



**ADUR DISTRICT
COUNCIL**

**Planning Committee
9 August 2021**

Agenda Item 6

Ward: ALL

Key Decision: No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0800/21 Recommendation – APPROVE

Site: Marsh House, Park Lane, Southwick

Proposal: Installation of new external air source heat pump units within a timber enclosure within the grounds of Marsh House

2

Application Number: AWDM/0719/21 Recommendation – REFUSE

Site: 39 Alandale Road, Sompting, Lancing

Proposal: First Floor Rear Extension

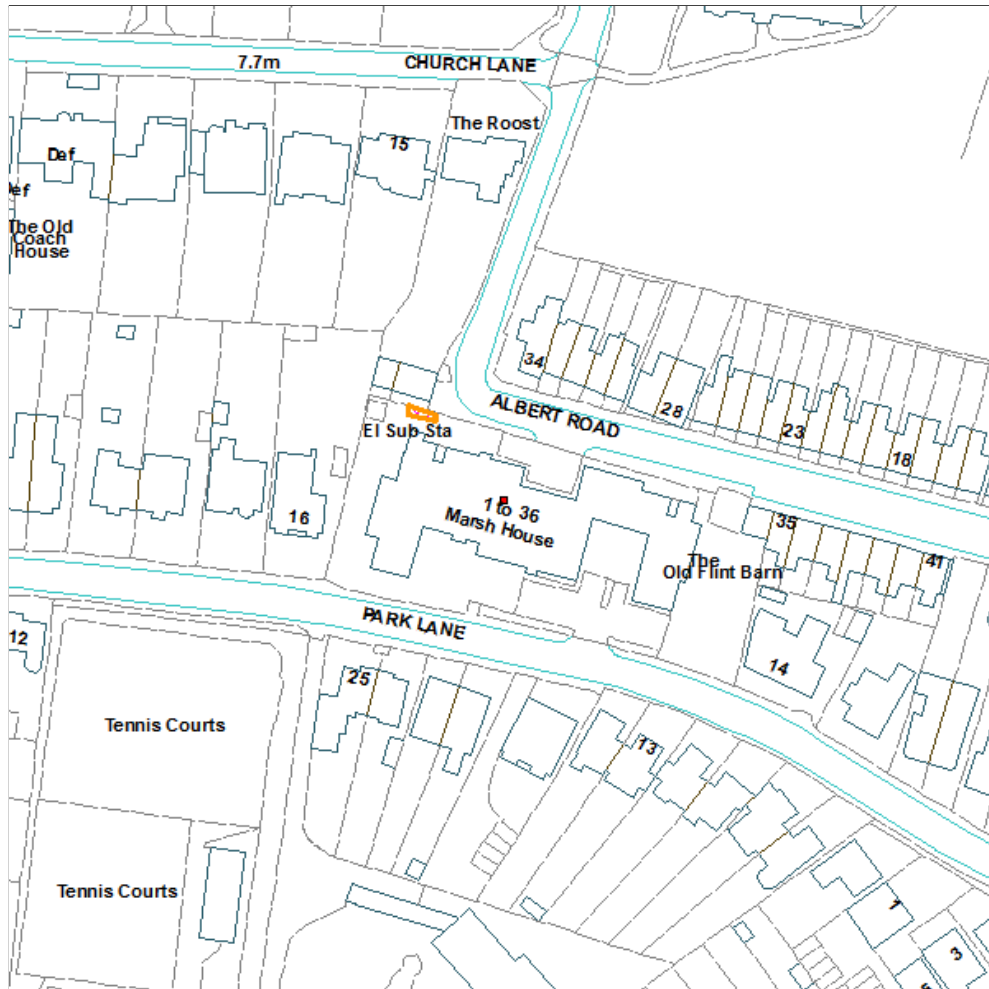
3

Application Number: AWDM/0873/21 Recommendation – APPROVE

Site: 13 Ferry Road, Shoreham-By-Sea, West Sussex

Proposal: Single storey rear extension and repositioning of A/C units onto flat roof of proposed extension.

