

APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2025/07372
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	7 ROWDEN LANE, CHIPPENHAM, SN15 2FF
DEVELOPMENT DESCRIPTION:	Installation of air source heat pump to front elevation of dwelling
RECOMMENDATION:	That Planning Permission be REFUSED

PROPOSAL & SITE DESCRIPTION

The proposal seeks planning permission for the installation of an air source heat pump (ASHP) at 7 Rowden Lane, Chippenham.

The application site is situated within the built up area of Chippenham and is not subject to any site-specific planning policy constraints.

PLANNING HISTORY

Proposal / Summary
N/07/03151/CLP - Lawful development: Proposed use Decision - Approve with Conditions Date: 11/1/2008 – Development of 138 Dwellings and Associated Works in Accordance with Planning Permission Reference APP/J3910/A/06/2031309 (LPA Ref. 06/01302/S73A)
N/12/04160/FUL - Full planning permission Decision - Approve with Conditions Date: 7/5/2014 – Residential Development of 95 Dwellings, Ancillary Roads, Public Open Space and Associated Works and Alteration to Parking Layout (Amendment to Phases A and B of 02/00600/FUL)
N/06/01302/S73A - Full planning permission Decision - Refused Date: 20/9/2006 – Amendment of Conditions 2,3,6, 8 and 9 of 02.00600.FUL. Enable Phased Development With Amended Access Arrangements
N/13/00202/S106 - Modification of Planning Obligation Decision - Withdrawn Date: 24/9/2014 – Modification of Legal Agreement 02/00600/FUL
N/01/01462/FUL - Full planning permission Decision - Refused Date: 16/1/2002 – Construction of 108 No Two Storey Dwellings, with Roads, Public Open Space and Ancillary Works
N/01/01755/OUT - Outline Planning Decision - Refused Date: 16/1/2002 – Residential development including means of access
N/02/00599/FUL - Full planning permission Decision - Refused Date: 12/6/2002 – CONSTRUCTION OF 138 DWELLINGS WITH ANCILLARY ROADS, PUBLIC OPEN SPACE AND ANCILLARY WORKS
N/02/00600/FUL - Full planning permission Decision - Withdrawn Date: 12/6/2002 – CONSTRUCTION OF 138 DWELLINGS WITH ANCILLARY ROADS, PUBLIC OPEN SPACE AND ANCILLARY WORKS

RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57: Ensuring High Quality Design and Place Shaping

Chippenham Neighbourhood Plan

- No policies of specific relevance

Saved North Wiltshire Local Policy

- NE18 Noise and Pollution

Wiltshire Design Guide: Appendix D – Design Guidance for Householder extensions

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Chippenham Town Council: No Objection

Assuming that noise levels can be adequately mitigated in accordance with any advice from Wiltshire Council's Public Protection, there would be no objection to this installation given the Town Council's declaration of a climate emergency.

Public Protection: A number of comments were received from Public Protection during the course of the application as set out below. The applicant was given opportunities to submit additional information, in an effort to overcome the objection, but the objection was unable to be overcome.

October 2025

The Environmental Control & Protection (ECP) Team have been consulted on this application. We are unsure at this stage why the application does not fall within the permitted development rights which is 42dB.

The MCS assessment for this application results in a level of 40.5dB.

The plant is intended to be installed at the front of the property on a residential estate and will be located approximately 6m from the neighbouring residential property. Please note, ASHPs generally operate during the whole 24-hour period and do not switch off at night.

The simplest solution for this development is to install a solid barrier between the heat pump and the assessment position. This will give a -5dB reduction taking the dB level close to 35dB. I want to stress that the 42dB set in the MSC is the worst-case scenario and any deviation above this, no matter how small this may appear to someone who is not an acoustic expert. We also have to consider future neighbouring occupants, and not just existing ones.

If the applicant does not want to pursue with a barrier, then we will review the application under the belief that the MCS guidelines assume a background sound level of 40dB. We believe the background sound level at this application site will be less than this. The 'assumed background sound level' and during the night-time hours (2300hrs – 0700hrs) we anticipate background sound levels to be nearer to 30 – 35dB. The ASHP rating level has been assessed by the applicant as 40.5dB at the nearest noise sensitive property and is highly likely to be 5 to 10dB higher than the background sound level at night and therefore, likely to result in a "significant adverse impact" (as defined in guidance) and give rise to complaints. The criteria for new plant generally required by Wiltshire Council to avoid such a loss of amenity is that it should be selected, designed and located to be at least 5dB below background sound levels.

Currently it appears the ASHP will have a significant impact on neighbour amenity. If details of specific mitigation measures are provided that will achieve a maximum sound rating level of 35dB at any noise sensitive façade of neighbouring premises and are compliant with the CIEH and IOA professional advice, and this is demonstrated, then that will be acceptable.

