

## DEVELOPMENT MANAGEMENT COMMITTEE – 19 JUNE 2024

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|---------------------------|---|
| <b>Application Number</b> | 3/24/0490/HH  |
| <b>Proposal</b>           | External Air Source Heat Pump unit at the property  |
| <b>Location</b>           | 18B Bengo Street, Hertford, Hertfordshire, SG14 3ES |
| <b>Parish</b>             | Hertford Town Council                               |
| <b>Ward</b>               | Hertford Bengo                                      |

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|--|--|
| <b>Date of Registration of Application</b> | 17 April 2024                          |
| <b>Reason for Committee Report</b>         | Applicant is the leader of the Council |
| <b>Case Officer</b>                        | Elizabeth Oswick                       |

### **RECOMMENDATION**

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

#### **1.0 Summary of Proposal and Main Issues**

- 1.1 The proposal seeks planning permission for the installation of an external air source heat pump unit.
- 1.2 The main considerations for the proposal are:
- Principle of development
  - Visual amenity including impact upon the Hertford Conservation Area
  - Neighbour amenity including noise impacts.
- 1.3 The main issue for consideration is whether the proposed development is appropriate at this site having regard to policies in the East Herts District Plan 2018, the Bengo Neighbourhood Area Plan and the National Planning Policy Framework.

#### **2.0 Site Description**

- 2.1 The application site is located within the settlement of Hertford and is occupied by a two-storey semi-detached dwelling with associated garden space. There is no vehicular access to the site; the site is accessed via foot down the driveway between nos. 18 and 22 Bengo

Street. A footpath adjacent to no.20 Bengo Street allows access to the dwelling.

- 2.2 The application site is located within the Hertford Conservation Area as well as the Bengo Neighbourhood Plan Area.
- 2.3 The planning history of the site reveals the property has benefitted from the construction of two-storey and single storey extensions. A site visit confirmed that these have been constructed.

### **3.0 Planning History**

The following planning history is of relevance to this proposal:

| Application Number | Proposal  | Decision                       | Date       |
|--------------------|---|--------------------------------|------------|
| 3/15/0660/HH       | Two storey and single storey extension and internal alterations to dwelling | Refused                        | 27.05.2015 |
| 3/15/1731/HH       | Two storey and single storey extension and internal alterations to dwelling | Approved subject to conditions | 04.11.2015 |

### **4.0 Main Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP), the Bengo Neighbourhood Area Plan.

| Main Issue                                     | NPPF       | DP policy            | NP policy    |
|--|------------|----------------------|--------------|
| Principle of Development                       | Section 2  |                      |              |
| Sustainability                                 | Chapter 14 | CC3                  |              |
| Impact on character and appearance of the area | Section 12 | DES2<br>DES3<br>DES4 | HBH2<br>HBH3 |
| Heritage Implications (Conservation Area)      | Section 16 | HA4                  |              |
| Impact on neighbour amenity                    | Section 12 | DES4,<br>EQ2         | HBH2         |

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

## **5.0 Summary of Consultee Responses**

5.1 Hertford Town Council: No comment.

5.2 Environmental Health: Does not wish to restrict the grant of permission. I have assessed the noise impact of the proposed air source heat pump unit and can confirm that it meets the EHDC noise criteria at the nearest and most affected neighbouring habitable room windows.

## **6.0 Town/Parish Council Representations**

6.1 Hertford Town Council provided no comment.

6.2 No comments were received from the Local Ward Members.

## **7.0 Summary of Other Representations**

7.1 No other representations received.

## **8.0 Consideration of Issues**

### Principle of Development

8.1 The site is located within the built-up area of Bengoe, Hertford, in which there is no objection in principle to development.

8.2 Consideration is given to the sustainability benefits of the proposed development. Policy CC3 outlines that the Council will permit new development of sources of renewable energy generation subject to an assessment of the impacts of the development. These impacts shall be assessed in the further sections of this report.