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|----------------------------|----------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| Application Number: | AWDM/0800/21 | Recommendation - APPROVE |
| Site: | Marsh House, Park Lane, Southwick | |
| Proposal: | Installation of new external air source heat pump units within a timber enclosure within the grounds of Marsh House | |
| Applicant: | Adur District Council | Ward: Southwick Green |
| Agent: | Mr Matthew Foster | |
| Case Officer: | Peter Barnett | |



Not to Scale

Proposal, Site and Surroundings

This application seeks permission to install five 45kw air source heat pumps in the grounds of Marsh House. The units are to be sited on the northern boundary, close to the NW corner of the site and an existing plant room. The units are to be positioned in a single row within a 3m high timber 'hit and miss' fenced compound measuring 12m long and 2.3m wide.

The application has been submitted by Adur District Council as part of the commitment to reduce carbon emissions from their properties. Grant funding has been secured to provide and install Air Source Heat Pumps (ASHP) which will replace the existing life-expired gas fired boilers and central heating and hot water system at Marsh House, a purpose built sheltered retirement housing block.

The site lies immediately adjacent to, but outside of, the Southwick Conservation Area to the north.

Relevant Planning History

None of direct relevance

Consultations

Adur & Worthing Councils: The **Environmental Health** officer has no objections. Comments that the acoustician has calculated the combined noise of the units of 66dB(A) and added 4dB(A) for the acoustic correction as indicated in BS4142 to give a 70dB(A) rating level. Based on their calculations, a 13dB(A) reduction by using the enclosure specification prescribed would bring the facade level 5m away from source down to 43dB(A).

I don't know where the acoustician has measured from to ascertain the 5m to the nearest receptor but I will assume the nearest point from the edge of the line of pumps to the facade. They have then added the noise of all the heat pumps together and measured it as a single point source from this nearest edge, but in reality the noise sources are spread over approximately 15 metres. Each unit is 2m wide and there needs to be spacing of at least 1m in between each unit to allow for air flow and the chosen attenuation. Thus I expect that the original assessment has overestimated the noise contribution from the units by at least 4dB. There is also the point as to whether the noise from the units should be actually considered a line source for noise, this depends on the actual length of the array and the proximity to the receptor. The acoustic guidance states, "a line source has to be at least three times as long as the distance between the source and receiver, otherwise it behaves as a point source." With a line source the noise level drops 3dB per doubling of distance instead of 6dB reduction per doubling of distance for a point source. Modelling should maybe have been undertaken here to provide a more accurate picture of the noise impact from this development.

If we calculate the noise as 5 separate noise point sources and add their noise contribution together at the receptor rather than calculate it as one point source we

get a different answer. For example the nearest unit is 5m away from the receptor the furthest is 17+metres away. So on the assumption each unit is 2m wide and there is a 1m gap in between each unit to allow for air flow and the acoustic attenuation, I calculated the following:

Each unit produces 59dB(A) at 1m, and with attenuation this is reduced to 51dB(A).

Therefore the nearest unit with attenuation will contribute 37dB(A) at 5m, at the nearest receptor.

the second unit will contribute 33dB(A) at 8m

the third unit will contribute 30dB(A) at 11m

the fourth unit will contribute 28dB(A) at 14m

and the fifth unit will contribute 26dB(A) at 17m

Add these contributions together and you get 40dB(A) rounded to the nearest dB. If we halve that reduction in the event of it being a line source, i.e. a 3dB reduction per doubling of distance rather than 6dB, then we have 45dB(A). The worst case scenario is 1dB(A) below background and with an open window this would be 30dB(A) inside, so the noise level from these units would comply with BS8233. The measured background level was 46dB(A). If we add the acoustic correction of 4dB(A) as indicated in BS4142 because of the character of the sound, then we have a rating level at the facade of 44dB(A) and a worst case of 49dB(A). The BS41412 rating level provides an indication of the noise impact and is not the actual noise level at the receptor. A rating level below background means a low impact, depending on context and a rating level just over background is an indication of an adverse impact depending on context. The context in this case is whether a character penalty needs to be added to an attenuated noise source. Also this is the worst case scenario when all Air Source Heat pumps are operating, and in reality the operation of the heat pumps will be staggered and it will only be during really cold weather that all 5 pumps will be operating simultaneously. In such climatic conditions it is probable that windows will be kept closed.

