

---

2023/0972

Mr David Watkiss

75 Medina Way, Barugh Green, Barnsley, S75 1QA

Installation of floor mounted air source heat pump to rear of 2 storey dwelling.

---

### Site Description

The application relates to a plot located on the south side of Medina Way and in an area that is principally residential, comprising other detached dwellings of a similar scale and appearance.

The property in question is a two-storey detached dwelling constructed of brick with a pitched roof and front gable that uses grey coloured roof tiles. The property is fronted by parking and some soft landscaping. To the rear is a garden and existing single-storey conservatory.



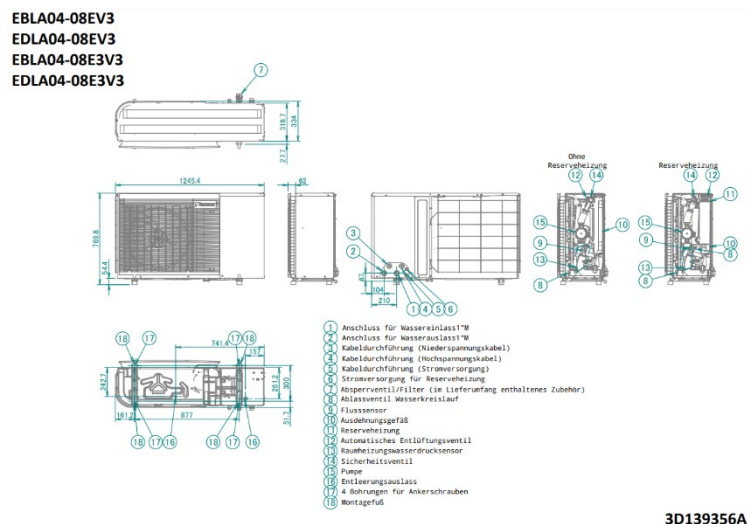
## Planning History

There are several previous planning applications associated with the application site dating to 1986. However, the most recent and relevant application is:

1. B/94/0434/DT – Residential development – 41 dwellings. – Approved.

## Proposed Development

The applicant is seeking approval for the installation of a ground mounted air source heat pump to the rear of the dwelling and the erection of a rear pergola. The unit model would be a Dalkin EDLA04-08E3V3 measuring approximately 0.37 cubic metres. The pergola would project from the rear elevation of the dwelling by approximately 0.9 metres and would have a width of approximately 1.5 metres and a height of approximately 2.1 metres. Solid wooden panels or Perspex screening would be inserted on its eastern elevation to act as noise mitigation.



## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

### Local Plan Allocation – Urban Fabric

The application site is allocated as urban fabric within the adopted Local Plan which has no specific land allocation. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy GD1: General Development.***
- ***Policy D1: High quality design and place making.***
- ***Policy T4: New Development and Transport Safety.***

### Supplementary Planning Document: House Extensions and Other Domestic Alterations

This document establishes the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations; reflecting the principles of the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- ***Section 12: Achieving well-designed and beautiful places.***
- ***Section 14: Meeting the challenge of climate change, flooding and coastal change.***

Paragraph 164, Section 14 of the NPPF states that in determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

## The Town and Country Planning (General Permitted Development) (England) Order 2015

Schedule 2, Part 14, Class G allows the installation or alteration etc of air source heat pumps on domestic premises provided that the development meets the relevant requirements and conditions, including compliance with the MCS Planning Standards or equivalent standards.

Schedule 2, Part 1, Class A allows the enlargement, improvement or other alteration of a dwellinghouse provided that any structure erected to the rear of a detached dwellinghouse would be single storey and would not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, would not exceed 4 metres in height, and where the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, the height of the eaves of the enlarged part would not exceed 3 metres.

### **Consultations**

An initial consultation period of 21-days was carried out. A further consultation period of 14-days was carried out due to an amended description and plans.

Pollution Control – Provided comments stating that a Noise Impact Assessment (NIA) is required or that the applicant could source a heat pump which has a lower sound pressure and meets the threshold for permitted development.

### **Representations**

An initial consultation period of 21-days was carried out. A further consultation period of 14-days was carried out due to an amended description and plans.