8.3 The Bengoe Neighbourhood Plan does not contain policies within which relate specifically to this type/form of development.

8.4 Therefore, there are no objections in principle to the form or type of the development. The proposals constitute a domestic form of heating technology designed to reduce carbon emissions which aligns with the Council's Policy CC3 objectives to permit new development involving renewable energy generation. An assessment of the visual and environmental impacts are set out in the forthcoming sections of the

report. However, in principle, the proposed development is acceptable subject to the below detailed planning assessment.

Visual amenity including impact upon the Hertford Conservation Area

- 8.5 The air source heat pump (ASHP) shall be located to the Northeast of the dwelling and shall be situated approximately 0.7m from the elevation of the property. The ASHP shall also be situated approximately 0.2m from the northern boundary of the site.
- 8.6 The specifications of the ASHP have been identified as a PUZ-WZ80VVAA(-BS) Ecodan R290 Monoblock Air Source Heat Pump. The unit has dimensions of approximately 1.02m in height, 1.05m in width and 0.5m in depth.
- 8.7 The proposed drawings indicate that the unit shall be obscured by proposed hedging (approximately 1.1m in height) which shall act as both a visual and acoustic barrier.
- 8.8 Policies HOU11 and DES4 of the East Herts District Plan 2018 outline that development should be of a size, scale, siting, and design appropriate the character, appearance and setting of the existing dwelling. Due to the minimal scale of the development, it is not considered that the ASHP shall have any detrimental impact upon the character of the building, nor the wider site. The ASHP comprises renewable energy technology associated with the residential dwellinghouse and therefore comprises an integral feature/structure connected to the dwelling.
- 8.9 The location of the unit is visible from the private footpath South of the dwelling; however, this footpath is not considered to be a public right of way. The footpath serves access only to the properties of nos. 18a and 18b Bengoe Street, as well as to the rear gardens of nos. 9 and 11 Warren Park. There is no through route on this footpath. As such, the unit is not considered to be widely visible within the public realm. Despite this, efforts have been made to mitigate the visual impact of the ASHP by the inclusion of hedging forward of the unit. The unit shall therefore not be visible to the surrounding area. Due to this obscuration, and isolated nature of the dwelling, it is not considered that there shall be any impact to the character and appearance of the surrounding area.
- 8.10 In line with the above, it is not considered that there shall be any impact upon the character and appearance of the Hertford Conservation Area. Due to the location of the dwelling, isolated and set back from the

prominent dwellings along Bengoe Street, 18b is not considered to have a significant contribution to the Conservation Area. This is supported by the fact the dwelling is not mentioned within the Hertford Conservation Area Appraisal. The minor scale of the development is unlikely to have any impact upon the dwelling's contribution to the area. There shall be no visual impact through the ASHP's implementation to the Conservation Area, due to its minimal visibility and obscuration by landscaping. The development is therefore considered to comply with policy HA4 of the District Plan.

- 8.11 Policies HBH2 and HBH3 of the Bengoe Neighbourhood Plan relate to the Design and Layout of the development, as well as the landscaping design. The proposed landscaping (hedging) shall benefit the overall appearance of the site, allowing the ASHP to appear discreet in its setting.
- 8.12 As outlined above, the hedging is considered to positively contribute to the acceptability of the proposal, mitigating any visual intrusion upon the landscape. As such, a condition is recommended to be attached to ensure the retainment of this landscaping.
- 8.13 The development is therefore considered to comply with policies DES2, DES3, DES4, HOU11, and HA4 of the East Herts District Plan 2018 as well as policies HBH2 and HBH3 of the Bengoe Neighbourhood Plan.