The **Trees and Landscape** Officer: Considers that the use of a permeable load bearing Cell system within the trees RPA should ensure that there is minimal disturbance to the trees. There will still need to be some excavations for connecting pipes etc. However this should be able to avoid any major or anchoring roots. Therefore if the proposed works are done in conjunction with the Arb report he recommends approval.

Adur District Conservation Advisory Group: Approve

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 1, 15, 17, 18, 19, 30, 34
Sustainable Energy SPD (August 2019)
CarbonNeutralPlan (Adur&Worthing Dec 2019))
Carbon Neutral Study for Adur & Worthing June 2020
National Planning Policy Framework (February 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

One of the main visions and objectives of the Adur Local Plan is to make progress *“towards a low carbon, sustainable community through sustainable construction, energy efficiency, the use of renewable energy, water efficiency measures, waste reduction measures and appropriate location of development and transport infrastructure to reduce air pollution and noise; and to make a significant contribution to low and zero carbon energy production.”*

Policy 19 encourages the use of *“low carbon energy, renewable energy and residual heat/cooling for both domestic and non-domestic developments.”*

At a local level, Adur District Council has declared a Climate Emergency and committed to being carbon neutral as a council by 2030. The council has also made the UK100 Cities Pledge to achieve 100% clean energy by 2050. The council has committed to work with partners to ensure all energy use be delivered through zero carbon sources. To help meet these objectives, the development of renewable, low carbon, or decentralised energy schemes should be supported through the planning system and those based on fossil fuel combustion should not be supported.

The Council has produced its own Carbon Neutral Plan for the council decarbonisation. This has a strong focus on moving away from gas fired heating systems towards renewable and low carbon alternatives, in particular heat pumps. This approach is aligned with national policy approaches to move away from gas based systems towards non-fossil fuel alternatives as set out in the Clean Growth Strategy.

The proposed air source heat pumps are therefore supported in principle.

Visual amenity and impact on setting of Conservation Area

The proposed pumps are to be sited adjacent to a low brick wall on the northern boundary and the new 3m high fence will be visible above the wall. As originally submitted the fenced compound would have been positioned slightly further east, where there is an existing 5 bar gate which would have made the development more prominent in views from Albert Road to the north, as well as being sited closer to windows within Marsh House itself. As amended, the compound has been relocated further west and is slightly less prominent, being partly screened by mature trees outside of the site. It will still be visible behind part of the gate but it cannot be positioned further west as sufficient space is required to enable noise attenuators to be fitted and for airspace around the ASHPs to ensure they operate efficiently.

While the new fence will be visible, it is not considered to be harmfully intrusive in the street scene, given its position and the presence of partial tree screening. A timber fence is also considered to be more acceptable than a metal louvred compound, which had been an option. The visual impact of the fence should also be weighed against the sustainable energy benefits of the development itself. On balance, the development is considered to preserve the setting of the Conservation Area and is acceptable in visual terms.

Residential amenity

The amended position of the pumps has taken them further from windows within Marsh House. A noise impact assessment report has been submitted which identifies that mitigation measures will need to be in place to minimise the potential negative noise impacts on the nearest affected flat located on the upper floor of Marsh House.

