



Appeal Decision

Site visit made on 4 August 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2025

Appeal Ref: APP/D1265/D/25/3366943

4 Milton Close, Weymouth, Dorset DT4 7NB

- 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. Mark Bennett against the decision of Dorset Council.
 - The application Ref is P/HOU/2025/01178.
 - The development proposed is Cosy 6 Heat pump on a concrete base.
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Decision

1. The appeal is allowed and planning permission is granted for Cosy 6 Heat pump on a concrete base at 4 Milton Close, Weymouth, Dorset DT4 7NB in accordance with the terms of the application, Ref P/HOU/2025/01178, 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: Plan reference number - TQRQM25065145605989 and Plan title - Proposed elevation for Heat pump.

Preliminary Matter

2. The description of development in the above banner heading and my formal decision is taken from the planning application form but I have omitted the text “to be installed by wall at front of house where porch is located” and “The Heat pump will be placed” as these are not a description of development.

Main Issue

3. The effect of the proposal on the living conditions of neighbouring occupiers, with regard to noise.

Reasons

4. The appeal site comprises a two-storey end of terrace house, located towards the end of a residential cul-de-sac. The street has a residential character, as does the surrounding area nearby.
5. The property has a single storey flat roof garage and porch that projects forward of the main house, as does the adjoining property and many of the neighbouring houses within the street. The proposed Air Source Heat Pump (ASHP) would be located on the front elevation of the property, close to the garage door, and set off each side boundary.

6. The National Planning Policy Framework (the Framework) seeks to increase the use and supply of renewable and low carbon energy and heat. In particular, the Framework, at paragraph 167, sets out that significant weight should be given to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). The Framework also seeks to ensure that new development is appropriate for its location, which amongst other things, avoids noise giving rise to significant adverse impacts on health and the quality of life.
7. At 42.1 decibels(db) the main parties agree that the proposed ASHP would exceed the permissible noise threshold set out in the MCS 020 standard. Indeed, the Council identify that when rounded up the figure becomes 43db. As such, there would be an exceedance of 1db.
8. The street is relatively quiet, as you would expect in a residential area such as this, but there is a railway line nearby and trains are audible from the appeal site. Although not confirmed by an acoustic report, background noise levels are likely to be higher due to noise from trains passing. The proposed ASHP would also be sited on the front elevation, near to the road and it is conceivable that there would be some elevated background noise at various times of the day from vehicles on the street and other domestic activities locally.
9. Furthermore, while the appeal site is located in between two neighbouring properties, which are likely to have habitable windows on the front elevation, the position of the ASHP would not be directly next to a neighbouring window. As such, and without any substantive evidence to the contrary, a marginal exceedance of the permissible noise threshold of 1db would not be significant in the context of the development proposed and the character of the area.
10. In addition, and for the same reasons, I am satisfied that a barrier or enclosure around the ASHP, as suggested by the Council, is not warranted.
11. Consequently, for the reasons outlined above, I conclude that the proposal would not cause unacceptable harm to the living conditions of neighbouring occupiers, with regard to noise. Therefore, it would not conflict with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015), which amongst other things, seeks to ensure that developments minimise their impact on existing residents living conditions and do not generate levels of noise that will detract significantly from the quiet enjoyment of residential properties. It would also comply with the objectives of the Framework.

Conditions

12. Standard conditions relating to the time limit for implementation and conformity with the approved plans are reasonable and necessary.

Conclusion

13. For the reasons given above the appeal should be allowed.

N Bromley

INSPECTOR