

# **CASE OFFICER'S (LR) REPORT ON APPLICATION NUMBER 24/00298/HOUSE**



**Site: 68 Windmill Road  
Mortimer Common  
Reading  
RG7 3RL**

MEMBER EXPIRY DATE - 27th March 2024

## **INTRODUCTION**

This householder application seeks planning permission for the installation of an Air Source Heat Pump (ASHP).

68 Windmill Road lies within the defined settlement boundary of Mortimer, as well as the AWE (A) and (B) outer emergency planning zones. PRoW STRA/26A/1 runs opposite the front elevation of the house. The site is accessed via Windmill Road to the north.

## **PLANNING HISTORY**

88/33046/ADD - Extensions and alterations. Approved 17/11/1988

76/04319/ADD - Extension to existing dwellinghouse comprising new bathroom and bedroom and various alterations. Approved 27/04/1976

74/01990/ADD - Extension of existing kitchen. Approved 22/01/1975

## **PROCEDURAL MATTERS**

### **EIA:**

Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.

### **Publicity:**

Site notice displayed on 28th March; the deadline for representations expired on 20th April.

### **CIL:**

Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).

However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

## **CONSTRAINTS AND DESIGNATIONS**

Settlement boundary of Mortimer

PRoW STRA/26A/1

AWE (A) outer emergency planning zone

AWE (B) outer emergency planning zone

## PLANNING POLICY

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant policies of the statutory development plan for West Berkshire are listed below. These policies can be read online at [www.westberks.gov.uk/planningpolicy](http://www.westberks.gov.uk/planningpolicy).

West Berkshire Core Strategy 2006-2026

Policies: ADPP1 (Spatial Strategy), ADPP6 (East Kennet Valley), CS14 (Design Principles) and CS19 (Historic Environment and Landscape Character)

West Berkshire District Local Plan 2006-2026 (Saved Policies 2007)

Policy: OVS.6

Housing Site Allocations DPD 2006-2026

Policies: P1 (Residential Parking for New Development)

The following are relevant material considerations:

- The National Planning Policy Framework (2023) (NPPF)
- The Planning Practice Guidance (PPG)
- Quality Design SPD (2006)
- Stratfield Mortimer Neighbourhood Development Plan (2017)
- Stratfield Mortimer Village Design Statement (2007)

## CONSULTATION RESPONSES

Stratfield Mortimer Parish Council: Comments below:

No objections, but the committee note the comments made by Environmental Health regarding the carrying out of a noise survey. These applications are going to become more frequent and therefore the question of noise and its impact on neighbours is important.

Highways Authority: No objection

Environmental Health Officer: Object due to MCS 020 failure and absence of BS4142 Noise Assessment

Tree Officer: No objection

## PUBLIC CONSULTATION RESPONSES

Total received: 1

Object: 0

Support: 1

Ambivalent: 0

Summary of representations (full comments below):

I am the owner of 68 Windmill Road and Octopus Energy have been acting on my behalf to try to install a heat pump.

I am trying to install a heat pump at this property for environmental reasons. We currently have an oil-fired heating system and moving to an air pump system will bring significant environmental benefits,

including a drastically reduced carbon footprint and reductions in pollution and very likely a noise reduction within the house.

I am very surprised the only objection received is from the environmental department, who should be in favour of the application given all its benefits. Their only complaint is a possible noise excess of one decibel. This may or may not occur as it will possibly only happen in extremely cold weather.

I can assure you noises louder than 42 decibels are occurring every weekend when there's constant garden equipment making high levels of noise.

West Berkshire Council must decide whether they wish to embrace a cleaner and less polluted environment for its residents or whether they will stand in the way of attempts which will bring a better way of life for our communities. My application could be the first of many and you must decide which option you will take. A bright future or more of the same.

## PRINCIPLE OF DEVELOPMENT

The application site is located within the settlement boundary of Mortimer. Policy ADPP1 of the West Berkshire Core Strategy identifies Mortimer as a rural service centre, where appropriate development can provide an opportunity to strengthen the role in meeting the requirements of the surrounding communities. Policy ADPP6 provides the spatial strategy for the East Kennet Valley, which advises that Mortimer is one of the locations within the area that are to be the focus of development. It is therefore considered that the principle of this development would be acceptable, and compliant with Policies ADPP1 and ADPP6 of the West Berkshire Core Strategy, subject to the proposal meeting the other detailed requirements set out below.

## DESIGN, CHARACTER AND APPEARANCE

Forming part of the West Berkshire Core Strategy, Policies CS14 and CS19 relate to design and impacts on the character and appearance of the area. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Furthermore, it is expected that the design and layout of any development are relative to the wider context, having regard to not just the immediate area but also the wider locality. Development should contribute positively to local distinctiveness and sense of place. Policy CS19 seeks development that ensures the diversity and local distinctiveness of the landscape character of West Berkshire is conserved and enhanced.

Given the nature of the application, and location of the proposed unit, it is considered that there would be limited negative impact with respect to the character of the local area.

It is therefore considered that the scheme complies with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy with regards to the design, character and appearance of the proposal.

## NEIGHBOURING AMENITY

The NPPF states that planning should create places with a high standard of amenity for all existing and future users. Policy CS14 states that development should make a positive contribution to the quality of life. As such amenity is an important consideration.