Neighbour notification letters were sent to surrounding properties. One representation was received outlining initial concerns regarding noise and environmental impact. However, these were withdrawn due to noise mitigation measures proposed by the applicant.

### **Assessment**

#### Principle of Development

Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in noise or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

The proposed air source heat pump complies with the MCS Planning Standards in that the proposed unit together with the proposed noise mitigation measures (pergola) would not exceed the permitted development noise limit of 42.0dB(A). Additionally, the proposal would comply with other relevant requirements and conditions as per Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) order 2015 and is therefore considered to be permitted development (therefore not requiring planning permission).

Schedule 2, Part 1, Class A allows the enlargement, improvement or other alteration of a dwellinghouse provided that any structure erected to the rear of a detached dwellinghouse would be single storey and would not extend beyond the rear wall of the original detached dwellinghouse by more than 4 metres, would not exceed 4 metres in height, and where the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, the height of the eaves of the enlarged part would not exceed 3 metres. However, a condition stipulates that such development should be constructed of materials which have a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. As the pergola would be constructed of a timber frame with Perspex screening, the materials would not have a similar appearance and the pergola would therefore require planning permission.

### Residential Amenity

Proposals for the installation of an air source heat pump to a domestic property are considered acceptable provided that they would not unacceptably affect the amenity of neighbouring properties.

The primary issue regarding the installation of an air source heat pump lies with the sound pressure level of the proposed unit and the potential impact on the nearest sound sensitive property. In this instance, the nearest sound sensitive property would be 77 Medina Way and the amended MCS Planning Standards assessment submitted shows that the proposed unit would have a sound pressure level of 42dB(A). The proposed unit would be located approximately one metre from the (eastern) boundary line and approximately three metres from the nearest habitable room window(s) of 77 Medina Way. An existing single storey conservatory to the rear of the host dwelling would separate the proposed unit from the nearest habitable room window(s) of 73 Medina Way therefore lessening any potential impact on this neighbouring property.

Pollution Control were consulted on the application and offered no objection subject to the provision of a Noise Impact Assessment (NIA) or the sourcing of an alternative unit which has a lower sound pressure level to comply with the threshold for permitted development. Concerns were raised by a neighbouring property regarding the potential noise and environmental impacts. However, the proposal was amended to include provision of noise mitigation measures comprising the erection of a timber framed pergola with Perspex screening inserted on its eastern elevation. As a result, the proposal complies with the threshold for permitted development under Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) order 2015.

Pollution Control were re-consulted on the amended proposal and provided comments questioning whether the mitigation measures proposed would lessen the sound pressure level to that stated in the amended MCS Planning Standards Assessment. As such, their initial comments would remain unchanged. However, at this time, it is not considered reasonable to require the applicant to submit further noise mitigation measures to lessen the sound pressure level or a NIA, especially as neighbouring properties were re-consulted on the amended proposal and no objections were received. Nonetheless, a condition will be applied to any forthcoming decision to enable the enforcement of noise mitigation measures should any complaints be received.

The proposed pergola would be relatively small scale and would not be a solid structure with clear Perspex screening limited to its eastern elevation. The proposal is therefore not considered to result in significantly increased levels of overshadowing, overlooking or reduced levels of outlook.

The proposal is therefore considered to comply with *Local Plan Policy POLL1: Pollution Control and Protection* and *Local Plan Policy GD1: General Development* and would be acceptable regarding residential amenity.

### Visual Amenity

The proposed heat pump and pergola would be relatively small scale and discreet and would be installed to the rear of the application dwelling where they would not be visible from the public realm of the principal highway and would therefore not adversely impact the character of the street scene.

The proposal is therefore considered to comply with *Local Plan Policy D1: High Quality Design and Placemaking* and would be acceptable regarding visual amenity.

### Highway Safety

The proposed heat pump and pergola would be installed to the rear of the host dwelling and would not interfere with existing parking arrangements to the front.

The proposal is therefore considered to comply with *Local Plan Policy T4: New Development and Transport Safety* and would be acceptable regarding highway safety.

**Recommendation -  
Approve with Conditions**