

<u>APPLICATION NO:</u>	24/00083/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Shevington	<u>PARISH:</u>	
<u>LOCATION:</u>	15 Conway Close, Tower Hill, Kirkby		
<u>PROPOSAL:</u>	INSTALLATION OF AIR SOURCE HEAT PUMP		

Site Description

The application site is a terraced house with associated curtilage on Conway Close, Kirkby.

Proposal

The application is for the installation of a small air source heat pump (ashp) at the front of the house.

Consultations

Cadent Gas Limited – No objections but request an informative concerning the proximity of Cadent gas infrastructure in the area.

Environmental Health - Have expressed concerns with the associated noise impact to the residential property next door, and note that the statutory noise limit for an air source heat pump is 42dB, measured from the nearest neighbouring property, whilst they advise that the proposed would have a sound pressure limit (sound which is heard) of 46dB at the nearest residential property, 4dB above the noise limit and as such state that a noise assessment is required. The ashp is however permitted development under the Town and Country (General Permitted Development) (England) Order 2015 and subsequent amending Orders as explained below, and therefore such is not required under planning due to the ashp being permitted development.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable

development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. However as explained below the proposal is permitted development and therefore development plan policies are not relevant.

Article 35 Statement

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 confirm planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to renewable energy. With regards domestic ashp the Order states the following at Part 14 Class G:-

Permitted Development

G. *The installation, alteration or replacement of a microgeneration air source heat pump—*

- (a) on a dwellinghouse or a block of flats; or*
- (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.*

Development not permitted

G.1 Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards.

G.2 Development is not permitted by Class G if—

- (a) in the case of the installation of an air source heat pump, the development would result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building or block of flats;*
- (b) in the case of the installation of an air source heat pump, a wind turbine is installed on the same building or within the curtilage of the dwellinghouse or block of flats;*
- (c) in the case of the installation of an air source heat pump, a stand-alone wind turbine is installed within the curtilage of the dwellinghouse or block of flats;*
- (d) the volume of the air source heat pump's outdoor compressor unit (including any housing) would exceed 0.6 cubic metres;*
- (e) any part of the air source heat pump would be installed within 1 metre of the boundary of the curtilage of the dwellinghouse or block of flats;*
- (f) the air source heat pump would be installed on a pitched roof;*
- (g) the air source heat pump would be installed on a flat roof where it would be within 1 metre of the external edge of that roof;*
- (h) the air source heat pump would be installed on a site designated as a scheduled*

monument;

(i) the air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse or the block of flats if the dwellinghouse or the block of flats is a listed building;

(j) in the case of land within a conservation area or which is a World Heritage Site the air source heat pump—

(i) would be installed on a wall or a roof which fronts a highway; or

(ii) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway; or

(k) in the case of land, other than land within a conservation area or which is a World Heritage Site, the air source heat pump would be installed on a wall of a dwellinghouse or block of flats if—

(i) that wall fronts a highway; and

(ii) the air source heat pump would be installed on any part of that wall which is above the level of the ground floor storey.

Conditions

G.3 Development is permitted by Class G subject to the following conditions—

(a) the air source heat pump is used solely for heating purposes;

(b) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

(c) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

(d) the air source heat pump is removed as soon as reasonably practicable when no longer needed.

The ashp applied for is permitted development for the following reasons:-

The ashp complies with MSC (Microgeneration Certification Standards) Planning Standards.

With regards G.2(a) (b) and (c) there would only be 1 ashp within the curtilage of the house, and no wind turbine is to be fitted.

The volume of the ashp would be 0.42 cu.m (including the legs) and therefore would be less than the maximum 0.6 cu.m stated at G.2(d).

There would be approximately 4m from the ashp to the boundary, in excess of the 1m minimum stated at G.2(e).

G.2 (f) – (k) are irrelevant with regard the proposal.

G.3(a) - the ashp is to provide heating for the house and heat the water for the house.

G3(b) and (c) the ashp is in the location proposed due to the schematics within the house, as explained in a statement from the applicant. In addition, due to the properties having porch enclosures the ashp would not be visible from down the street (and considerably less impact visually than a refuse bin kept in the front).

Taking account the above it is clear that the proposed air source heat pump complies with Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and as such planning permission should be granted for the submitted proposal.

Recommendation

That planning permission be granted.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17/04/2024	01	-	SITE PLAN AS EXISTING
17/04/2024	03	-	SITE PLAN AS PROPOSED
17/04/2024	04	-	ELEVATIONS AS PROPOSED
19/02/2024	-	-	DAIKIN ALTHERMA 3 LOW CAPACITY MONOBLOC
17/04/2024	-	-	TECHNICAL DETAILS

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: **K Foster**

Date: **29 May 2024**

Informatives

1. Cadent email and attachment.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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