



Appeal Decision

Site visit made on 31 Oct 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/C3240/D/24/3351073

Rivendell Cottage, 5 Kynnersley, Telford, TF6 6DX.

- 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 David Bromley against the decision of Telford and Wrekin Cooperative Council.
 - The application Ref is TWC/2024/0488.
 - The development proposed is the installation of insulation to an air source heat pump.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On the application form the development is described as insulation of air source heat pump (ASHP) but the proposal is treated by both the Council and the Appellant as being for retrospective planning permission for the full installation of an ASHP and I deal with this appeal in the same manner. The retrospective nature of the application and appeal has no effect on my consideration of the issues arising.
3. During my site visit to the appeal property, I also visited the rear garden of No 4 Kynnersley next door, by arrangement with the occupier.

Main Issue

4. The main issue is the potential for disturbance at the neighbouring dwelling, No 4 Kynnersley, due to noise emitted from the ASHP, and whether sufficient information has been provided for the level of noise impact to be assessed.

Reasons

5. The appeal property and its immediate neighbour, No 4 Kynnersley, are both designated buildings of local interest within the Kynnersley Conservation Area. However, the ASHP is discreetly positioned at the rear of No 5, close to its shared boundary with No 4, and cannot be seen from the street. The unit is of a type and size to be encouraged at such domestic properties. I accordingly agree with the assessment of the Council that, if it is shown that the ASHP would not produce unacceptable noise at any other property, there is no objection to it in principle and also that the development would meet the statutory requirement to preserve or enhance the character or appearance of the Kynnersley CA.

6. On the main issue of noise, the Appellant points out that the ASHP installation has passed inspection by the National Association of Professional Inspectors and Testers (NAPIT), a government approved Competent Person Scheme. The model chosen is said to be a high-performance, single-fan unit of low sound level, according to the submitted technical details.
7. As to quantitative noise levels, it is claimed that the ASHP would emit noise at no higher a level than 62dBA. Against that, the neighbouring resident at No 4 has submitted a schedule of measured noise levels in a range of 61.9 to 84.7dBA. Figures of this kind, with no information as to distance from the noise source or receptors, nor on the method of measurement, are insufficient to demonstrate the degree of noise impact and whether it would exceed acceptable levels. Moreover, experience indicates that all these figures imply sound levels of a relatively high order.
8. When assessing the application, the Council requested a technical noise impact assessment but the Appellant declined to provide one. Moreover, the Appellant proposes an acoustic enclosure to the AHSP but provides no details of this. I am therefore left to make no better than a subjective judgement as to the likelihood of undue adverse noise impact at No 4 Kynnersley or at any other property.
9. A professional noise impact assessment, as requested by the Council, would be expected to include predicted noise levels related to distances from the source and sensitive receptors, with details of measuring equipment. The results would be assessed with reference to accepted national or international limit values for the receptors concerned.
10. Faced with the limited and conflicting quantitative evidence of noise available and in the absence any details of the putative insulation measures, I have reached the conclusion that there is insufficient information upon which to base a proper judgement of the noise impact of the ASHP on the amenity of neighbouring property.
11. Accordingly, the retrospective appeal for the installation of an ASHP is to be regarded as contrary to the aims of Policies BE1(xi), BE2(vii) and ER1(ii) of the Telford & Wrekin Local Plan, which together encourage renewable energy development such as ASHPs but, definitively, not at the expense of local amenity.
12. The undoubted environmental and energy efficiency benefits of the ASHP do militate in favour of the appeal but, in my judgement, do not outweigh the noise objection in the planning balance. On the evidence available, the ASHP is in unacceptable conflict with the development plan as a whole.
13. This appeal fails accordingly.

B J Sims

INSPECTOR