
Appeal Decision

Site visit made on 24 July 2025

By C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025

Appeal Ref: APP/D0840/D/25/3366586

7 Darwin Drive, Falmouth, Cornwall, TR11 5FU

- 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 Richard Stephens against the decision of Cornwall Council.
 - The application Ref is PA25/01053.
 - The development proposed is described on the application form as being the installation of an Air Source Heat Pump to be installed to the property (planning permission is being sought as the noise level of the heat pump does not meet MCS planning standards).
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Decision

1. The appeal is allowed and planning permission is granted for the installation of an Air Source Heat Pump to be installed to the property (planning permission is being sought as the noise level of the heat pump does not meet MCS planning standards), at 7 Darwin Drive, Falmouth, Cornwall, TR11 5FU in accordance with the terms of the application, Ref PA25/01053, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; J-60686CC6-02 - Site plan as proposed; and J-60686CC6-04 – Elevations as proposed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to noise.

Reasons

3. Based on evidence provided by the appellant, the noise emanating from the proposed air source heat pump would be 42.6 decibels. I can see no reason to disagree with this assessment. This level of noise would be very slightly higher than the permitted development limit of 42 decibels as set out within the relevant guidance (Microgeneration Installation Standard: MCS 20). While the appellant has not provided a noise impact assessment as part of their application, I am entirely satisfied that the minimal difference between the two figures would be barely audible to human ears.
4. As a result, it is logical to conclude that the proposed air source heat pump would not result in harm to the living conditions of neighbouring occupiers in terms of noise and disturbance, and therefore that a noise impact assessment is not required in this instance. The development would therefore be in accordance with

Policies 12, 13 and 16 of the Cornwall Local Plan Strategic Policies 2010 – 2030, the relevant aspects of which seek to preserve living conditions. It would also conform with the relevant parts of the National Planning Policy Framework which have similar aims.

Conditions

5. I have imposed conditions to identify the relevant timescales and plans in the interests of certainty.

Conclusion

6. The proposed development is in accordance with the development plan when considered as a whole. Having had regard to all matters raised, I conclude that the appeal should be allowed.

C Butcher

INSPECTOR