



## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

### 2.2 Policies:

CYGP1 -Design

CYGP5 - Renewable energy

## **3.0 CONSULTATIONS**

### 3.1 Internal

Environmental Protection Unit:

Satisfied with the noise report. No objections subject to a condition ensuring the equipment is only used for heating purposes and is properly maintained.

### 3.2 External

Planning Panel - No objections.

Neighbours - No comments received.

## **4.0 APPRAISAL**

4.1 The only issue to assess when considering the application is whether noise from the operation of the heat pump would cause unacceptable harm to the living conditions of neighbours.

4.2 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. One of 12 principles set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 123 states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

4.3 The NPPF supports the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Paragraph 98 states that when determining planning applications, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. They should approve the application if its impacts are (or can be made) acceptable.

4.4 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF. Local Plan Policy GP1 'Design' states, inter alia, that development proposals should ensure that residents living nearby are not unduly affected by noise.

4.5 Policy GP5 recognises that the development of renewable energy will make a vital contribution to the reduction of carbon dioxide emissions, facilitating the delivery of the Government's commitment on climate change. Proposals for the development of renewable energy facilities will therefore be encouraged provided there is no significant adverse effect on the existing landscape, air quality, biodiversity,) water resources, agricultural land (defined as grades 1, 2 or 3a) or sites of archaeological or historic importance.

4.6 Officers from the Council's Environmental Protection Unit stated that the information submitted by the applicant on 2 January 2013 was insufficient to adequately assess whether the proposal will have an unacceptable impact on adjacent occupiers in terms of noise.

4.7 The applicant has subsequently submitted a consultant's noise assessment report and officers have discussed the proposal with the acoustic engineer. Officers from the Environmental Protection Unit are now satisfied that providing the equipment is properly maintained it will not cause harm to neighbour's living conditions.

## **5.0 CONCLUSION**

5.1 The air source heat pump is physically a small piece of apparatus and will be located against the ground floor rear elevation of the terraced house.

5.2 Officers from the Council's Environmental Protection Unit are satisfied that providing the equipment is properly maintained it will not harm neighbours living conditions.

5.3 It is therefore recommended that the application is approved.

## **6.0 RECOMMENDATION:** Householder Approval

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Acoustic assessment information

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The approved machinery, plant and equipment shall only be used for heating purposes and shall not be used on site except in accordance with manufacturers instructions. Once installed the machinery, plant or equipment shall be appropriately maintained thereafter.

Reason: To minimise loss of amenity on nearby occupants from noise caused by plant and machinery.

## **7.0 INFORMATIVES: Notes to Applicant**

### 1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the effect of noise on neighbours' amenity. As such the proposal complies with Policies GP1 and GP5 of the City of York Development Control Local Plan.

### 2. Statement of the Council's Positive and Proactive Approach

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve an acceptable outcome:

- Additional information was sought in respect to the noise impact of the proposal.

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