CASE OFFICER'S REPORT

Application Reference:	PL/2023/09980
Site Address:	The Friary Centre, 114 Carmelite Way, Salisbury, SP1 2HW
Date site notice posted:	N/A
Consultation Expiry:	25/12/23

POLICIES

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 15 Conserving and enhancing the natural environment

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 20 Spatial Strategy for the Salisbury Community Area
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 69 Protection of the River Avon SAC

RELEVANT PLANNING HISTORY

N/A

ISSUES

- Principle of development including design and scale;
- Amenity Impacts;
- Other matters

REPRESENTATIONS

Salisbury City Council – No comments received

WC Public Protection – Comments received stating:

I write regarding the above application for retrospective permission for installation of 2 air source heat pumps. The applicant has submitted the manufacturers specification of the pumps, however a noise impact assessment or MCS certificate has not been submitted. As this is unlikely to be PD, the CIEH guidance states a noise assessment should be provided. I attach herewith the link to the guidance for the information of the applicant and will be pleased to review the noise assessment once available.

Following clarification on the relationship of the application site to neighbouring residential properties, the following comments have been received:

WC Public Protection – No objection with comments stating:

Thank you for confirming there are habitable room windows not associated with the development, which overlook the development site. This department would expect an assessment of noise from the proposed plant to be submitted with any application for installation of ASHP's either in the form of an MCS Certificate or BS4142 assessment to demonstrate that adverse impact will not be caused at the nearest noise sensitive residential properties. However, I am mindful this is a retrospective application and the plant was installed nearly 12months ago. The ASHP's are located in close proximity to, and facing, the busy Churchill Way where road traffic noise will be dominant. I have checked our files and this department has not received any noise complaints regarding the plant, therefore, on this occasion, we have no objection to this application.

Third party representations – None received

Site Description:

The application site is a red brick flat roof one storey building known as The Friary Centre. The use of the building is a F2 (b) community centre. The site is bounded by the A338 (Churchill Way South) to the east, Carmelite Way to the north and is located within the residential city of Salisbury. The site is located within the River Avon SAC

Proposal:

The proposal seeks retrospective planning permission for the siting and retention of two air conditioning units on the eastern façade of the building.

ASSESSMENT

Principle of development including design and scale

The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

The air conditioning units were installed onto the eastern façade of the building in February 2023. The photographs below obtained from the covering letter submitted with this application show the units in situ.





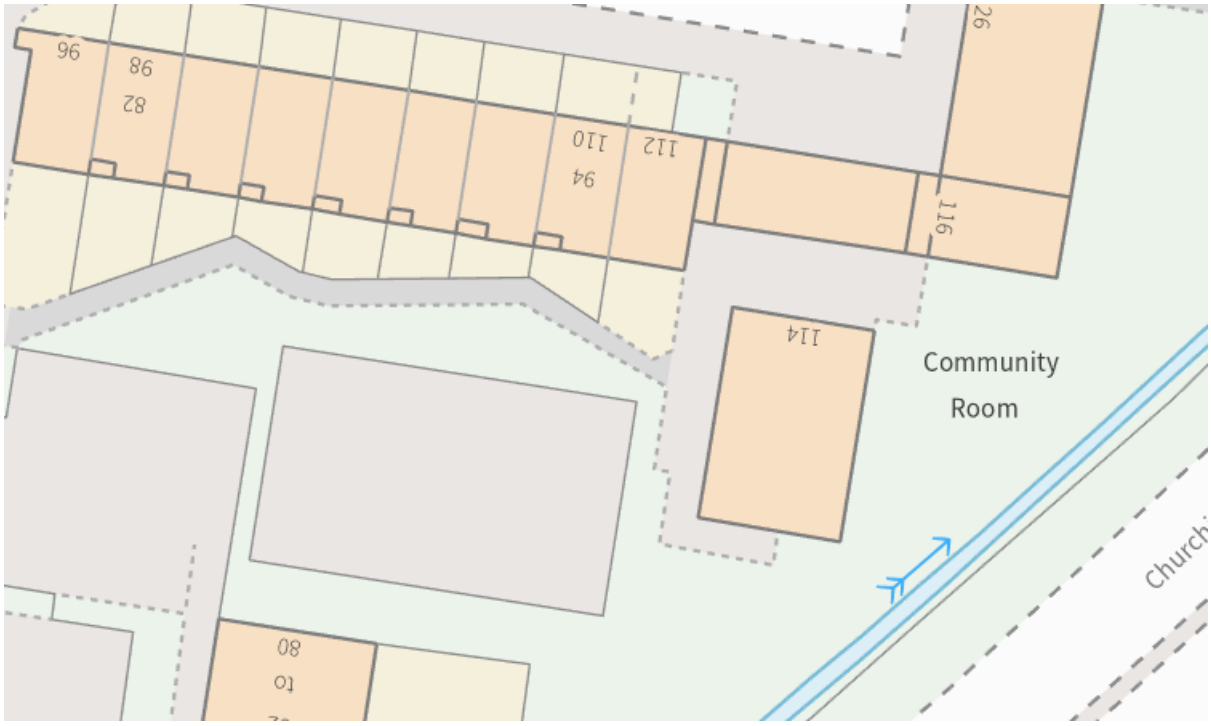
Notwithstanding the metal cages installed around the two units, the approximate size of each unit is 1.12 metres in width by 0.64 metres in depth by 1.12 metres in height. The Midea AG Eco units are mounted to the exterior wall of the east side of the building which faces Churchill Way South. The overall scale of the units as shown above is fairly modest and as