Discussions have been had with Adur District Council's Environmental Health Team on the Noise Impact Assessment and the required attenuation levels and it has been agreed that the proposed attenuation measures will achieve a mitigation level of 8dB(A) which should mitigate any potential acoustic impact on neighbouring residents. This level of mitigation can be achieved by the proposed attenuators being fitted to the sides and top of each ASHP, thereby avoiding the need for a higher and larger acoustic louvred metal enclosure. While less than the 13 dB(A) recommended in the Noise Assessment the Environmental Health Officer has provided a detailed reasoning (set out in full above) as to why he would be satisfied with an 8dB(A) reduction. That reasoning points out that, in reality, the operation of the heat pumps will be staggered and it will only be during really cold weather that all 5 pumps will be operating simultaneously. In such climatic conditions it is probable that windows will be kept closed.

The Environmental Health Officer has confirmed that he has no objection to the proposal on this basis.

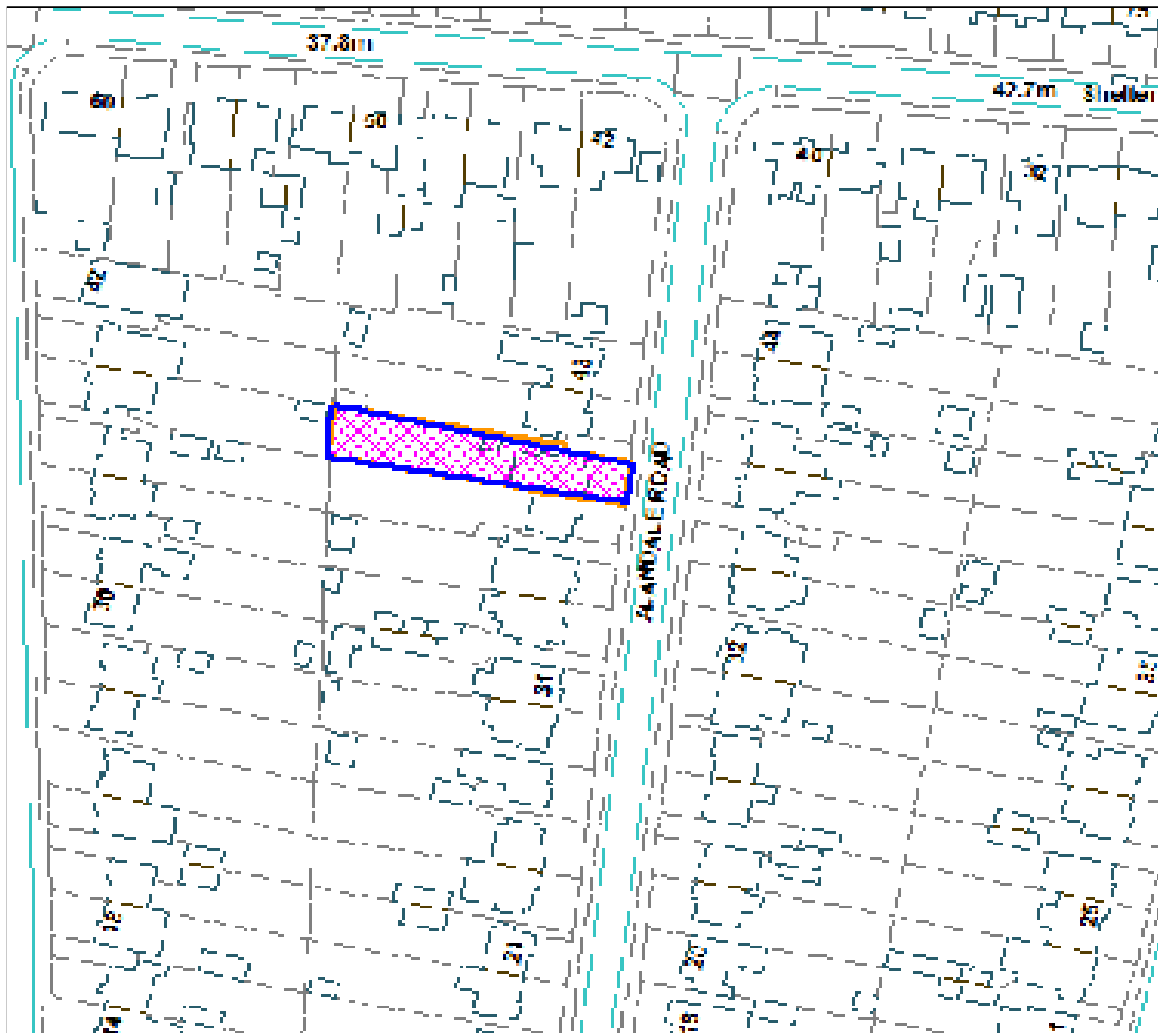
Trees

There are mature trees close to the development, outside of the site. An Arboricultural Impact Statement has been submitted which makes recommendations to minimise the impact on the tree roots. The Council's Tree and Landscape Officer is happy with these recommendations and has no objection.

Recommendation**Approve****Subject to conditions:-**

1. Approved Plans.
2. Standard time limit.
3. To be carried out in full accordance with the recommendations in the Arboricultural Impact Assessment
4. ASHPs not to be operated until timber compound built in accordance with approved plans

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|----------------------------|--------------------------------------------|--------------------------------|
| Application Number: | AWDM/0719/21 | Recommendation - REFUSE |
| Site: | 39 Alandale Road, Sompting, Lancing | |
| Proposal: | First Floor Rear Extension | |
| Applicant: | Sophie Bowden-Caldwell | Ward: Cokeham |
| Agent: | Jaimie Blomqvist | |
| Case Officer: | Hannah Barker | |



Not to Scale

Proposal, Site and Surroundings

The application relates to a semi-detached chalet bungalow on the west side of Alandale Road in north Sompting. The property has already been developed with a hip to gable roof extension with rear dormer and single storey rear extension. There are no planning records for such works and it appears to have been carried out under permitted development. There is off street parking to the front of the bungalow.

