Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0687
103 St Leonards Road, Horsham, West Sussex, RH13 6AP

DESCRIPTION:
Installation of an Air Source Heat Pump to the rear elevation.

RELEVANT PLANNING HISTORY:

| | | | |
|---|---|---|---|
| HU/409/00 | Erection of dormer windows<br>Site: 103 St Leonards Road Horsham | Application<br>24.01.2001 | Refused on |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

**Neighbourhood Plan**:
Horsham Blueprint Business Neighbourhood Plan 2019-2036
Policy HB3: Character of Development
Policy HB4: Design of Development

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Consultations:

**Natural England**: Standing Advice:-
It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

**HDC Environmental Health:** Initial objection to proposal due to noise and impact on neighbouring amenity.

Following submission of additional information, following comments were received:

Accordingly, for night time operation I would recommend that the air source heat pump air is operated in low power/setback mode between 23:00 and 07:00 hours.

Parish Comments:
Whilst we recognise that applicant has tried hard to meet council and environmental issues, FNC would OBJECT unless they can indicate that the noise created by the heat pump will not cause unnecessary noise to the detriment of neighbours.

Representations:
1 letter of representation received neither objecting to nor supporting the application.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

**Character and Appearance**

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy HB3: Character of Development of the Horsham Blueprint Business Neighbourhood Plan states that – “Development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area.”

Policy HB4: Design of Development of the Horsham Blueprint Business Neighbourhood Plan states that – “Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings”

The application seeks planning permission for the installation of an Air Source Heat Pump to the rear elevation. The proposed air source heat pump would be located externally to the eastern elevation measuring some 870mm by 460mm by 1380 mm. The air source heat pump would improve the energy efficient of the property and eliminate flue gas emissions. Given the nature of the works, it is not considered that the installation of an air source heat pump would have an adverse impact on the character and appearance of the area or on the residential amenity of neighbouring properties

The proposal would be a clearly subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

**Impact on Neighbouring Amenity**

Policy 33 of the HDPF relates to the Development Principles and requires that the scale, massing and appearance of development is of a high standard of design and that any proposal does not cause unacceptable harm to the amenity of occupies/users of nearby property and land.

Concerns have been raised by the Council's Environmental Health Team and neighbours with regards to the levels of noise omitting from the unit. Additional information has been received setting out noise calculations, and details in the form of a manufacturers' specification has been provided. The specification details that the unit can operate in a 'low noise mode', and the Council Environmental Health team have advised that as '*The pump speed is inverter controlled … the noise for the unit will be lower during periods of reduced demand'*. A condition is recommended to secure the times of operation overnight. With this provision in place, the application is considered to be acceptable in this regard.

**Water Neutrality**

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

**Conclusion**

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

**Recommendation: Application Permitted**

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition**: The air source heat pump shall operate in 'Low Sound Mode' / low power mode as indicated on page 5 of the manufacturer's specification (received by the Council on 24.07.2024) between the hours of 23:00 and 07:00 inclusive.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including

planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

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**Plans list for: DC/24/0687**
Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Supporting Statement | Cover letter | NONE | 02.05.2024 |
| Location plan | | NONE | 02.05.2024 |
| Supporting Statement | Sound Calculator | NONE | 02.05.2024 |
| Block plan | | NONE | 02.05.2024 |
| Supporting Statement | | NONE | 02.05.2024 |
| Photos | | NONE | 02.05.2024 |
| Details plan | Unit 3D | NONE | 02.05.2024 |
| Details plan | | NONE | 02.05.2024 |
| Elevation plan | Existing and proposed | NONE | 10.05.2024 |
| Supporting Document | Manufacturers Specification | NONE | 24.07.2024 |

**DELEGATED**

Case Officer sign/initial Marie Riggs Date: 01.07.2024

Authorising Officer sign/initial RHERMITAGE Date: 29.07.2024