The Rating level is the sound level averaged over 15 minutes (LAeq,15mins) from the unit alone at both full duty and when in reverse mode.

Alternatively, we will be asking for the applicant to provide a comprehensive noise assessment based on BS 4142:2014+A1:2019 undertaken by an acoustic expert along with a design/mitigation scheme to reduce the noise impact on neighbouring residential properties. The assessment shall demonstrate how amenity can be protected and have regard to the recommendations of the CIEH and IOA professional advice note which state that the ASHPs sound rating level should not exceed 35dB at any noise sensitive façade of neighbouring residential premises.

This is a link to the Institute of Acoustics Professional Advice note for the information of the applicant: [heat-pumps-briefing-note-professional-advice-note.pdf](https://www.cieh.org/heat-pumps-briefing-note-professional-advice-note.pdf) (cieh.org).

January 2026:

I have prepared comments further to the additional information provided by Octopus Energy for the above application. I acknowledge the comments made by Octopus and I can only advise that if they do not agree with the MCS levels they consider taking it up with central government. However, I do not think it would be a favourable outcome for them as a reduced background level is far more likely to be recommended, in accordance with expert opinion and professional guidance. My further responses to their comments are as below:

The plant is intended to be installed on a property on a residential estate and will be located approximately 6m from the neighbouring property. ASHPs do not generally switch off at night when background noise levels decrease further. Currently it appears the proposal is likely to have a significant impact on neighbour amenity. The absolute maximum MCS limit for Permitted Development is 37dB, however, the MCS assessment for this application results in a level of 40.5dB and, therefore, falls outside of the scope of Permitted Development.

DEFRA's noise mapping should not be relied upon for absolute data. The maps are intended to be used to understand broad noise patterns and policy priorities. They underestimate the street levels noise and are generated using computer models based on traffic data rather than actual sound measurements, introducing a layer of uncertainty for specific locations. Therefore, for precise noise levels at a specific address a professional acoustic survey is required. Therefore, we cannot rely on the suggested existing background level of 50-60dB.

The proposal is nearly 5dB above the permitted development rights for an ASHP. Please refer to our noise and technical guidance Environmental advice for developers and planning agents - Wiltshire Council

We have received justified complaints about noise from ASHPs despite them meeting the PD criteria which is what we want to avoid. As the agent of change the applicant needs to provide us with the evidence that the ASHP will not be a problem. If the applicant does not wish to pursue this approach, then we will continue to review the application under assuming a background sound level of 40dB, in accordance with MCS guidance. We believe the background level at this application site is actually far less than the suggested level proposed by the applicant during the nighttime period (23:00 – 07:00) and is more likely to be around 30 to 35dB. This means the proposed current ASHP rating level assessed by the applicant is highly likely to be at least 5dB higher than the background sound level at night and, therefore, likely to result in a "significant adverse impact" under BS4142:2014+A1:2019 and would be likely to give rise to justifiable complaints. The criteria for new plant required by Wiltshire Council to avoid such a loss of amenity is that it should be selected, designed and located so that the noise is at least 5dB below existing background sound levels.

To summarise, if specific mitigation measures are proposed that can demonstrate the requirements of the MCS requirements will be achieved (and Permitted Development can therefore be granted) then that will be acceptable. If such measures are not provided, however, then we will continue to require a comprehensive noise assessment based on BS 4142:2014+A1:2019 undertaken by an acoustic expert, along with design and mitigation measures.

No Air Source Heat Pumps shall be installed until a Noise Assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment must demonstrate that the cumulative noise impact from all heat pumps installed at the development, achieve a rating level of 35dBLAeq15mins at 1m of the façade of any residential property (including those outside of the development). The noise limit would include the ASHPs at both full duty and when in reverse and defrost mode. The installation works shall be carried out in accordance with the approved details.

REASON: To ensure that appropriate levels of amenity are achievable within and outside of the development.

The applicant may wish to look at an alternative location or reconsider the model of ASHP.

Based on the current information we would have to recommend refusal.

I trust this clarifies the situation.

March 2026:

We have reviewed the additional information submitted on 23/02/2026 by Octopus Energy.

We maintain our recommendation for refusal based on the following:

No justification has been provided that explains why the ISO-9613 noise mapping dB levels are significantly different to the MSC calculation provided. If the applicant can provide this information, we will be happy to review.

Guidance Docs

heat-pumps-briefing-note-professional-advice-note.pdf – Current National Guidance.

ASHP Practice Guidance Note 2026- Joint IOA CIEH draft (approved for consultation) Embargoed version to 2-2-26.pdf – This guidance is currently being consulted on and is a draft proposal.

July 2026

The submitted noise assessment does not adequately demonstrate that the proposed air source heat pump will not adversely affect neighbouring residential amenity. The assessment relies upon comparison with DEFRA strategic noise mapping, which represents road traffic noise, and broad area modelling rather than measured background sound levels, which cannot be substituted for background noise levels at the receptor.