Consent is sought to add a first floor rear extension above the existing single storey extension to extend from the existing rear dormer and connect with the existing roof space. The first floor projection will follow the same height as the existing dormer, projecting in line with the ground floor extension. It will be built up to the boundary with the attached dwelling. The ground floor projection is 3.1 metres and at first floor from the ridge a total of 6.8 metres. The plans show the extensions to be built with tile and render to match existing.

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15

'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (February 2019)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The first floor addition will be visible from the street when approaching from the north due to the spacing between the properties, the change in levels and the scale of the proposed development. The development will also be visible to the rear from surrounding neighbouring properties. In terms of its scale, bulk and design it will be an incongruous and unsympathetic enlargement which will represent poor design and over development. It will be out of character with the existing bungalow by effectively extending the existing dormer over the ground floor extension to form a full first floor addition to a chalet bungalow. Such development is detrimental and would set a precedent for further similar development on other chalet bungalows within the vicinity which would cumulatively be significantly harmful.

To the north the neighbouring bungalow has a large first floor addition of similar design to that proposed here. There is no planning record for this development other than reference to extensions in 1977. It therefore does not set a precedent or justify the form of development proposed in this case. The existing adjacent extension is of poor design, a clear example as to why this form of development is harmful. It can be seen in the street scene as a large feature detrimental to the character and appearance of the area. The proposed development combined with this adjacent, imposing building will result in a severely detrimental outcome therefore this proposal should be resisted.

It is noted that within this locality there are various extensions and alterations that have taken place to most bungalows with many large front and rear dormers visible and single storey flat roof additions. This is the general character of the area, however this does not set a precedent or allow for the large-scale, unsympathetic development proposed here which is of a different form and scale than the current surrounding built environment.

