detract from the character of the area.

Impact on residential amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- The proposed installation of the heat pump raises concerns regarding its potential impact on the residential amenity of neighbouring properties, particularly in relation to noise. The council's pollution control specialist has reviewed the submitted noise assessment and identified several issues. It was noted that the assessment indicates the proposed heat pump could exceed acceptable noise standards by 5 dBA, potentially causing disturbance to nearby residents. Furthermore, the noise assessment does not specify the measurement position or account for the existing boundary fencing, which may affect the results. Without adequate mitigation measures, such as quieter equipment or the installation of a proprietary sound enclosure, the proposal is likely to result in an unacceptable level of noise disturbance. Consequently, the proposal is considered to fail in adequately protecting the residential amenity of adjoining and nearby occupiers.
- The council's pollution control specialist's concerns were raised with the applicant, and they were advised to explore quieter plant options or consider relocating the unit to mitigate the impacts. While the applicant initially agreed to investigate these options, no further response was received despite several follow-ups and a final reminder. In the absence of any updated information or proposed mitigation measures, the application must be refused due to the adverse impacts on the residential amenity of adjoining and nearby occupiers.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Reason of refusal

The proposed installation of an air source heat pump, due to its potential to exceed acceptable noise standards and the lack of adequate mitigation measures, is considered to have an unacceptable impact on the residential amenity of neighbouring properties. The proposal is therefore contrary to Policies DM1, DM4, and DM8 of the Eastleigh Borough Local Plan (2016-2036), and the contents of the National Planning Policy Framework (2024).

Recommendation:	PERMIT ☐	REFUSE ☒