



Appeal Decision

Site visit made on 13 August 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 30TH August 2024

Appeal Ref: APP/G2625/D/24/3341110

169 South Park Avenue, Norwich, NR4 7AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bowater against the decision of Norwich City Council.
 - The application Ref is 23/01326/F.
 - The development proposed is installation of heat pump at rear of property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the noise from the proposed air source heat pump on the amenity of the living conditions of neighbours, in particular, the neighbours at 171 South Park Avenue.

Reasons

3. The appeal property is a relatively large, detached house with off street parking, garage facilities, and rear garden, and also has side and rear extensions. The proposed heat pump would be located on the rear extension of the dwelling, within a setback from the boundary with No. 171. The appeal application was necessary because the proposal exceeds the limits set out within the General Permitted Development Order due to the noise levels generated by the specified model.
4. The officer's report notes that the device would be placed 1.9 metres from the boundary with No. 171, which is an acceptable distance to help mitigate the sound being heard from neighbouring properties if the device was a quiet enough model. However, consultation with the City Council's Environmental Protection Team resulted in the comment that "*The Noise Impact Assessment results have indicated that the device would be too loud and should be changed for a quieter model, or the applicant should suggest mitigation to protect the amenity of neighbours. ... The noise generated from the unit would have significant impact on neighbouring properties without proper mitigation in place*".
5. There is no objection in principle to the installation of a heat pump. For instance, as the appellant notes, the government encourages their use and there is a 'permitted development' right that grants planning permission to install heat pumps subject to noise levels. The Norwich City Council

Environmental Strategy has a priority to increase the energy efficiency of all housing stock in the city. I have also noted the figures given in the document prepared by Octopus Energy that show comparative efficiencies of a heat pump compared with a gas boiler. It is clear that the appellant's aging boiler, dating from the middle of 1998, is inefficient in its use of energy and the desire to replace this with a modern energy efficient heat source should be supported.

6. However, the figures presented, and the advice of the council's Environmental Protection team are clear, and nothing has been presented to show that the figures are inaccurate. Furthermore, the decision in this case relates only to the specific proposal put forward, and does not mean that a heat pump installation at the appeal property could not be achieved. Effectively the council's response to the application was to invite a revised scheme with mitigation to reduce noise levels or that an alternative device be specified that would generate a lower level of noise.
7. The benefit to the appellant's household should not be at the expense of a diminution of the living conditions of a neighbouring household. I have taken account of all other matters raised, including planning permissions for heat pumps elsewhere in the city and approvals by other councils. These are not persuasive because it is not the principle of the installation that is in question, but the specific circumstances of the appliance and its noise levels and the physical environment.
8. These factors will vary in each separate situation and by model of heat pump. Each case must be judged on its own particular circumstances. The noise levels quoted in the response from the Environmental Protection team, a team with particular expertise, will be specific to the heat pump model and the location. I conclude that, without mitigation or a quieter model, planning permission should be refused and the appeal be dismissed.

Terrence Kemmann-Lane

INSPECTOR