Residential amenity

The rear extension will be visible from properties either side and to the rear of the application site. In the case of the attached bungalow to the south this is at a lower level and there are no additions to the rear. The proposed first floor addition will result in an imposing and overbearing form of development, to the detriment of the occupiers of this neighbouring bungalow due to the excessive scale, depth and height of the extension.

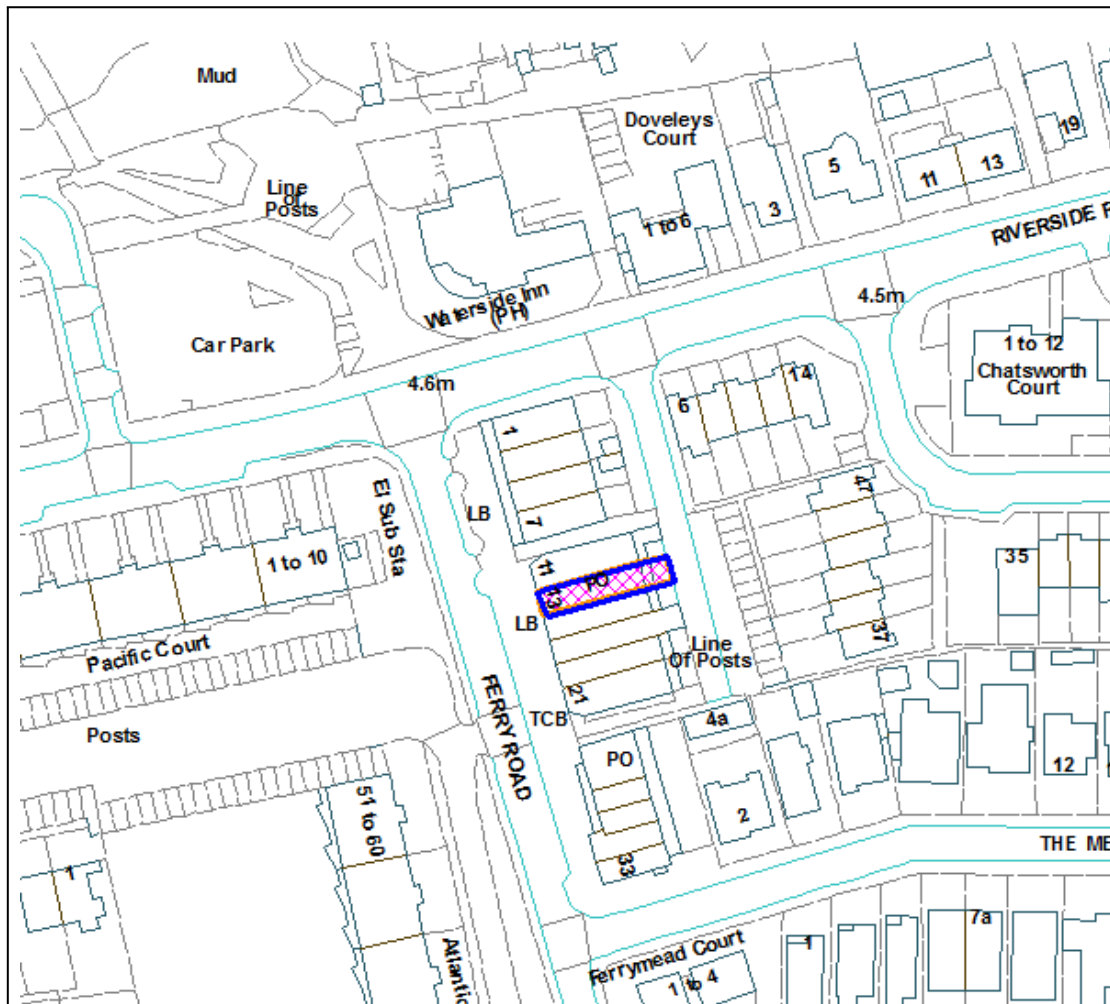
To the north is the large-scale development as mentioned above and there is spacing between the properties. There will be no adverse impact upon the amenities of the occupiers of this adjacent property. However the proposed development will be a large imposing feature when viewed from the neighbouring garden.