The assessment considered the impact on neighbouring amenity in terms of

- Sunlight / daylight
- Overlooking / privacy
- Overbearing impact
- Noise and disturbance

The proposal has been assessed against the above metrics. It is considered that, due to the nature of the proposal, there are limited negative impacts relating to sunlight, overlooking and overbearing.

With respect to noise and disturbance the air source heat pump will generate some noise. Taking this into account, the Environmental Health Officer (EHO) was consulted.

Initially, the EHO was concerned that although there would be a marginal 1dB fail under the MCS Installation Standard (MCS 020) methodology, this simplified method has the assumption that there is a 40.0dB(A) background level, where in reality background levels are often lower in quieter villages, rural areas, and even in urban areas away from busy roads. It was expected that the background levels to the rear of dwellings in Mortimer Common are likely to be lower than 40.0dB(A), so there may be an exacerbated impact in this regard. To expand on this point, the UK Government Department for Energy Security and Net Zero (DESNZ) commissioned independent reviews of ASHP's. In response to the findings of the review, MCS have previously consulted on a change to the MCS 020 standard which, among other things, seeks to reduce the background noise assumption from 40.0dB(A) to 35.0dB(A) in rural areas. For context, the application site is considered to be 'rural fringe' according to MCS, which is naturally more likely to be characterised by lower ambient background noise levels. It is acknowledged that this is a consultation and not a finalised document, and can therefore be given limited weight, although Officers consider this provides additional local context when assessing adverse noise impacts, particularly in respect to the existing low ambient background noise levels.

The EHO advises that, if the noise calculations conducted have failed MCS 020, a BS4142 Noise Impact Assessment is required to provide a more definitive conclusion on the likelihood of adverse impact based on comparison to actual measured background noise survey levels. This view has also been formed following an independent site visit by the EHO on 26th April 2024.

Following the visit, the EHO noted the low ambient background noise in the area. It was therefore re-emphasised that a full noise assessment would be required, and would include recommendations of practical options that could reduce the impact at the receptor to an acceptable level. This might be an alternative location, acoustic enclosure, or a quieter model. If a Noise Assessment is not submitted it is considered that there are sufficient grounds for refusal (based on lack of information) as it is not possible to ascertain any adverse impact.

As part of a positive and proactive negotiation in line with Paragraph 131 of the NPPF, the Council provided the applicant with an opportunity to submit a BS4142 Noise Assessment in support of the application. This assessment has not been forthcoming. As a result, the EHO objects to the application and there are considered to be sufficient grounds for refusal based on lack of information.

The comments in support of the application from the public contributor (the homeowner) are noted. In particular, it is commented that the unit will only be at maximum (an MCS 020 fail) at extreme temperatures. However, whilst this may be true, Officers consider that this occurrence would be in the winter months, likely during nighttime or early morning, where the ambient background noise would naturally be lower than during the day - this could give rise to an unacceptably high level of continuous, audible noise to the immediate locality. It must be demonstrated that this would not occur before a positive determination is able to be made and a BS4142 Noise Assessment was requested by the EHO to verify this.

Officers acknowledge the environmental benefit low-carbon technologies such as ASHP's can give rise to, however, this should not be at the detriment to the quality of life of the locality. The applicant's failure to provide a BS4142 Noise Assessment as requested by the EHO means that not all options have been explored (alternative locations/models, mitigation measures etc...), and it is therefore not possible to conclude if there would be a negative impact on the quality of life of neighbouring occupiers. As a result, it is considered that the proposal does not accord with Policy CS14 of the West Berkshire Core Strategy or saved Policy OVS.6 of the West Berkshire Local Plan 2006-2027, Saved Policies 2007 in this regard.

## HIGHWAYS MATTERS

Policy P1 of the Housing Site Allocation DPD outlines the parking requirements for residential development. The Highways Authority have raised no objection to the proposed development, as the parking demand remains unchanged. Therefore, the proposal is considered to comply with Policy P1.

## PERMITTED DEVELOPMENT

Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 provides the permitted development rights for, inter alia, the installation or alteration of air source heat pumps on domestic premises. As a result, Officers have considered the potential for the proposed works to be regarded as permitted development, which would represent a viable fallback position.

Paragraph G.1 states 'Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards.'

Given the sound generated by the unit selected exceeds the 42.0dB(A) limit set out in the standard, Officers are satisfied that there is no fallback position that would lead to justification for allowing the development proposed.

## PLANNING BALANCE AND CONCLUSION

The applicant's failure to provide a BS4142 Noise Assessment as requested means that it is not possible to accurately judge the potential adverse impact to the surroundings. It is therefore also not possible to ensure that the quality of life of neighbouring occupiers would not be harmed, as is advised in the NPPF and required by Policy CS14 of the West Berkshire Core Strategy (2006-2026). Officers are satisfied that there is no permitted development fallback position under Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015.

For these reasons it is considered that the proposal does not accord with the provisions of the National Planning Policy Framework or Policy CS14 of the West Berkshire Core Strategy (2006-2026) or saved Policy OVS.6 of the West Berkshire Local Plan 2006-2027, Saved Policies 2007.  
Recommend Refusal.

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Parish Council Office  
Mortimer Library  
27 Victoria Road  
Mortimer  
Reading  
RG7 3SH