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|-----------------|------------------------------------|---------------|----------------|
| Site Address:   | 1 Woodbury Avenue, Havant, PO9 1RH |               |                |
| Proposal:       | Installation of solar panels.      |               |                |
| Application No: | APP/20/01132                       | Expiry Date:  | 04/02/2021     |
| Applicant:      | Mr & Mrs Brooks                    |               |                |
| Agent:          |                                    | Case Officer: | Selina Donophy |
| Ward:           | St Faiths                          |               |                |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

The application site comprises a two storey detached dwelling of render and tile finish, located within a generous plot at the north eastern corner of the junction of Langstone Road with Woodbury Avenue. The site has boundary treatment comprising of fencing and substantial hedging and trees to each boundary. The area predominantly comprises residential development of a broadly similar character

## **2 Planning History**

APP/14/01081 - Two storey side extension. New porch to front and other alterations., PERM,19/12/2014  
APP/15/00897 - Double garage with multi-use room over. Renewal of panel fencing to west boundary new masonry wall to south boundary (front) including new dropped kerb (approved 14.11.2016). Request to Discharge Condition 2 (21.06.2017)., PERM,14/11/2016  
APP/17/00667 - Tree works., UNK,  
APP/20/00498 - Fell 2No. Ash trees & 1No. Yew tree. Subject to TPO 2035., PERM,20/08/2020

## **3 Proposal**

Installation of solar panels and retrospective planning application for heat pump already installed.

## **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

### Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)  
DM10 (Pollution)

### Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

### **Arboriculturalist**

No comment

### **Councillor D Guest - St Faith's**

No comment

### **Councillor J Branson - St Faiths**

No comment

### **Councillor T Pike - St Faith's**

No comment

### **Environmental Health Manager, Community Group**

I have reviewed this application. In respect of the solar panels I have no comments or objections to raise. However taking into consideration the concerns relating to noise which were highlighted in my general enquiry consultation response submitted last September, the applicant has provided no further detail in relation to the noise aspects of the air source heat pump. There is insufficient information provided in the documentation submitted in support of this application with respect to the noise impact on nearby residents from these proposals.

Environmental protection would therefore object to the application until such time as sufficient information is provided by the applicants to enable an informed judgement to be made in respect of the above mentioned matters.

## **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Officer Comment                                                                                                                                                        |
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| <p>Please note that I would wish to strongly object to this planning application in respect of the location of the air source heat pump unit. The large external unit is mounted at high level on the back wall of 1 Woodbury Ave. and projects noise towards the south facing gardens, main living rooms and bedrooms of houses in Regents Court.</p> <p>The heat pump unit in its present position has been located without any consideration to the noise pollution impact on neighbours.</p> <p>This LG Therma V Heat Pump operates 24/7 and generates a range of noises with frequent cycling which interferes with the enjoyment of our home and garden. The noise has a negative effect on the quality of life, sleep and enjoyment of our home.</p> <p>While there is some background road traffic noise at certain times during the day the heat pump remains an audible nuisance day and night and even more so when our windows are open for ventilation.</p> <p>From the data published on-line by LG, the equipment manufacturer, it can be seen that this twin fan LG Therma V unit has a noise rating of 63dBA. This model is a particularly noisy unit, perhaps more suited to commercial/ industrial environments rather than that of a residential area. The equipment is still relatively new and it seems most likely that with extended use the noise levels would increase.</p> <p>GOV.UK website sets out permitted noise levels of 34 dBA , or + 10 dBA above underlying level, and that to avoid sleep disturbance the guideline value for bedrooms is 30dB for continuous noise. The distance between the installed high level heat pump and our property affords only limited attenuation</p> <p>HBC Environmental Health, (Mr. Simon Spencer), has previously been made aware of my noise concerns and further investigation is presently on hold pending the outcome of this retrospective planning application.</p> | <p>It is noted that these comments relate to the heat pump which has subsequently been removed from this application. The heat pump will be removed via condition.</p> |

## 7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

7.3 This proposal originally contained a proposed retrospective heat pump at the property which had a volume too large to fall under permitted development. Environmental Health were consulted in regards to the heat pump and have requested more information be provided in relation to the noise impact of the pump -this would need to take the form of a noise report. The applicants subsequently have decided to remove and replace the heat pump with one which would fall within the criteria for permitted development. Removal of the current heat pump will be conditioned with any permission granted. For this reason the rest of this report will focus on the solar panels .

(ii) Appropriateness of design and impact on the character of the area

7.4 This proposal includes solar panels located on the flat roof area towards the rear of the property .The panels, whilst visible from surrounding properties, would not be highly visible from the public realm. They are not judged to cause harm to the character of the area and are therefore deemed acceptable.

7.5 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.6 Whilst the solar panels would be a visible feature from the rear of properties along Regents Court to the north, the proposed solar panels are not deemed to cause harm to neighbour amenity. In addition Environmental Health have no comments to make in regards to the solar panels.

7.7 Consequently, it is considered that the proposal will not appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

## 8 **Conclusion**

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.
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## 9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01132 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan uploaded on the 7.12.2020

Solar Panels Specifications uploaded on the 07.12.2020

Aerial view of solar panels location uploaded on the 07.12.2020

**Reason:** To ensure provision of a satisfactory development.

- 3 Within 6 weeks of the date of this decision notice, the heat pump located to the rear of the site shall be permanently removed from the land.

**Reason:** In the interests of the character and amenities of the area and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.