Recommendation

REFUSE for the reason(s):-

The proposed first floor extension due to its height, bulk, scale and design will result in an incongruous and unsympathetic form of development which will be detrimental to the character and amenities of the local environment. It would set a precedent for further development which would cumulatively have a severely harmful impact thereby conflicting with policy 15 of the Adur Local Plan.

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|----------------------------|----------------------------------------------------------------------------------------------------------|---------------------------------|
| Application Number: | AWDM/0873/21 | Recommendation - APPROVE |
| Site: | 13 Ferry Road, Shoreham-By-Sea, West Sussex | |
| Proposal: | Single storey rear extension and repositioning of A/C units onto flat roof of proposed extension. | |
| Applicant: | Mr Erkan Basar | Ward: Marine Adur |
| Agent: | Mr Dave Collins | |
| Case Officer: | Hannah Barker | |



Not to Scale

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Proposal, Site and Surroundings

The application site is a mid terrace commercial unit, convenience store and Post Office. It has flats above and other commercial units on either side. It forms part of a commercial parade within Shoreham Beach on the east side of Ferry Road.

To the rear is a service access with some informal parking, access and rear windows serving the commercial units and access to the first floor entrances to the flats. There are existing air conditioning units to the rear of the building at ground floor wall mounted. Consent is sought for a single storey, flat roof rear extension the full width of the premises. The existing A/C units are to be repositioned on the roof of the proposed extension as shown on the submitted drawings. The extension is 3.3 metres in depth and 3.3 metres high and will be built in materials to match existing.

Adur & Worthing Councils: The **Environmental Health** officer has no EH objections to this application. Please can we ensure that the A/C unit is mounted on anti vibration mounts to reduce any structure borne noise.

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017

'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (July 2021)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The A/C units are as existing and will be repositioned on the roof of the proposed extension. Matters for consideration here are the impact of the A/C units being moved and the proposed extension upon the residential amenities of the adjacent

occupiers in the flats above. Also for consideration is the visual appearance of the proposal and its impact upon the character and appearance of the locality.

Visual amenity

The extension is to the rear of the property and visible from the rear servicing road and surrounding residential properties which overlook the site. It will not be visible within the street scene in Ferry Road. It is modest in scale and although the A/C units will be elevated from their existing position there will be no visual harm to the character and appearance of the locality.

Residential amenity

Although the proposed development will be visible from properties to the rear surrounding the site the main impact will be upon the residential properties above the application site. The single storey extension will be visible however being at ground floor there will be no loss of light, outlook or privacy to the flats above. As stated above the A/C units will be repositioned on top of the extension bringing them closer to the flats above. The plans show the units coming no higher than the floor of the platform above therefore no visual adverse impact will occur. In terms of noise Environmental Health have advised that the details accompanying the application in relation to the units are acceptable and that there will be no impact in terms of noise provided that anti vibration mounts are used. The applicant's agent has confirmed that these are currently fitted and a condition is attached to ensure this remains the case.

The commercial properties either side of the site at ground floor have some visible rear openings however as these serve ancillary rooms to the commercial premises and are not residential any loss of light or overbearing impact would not warrant a refusal in this case.

Recommendation

Approve

Subject to conditions:-

1. Standard time limit
2. Approved plans
3. The air conditioning units when in position shall not exceed the ground level of the first floor, external raised platform. The units shall also be mounted on anti vibration mounts to reduce any structure borne noise at all times unless otherwise approved in writing by the Local Planning Authority.
4. Materials to match existing.

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

Peter Barnett
Principal Planning Officer
Portland House
01903 221310
peter.barnet@adur-worthing.gov.uk

Hannah Barker
Senior Planning Officer
Portland House
01903 221475
hannah.barker@adur-worthing.gov.uk

Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.