BS4142 has been referenced but not applied. The report does not provide measured background levels, specific sound levels or rating levels minus background levels which are key elements to a BS4142 assessment.

The report applies a +2dB, however many heat pumps exhibit tonal fan noise including on max settings, compression hums, defrost cycle changes, cold weather operations. We require additional information to be able to make an informed decision.

Further information should be submitted demonstrating compliance with Wiltshire Council's guidance for domestic heat pumps, including assessment against the nearest noise-sensitive receptor and consideration of tonal characteristics and night-time operation.

[Environmental advice for developers and planning agents - Wiltshire Council](#)

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

The application site is a modern dwelling situated within a residential area. The proposed ASHP would be located at the front of the dwelling. Whilst the appearance of the unit would be visible within the street scene and would not enhance the appearance of the street scene, it is a modest scale and of domestic nature, which would not result in an adverse visual effect.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity and Noise

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

Saved Policy NE18 of the North Wiltshire Local Plan states that development will only be permitted where it would not generate, or cause pollution to the environment by the emission of excessive noise (amongst other things).

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The proposed development has been assessed in terms of its potential impact on the residential amenity of neighbouring properties, with particular regard to noise.

Public Protection raised concerns throughout the application process regarding the potential noise impacts of the proposed ASHP on residential amenity. Despite several opportunities being provided for the applicant to submit additional information and mitigation proposals, the objection was unable to be adequately addressed and Public Protection maintained its objection.

The initial consultation response noted that the submitted MCS (Microgeneration Certification Scheme) assessment predicted a sound level of 40.5dB. The unit is proposed at the front of the property and approximately 6m from neighbouring dwellings. It was considered the proposal was likely to result in a significant adverse impact and the applicant was advised to provide mitigation measures and an acoustic barrier was initially suggested to mitigate the impact. Alternatively a Noise Assessment was suggested as an alternative option where a design and mitigation could be provided to reduce the noise impact on neighbouring properties.

Following consideration of additional information submitted by the applicant, Public Protection reiterated that DEFRA strategic noise mapping could not be relied upon to establish site-specific background noise levels and maintained that background levels at the site were likely to be significantly lower than those suggested by the applicant. They advised that, in the absence of appropriate mitigation or a robust acoustic assessment demonstrating compliance with relevant guidance, the proposal was likely to give rise to justified noise complaints and unacceptable impacts on neighbouring amenity.

Subsequent submissions were reviewed in March and July 2026. Public Protection advised that the information provided did not adequately justify discrepancies between the applicant's noise evidence and the MCS calculations, nor did it properly apply the BS4142 methodology. They considered that the submitted noise assessment relied on broad DEFRA noise mapping rather than measured background sound levels, failed to provide the key assessment metrics required by BS4142.

Public Protection therefore maintained its recommendation for refusal, concluding that insufficient evidence had been provided to demonstrate that the proposed ASHP would not adversely affect neighbouring residential amenity.

The proposed ASHP would not cause any loss of light, overshadowing or harm to privacy, due to the nature of the proposal.

Despite several opportunities to provide further evidence and mitigation, the applicant has not submitted sufficient information to satisfactorily demonstrate that the proposed ASHP would operate without causing unacceptable noise impacts to nearby residential properties. Significant weight is afforded to the specialist advice given by Public Protection. The proposal therefore fails to comply with Core Policy 57 (vii) of the WCS and saved Policy NE18 of the NWLP, and paragraph 135(f) of the NPPF and is unacceptable in terms of residential amenity.

Given that insufficient information has been provided to demonstrate the acceptability of the development in noise and amenity terms, the Local Planning Authority cannot be satisfied that the proposal would not result in unacceptable impacts on neighbouring occupiers. As this issue goes to the fundamental acceptability of the development, it would not be reasonable to defer its resolution through the use of a planning condition.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development, by reason of the identified harm, is considered to conflict with the aims and objectives of the Wiltshire Core Strategy, North Wiltshire Local Plan and the National Planning Policy Framework. The proposal fails to demonstrate compliance with the relevant policies and guidance, and no overriding material considerations have been identified that would justify a departure from the development plan.

Accordingly, the application is recommended for refusal.

RECOMMENDATION: That Planning Permission be REFUSED.

1. The application has failed to demonstrate that the proposed air source heat pump would not result in unacceptable noise impacts on the amenity of adjoining residential occupiers.

The proposal is therefore contrary to Core Policy 57 (vii) of the Wiltshire Core Strategy (2015), saved Policy NE18 of the North Wiltshire Local Plan, and paragraph 135(f) of the National Planning Policy Framework which requires developments to provide a high standard of amenity for existing and future users.