

Case Officer: Lewis Knox

Recommendation: Approve

Applicant: Mr Paul Lowbridge

Proposal: Installation of an air source heat pump to the rear of the property

Expiry Date: 25 October 2023



1. Relevant Features of the Site

The application relates to a detached, two storey dwelling in Burdrop. The site lies outside but adjacent to the Sibford Gower with Burdrop Conservation Area, and immediately west of Jesamine Cottage. The site also lies within the Sibford Ferris and Sibford Gower historic core Archaeological Alert Area.

2. Description of Proposed Development

The applicant seeks planning permission for the installation of an air source heat pump to the rear garden of the property.

The application relates to amended plans received 25.09.2023 which altered the positioning of the heat pump from the rear of the garage on the northern side of the property to the southern side of the garden.

3. Relevant Planning History and Pre-Application Discussions

There is no Planning History or Pre-Application discussions considered relevant to the current proposal.

4. Response to Publicity

This application has been publicised by way of a Site Notice displayed near the site, expiring **8 November 2023** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **8 November 2023**.

The comments raised by third parties are summarised as follows:

- Objections to positioning to rear of garage due to noise nuisance

5. Response to Consultation

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Sibford Gower Parish Council: Raised no objections

CDC Building Control: No comments received

CDC Environmental Health: Raised no objections

6. Relevant Policy and Guidance

Cherwell Local Plan 2011-2031 Part 1 - (CLP 2015)

- **ESD 1 – Mitigating and Adapting to Climate Change**
Seeks to incorporate suitable adaptations measures in new development to ensure that development is more resilient to climate change impacts. *See page 85 of the CLP 2015 for full details*
- **ESD 5 – Renewable Energy**
Encourages applications for renewable energy developments provided there are no unacceptable adverse impacts. *See page 93 of the CLP 2015 for full details*
- **ESD15 - The Character of the Built and Historic Environment.**
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. Where development is in the vicinity of the District's distinctive natural or historic assets, delivering high quality design that compliments the asset will be essential. *See page 117 of the CLP 2015 for full details.*

Cherwell Local Plan 1996 (saved policies) – (CLP 1996)

- **C23 -Retention of features contributing to character or appearance of a conservation area**
There is a presumption in favour of retaining buildings trees, walls and other features that make a positive contribution to the character and appearance of a conservation area. *See page 117 of the CLP 1996 for full details*
- **C28 – Layout, Design and External Appearance of New Development**
New development required to have standards of layout, design and external appearance sympathetic to the character of the urban or rural context of that development. *See page 120 of the CLP 1996 for full details.*
- **C30 – Design of New Residential Development**
Development should be compatible to the scale of the existing dwelling, its curtilage and the character of the street scene. Development should also provide acceptable standards of amenity and privacy. *See page 120 of the CLP 1996 for full details.*

Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- CDC Home Extensions and Alterations Design Guide (2007)

7. Appraisal

Design and impact on character of the area

- The proposed Air Source Heat Pump (ASHP) would be located within the rear garden of the application property and would not be readily visible from the public domain.
- The ASHP would be small in its nature and would not appear dominantly within the site and would be significantly subservient in context with the dwelling at the site.
- Overall, given its scale and siting, it is considered that the proposal would not adversely impact on the character and appearance of the area nor cause harm to the character or appearance of the Sibford Gower with Burdrop Conservation Area or the setting of nearby heritage assets.

Conclusion: Acceptable

Residential amenity

- Concerns were raised during the publicity of the application regarding potential noise disturbance to the nearest neighbour to the north; Pippins. Amended plans were subsequently received which moved the proposed positioning of the ASHP away from the shared boundary with this neighbour and reposition it to the southern boundary of the property.
- CDC Environmental Health Officers were consulted on the application and have conducted a site visit at the property. The site visit was undertaken in conjunction with the completed MCS Planning Standard assessment for ASHPs, given the information provided CDC environmental health officers have raised no objections to the proposals in terms of noise nuisance.
- It is considered that the positioning of the ASHP away from neighbouring properties would not cause excessive nuisance to neighbouring dwellings despite the slightly increased decibel level of the proposed ASHP.
- The ASHP would be small in its scale and would not exceed the dimensions of the boundary treatments between the application site and the neighbouring Golden Furlong to the south and as such it would not impact on neighbouring residents in terms of loss of light, loss of outlook or overbearing.

Conclusion: Acceptable

Highway safety

- There would not be any impact on the local highway network as a result of the proposed development.

Conclusion: Acceptable

8. Planning Balance and Conclusion

The appraisal above, which is informed by the policy and guidance set out in section 6, does not identify any material planning issues which compromise the acceptability of this application. The proposal is therefore considered to be sustainable development and, in accordance with Paragraph 11 of the NPPF, planning permission should therefore be granted.

9. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form, the site location plan, drawing 01A (Project ID. J-0908C7E2) and the documents titled Heat Pump Details (Daikin Altherma 3 High Capacity Monobloc) and MSC Planning Standard Assessment

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to safeguard the character and appearance of the area and the significance of heritage assets and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policies C28 and C30 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Lewis Knox

DATE: 13.11.2023

Checked By: Nathanael Stock

DATE: 13.11.2023