Neighbour amenity including noise impacts

- 8.14 Policy DES4 of the District Plan seeks that proposals do not result in detrimental impacts to the amenity of future occupiers or neighbouring residents.
- 8.15 Policy HBH2 of the Neighbourhood Plan outlines that development should protect the amenity and privacy of existing and future residents.
- 8.16 As outlined above, the building is relatively isolated in its location. The closest neighbouring property is the attached dwelling of no.18a Bengoe Street. This property is approximately 7.3m from the location of the ASHP. The application dwelling resides between the location of the ASHP and the neighbouring property. Therefore, the ASHP would not be visible from no.18a.
- 8.17 Other neighbouring properties of relevance to this application include Westview to the Northeast of the dwelling, Highmead to the East, and nos. 9 and 11 Warren Park Road to the South. All of these properties are separated from the siting of the ASHP by large residential gardens.

Due to this separation distance, it is believed that any impacts shall be mitigated (including noise impact, which shall be assessed further below).

- 8.18 Due to the minimal scale of the development, the ASHP and associated hedging is not considered to have any adverse impacts upon the amenity of neighbouring occupiers by way of overshadowing, overbearing or overlooking.
- 8.19 Policy EQ2 of the of the District Plan outlines that development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Due to the noise emissions that consequently result from use of the ASHP, this policy is of relevance.
- 8.20 The specifications and acoustics details of the ASHP were provided with this application. The Environmental Health (Noise and Light) Officer reviewed the submitted information and confirmed that it would meet the EHDC noise criteria at the nearest and most affected neighbouring habitable room windows. As such, it is not considered the development shall result in any detrimental impacts to the amenity of neighbouring properties by way of inappropriate levels of noise.
- 8.21 It is possible that some noise from the plant may be audible from the residential gardens of the surrounding neighbouring properties through the operation of the ASHP. However, the Council's Environmental Health Officer confirms that the technology complies with EHDC noise criteria for this area. Therefore, officers consider that the noise emissions would not in this case contribute significantly to background levels of noise in the area.
- 8.22 In line with the above, the development does not result in detrimental impacts to the amenity of future occupiers or neighbouring residents. It is therefore considered that the proposals would comply with policies DES4 and EQ2 of the District Plan, and policy HBH2 of the Neighbourhood Plan that seek to protect the amenity and privacy of existing and future residents.

#### Conditions

- 8.23 The standard three-year time limit condition has been recommended.
- 8.24 The standard approved plans condition has been recommended to ensure the development is constructed in accordance with the approved documents.

8.25 A condition has been recommended for the implementation of the proposed hedging forward of the ASHP unit. The hedging is considered to positively contribute to the acceptability of the proposal, mitigating any visual intrusion upon the landscape. As such, a condition is recommended to be attached to ensure the retainment of this landscaping which is shown in the submitted drawings.

## **9.0 Planning Balance and Conclusion**

9.1 The site is within the built-up area of Hertford and comprises a form of renewable energy technology designed to reduce carbon emissions and as such there would be no objection in principle to development.

9.2 Through the implementation of a renewable energy technology, there are sustainability benefits of the development which are a material consideration to the scheme.

9.3 The development would not result in visual harm to the site nor the surrounding Conservation Area. The ASHP has been appropriately screened.

9.4 It is considered that the development would not result in harm to neighbouring amenity from excessive noise, overbearing impacts, loss of outlook, overshadowing, or loss of privacy.

9.5 Accordingly, is considered that the proposals accord with relevant policies of the District and Neighbourhood Plans and that the planning balance falls in favour of the development. It is therefore recommended that conditional planning consent be granted.

## **RECOMMENDATION**

That planning permission be **GRANTED** subject to the conditions set out below.

### **Conditions**

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

3. The proposed hedging as displayed in drawing nos. 18B-04P and 18B-05P shall be implemented prior to first use of the Air Source Heat Pump and shall be permanently retained thereafter.

Reason: To protect the visual amenity of adjoining occupiers and reduce noise emissions associated with the Air Source Heat Pump in line with policies DES4 and EQ2 of the District Plan.