CASE OFFICER'S REPORT

Application Reference:	PL/2023/09147
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	01 December 2023
Case officer:	Hilary Baldwin

Site Address:	15 Gainey Gardens, Chippenham, Wilts, SN15 1UG
Proposal:	Proposed Air Source Heat Pump
Recommendation:	Approve with Conditions

Proposal and Site Description

Proposal

The application seeks planning permission for the installation of one Air Source Heat Pump (ASHP). The apparatus would be ground mounted and adjacent to the detached garage within the rear garden of the site.

The unit would measure 1250mm wide, 362mm deep and have an overall height of 750mm.

Site Description

The application site lies inside the settlement boundary of Chippenham and within an area characterised by two storey- brick built properties built recently as a housing development on land to the north of the town. Most properties are arranged in short terraces and semi-detached pairs around the array of roads and cul-de-sacs. No 15 has a small private rear garden which contains the detached garage belonging to the property. Du

The area is outside the any designated Conservation Area and there are no other heritage assets nearby.

Policies

National Context:

National Planning Policy Framework (NPPF) 2023 (Dec)
Paragraph 11 – Presumption in favour of sustainable development
Paragraph 131, 133 - Function and form of development

Planning Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015
Core Policy 1- Settlement Strategy
Core Policy 2- Delivery Strategy
Core Policy 41- Sustainable Construction and Low Carbon Energy
Core Policy 57- Ensuring High Quality Design and Place Shaping

Key Issues
Principle of Development
Impact upon the Character and Appearance of the Area
Impact on adjacent neighbouring occupiers

Relevant Planning History
There is no planning history on the site or on adjacent sites which are considered to impact upon the determination of the proposal.

Consultation Responses
Chippenham Town Council - No Objection
Public Protection - No Objection or comment to make.

Representations
No letters of representation were received in relation to the proposed development.

Planning Considerations and Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development:
The principle of providing and extending facilities in association with existing residential accommodation is considered acceptable in principle and in accordance with policies CP1, CP2 and CP57 of the adopted Wiltshire Core Strategy, subject to site specific assessment and related policy consideration and compliance with other policies contained within the development plan.

Impact on the Character and Appearance of the Area
The planning system promotes high quality development through good inclusive design and layout and the creation of safe, sustainable mixed communities. Good design should be indivisible from good planning and recognised principles of good design seek to create a high-quality built environment for all types of development.

In this instance, the development relates solely to the siting of one, ground mounted ASHP to serve the dwelling. The unit is located adjacent to the side elevation wall of a garage, located within the rear garden of the site. It would not be visible from the public realm and only partly visible from first floor windows of adjacent properties. Due to the distance to other properties and its discrete location the unit is not considered to result in harm to the character and appearance of the area which is characterized by private rear gardens, parking forecourts and other associated domestic paraphernalia usually associated with residential houses.

The Parish Council has not objected to the proposal.

Conditions can be appended to any grant of permission that the unit is retained in accordance with the submitted drawings and supporting documentation. The development is therefore considered acceptable and in accordance with policies CP41 & 57 and the guidance and provision of the Framework.

Impact on adjacent neighbouring occupiers.

It is noted that planning permission is required as it is stated that the property already benefits from another unit. However, that unit is in a separate location on the western side of the dwelling.

The Council's Public Protection Team have been consulted and there is no objection or comment made from that service and the submitted documents confirm that the unit complies with the MCS standards and will be installed by an accredited installer.

It is noted that neighbours beyond the immediately adjoining neighbours were consulted on the proposal and that no letters of representation were received.

Conclusion

The principle of the aforementioned residential development in this location is considered acceptable, when taking into consideration the location of the site, its existing use and the criterion of both National and Locally adopted policies. As such, the proposal is considered to accord with Core Policies 2, 41 and 57 of the Wiltshire Core Strategy and the guidance and provision as contained within the NPPF. It is therefore recommended that the application be approved.

Conditions: (3)

1 The development hereby permitted shall be begun before the expiration of three years from 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 the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan. Received on 20 October 2023
Block Plan. Received on 20 October 2023
Daiki Altherma 3 Brochure. E(B/D)LA04-08EV3. Received on 20 October 2023

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved plans, technical specification brochure and application form.

REASON: In the interests of visual amenity and the character and appearance of the area.

Informatives: (4)

4 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

5 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

6 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

7 The applicant is requested to note that this permission does not affect any private

property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.