such considered acceptable in principle subject to assessment of the proposal on the amenity of the area. This is covered in more detail within the next section of this report.

Amenity Impacts

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The site known as The Friary Centre is located within the residential city of Salisbury. In close proximity to the north of the application site are a number of residential flats known as 112-126 Carmelite Way. Immediate adjacent to the site, is the rear façade of the property known as 116 Carmelite Way which is approximately 12 metres away. This relationship is shown below.



Given the nature of the scheme, the views of the Council's Public Protection Team have been sought and the following comments have been received.

I write regarding the above application for retrospective permission for installation of 2 air source heat pumps. The applicant has submitted the manufacturers specification of the pumps, however a noise impact assessment or MCS certificate has not been submitted. As this is unlikely to be PD, the CIEH guidance states a noise assessment should be provided. I attach herewith the link to the guidance for the information of the applicant and will be pleased to review the noise assessment once available.

The criteria set by Wiltshire Council for any new plant is that it should be selected, positioned, and where necessary, attenuated to demonstrate the rated level of noise shall be 5dB below background at the nearest sensitive receptor.

It would be expected to provide a calculation of noise output with any formal planning application either in the form of MCS certification or a BS4142 assessment. Specification detail of the units has been provided within the submission of the application. Comments from the agent refer to the probability that any dominant noise at this location would be associated with the road traffic noise from the ring road. These comments are noted and have been considered by the Council's Public Protection Officer.

On the basis of the information provided within the applicant's covering letter/planning statement relating to the windows within the façade of the building known as 116 Carmelite Way immediately adjacent to where the units are sited, the Council's Public Protection Officer is satisfied that these windows do not serve habitable room windows i.e. bedrooms (these appear to be a kitchen/lounge and bathroom window respectively), no objection is proposed to this scheme with the comments below provided by the Public Protection Officer.

Thank you for confirming there are habitable room windows not associated with the development, which overlook the development site. This department would expect an assessment of noise from the proposed plant to be submitted with any application for installation of ASHP's either in the form of an MCS Certificate or BS4142 assessment to demonstrate that adverse impact will not be caused at the nearest noise sensitive residential properties. However, I am mindful this is a retrospective application and the plant was installed nearly 12months ago. The ASHP's are located in close proximity to, and facing, the busy Churchill Way where road traffic noise will be dominant. I have checked our files and this department has not received any noise complaints regarding the plant, therefore, on this occasion, we have no objection to this application.

On this basis/reasoning as outlined above given that there have been no noise complaints received regarding the units and the location of the site in close proximity to the A338 ring road, officers are of the opinion that the proposal is unlikely to have any significant adverse impact on the amenity of the nearest neighbouring properties within Carmelite Way and therefore, a refusal of retrospective planning permission would be difficult to justify.

Other matters

The site is located within the Hampshire Avon Catchment Special Area of Conservation (SAC) area. By way of the type of proposal subject to this scheme, this being the retention of two air conditioning units sited on the eastern façade of the building, officers consider that there would be no material impact by way to drainage or phosphate output on this SAC.

CONCLUSION

The comments received from the Council's Public Protection Officer have significant weight in the determination of this application. Based on the comments received, officers are of the opinion that the siting of the units as outlined within this report accord with the requirements of Core Policy CP57 of the WCS. Therefore, retrospective planning permission should be granted for the development proposal.

RECOMMENDATION: APPROVE, with the following condition(s):

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan Date Received 20.11.23
DWG No: TQRQM23335093430770 Block Plan Date Received 01.12.23
Covering Letter Date Received 01.12.23

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