

Delegated Decision Report

Application No:	25/0670	Statutory Period Expires:	16th October 2025
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Site:	10 Summerhill Avenue Newport South Wales NP19 8FP		
Proposal:	INSTALLATION OF AIR SOURCE HEAT PUMP		
Applicant:	P. Vasques		
Type:	Full	Ward:	Victoria
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The property is a part two-storey, part three-storey dwelling located on Summerhill Avenue in the Victoria ward. The site is within the defined settlement boundary as identified in the adopted Newport Local Development Plan 2011 – 2026 and as shown on the associated proposals map. The surrounding area is predominantly characterised by residential dwellings.

2.2 Due to the topography of Summerhill Avenue, the land slopes significantly from the north to the south, meaning that the ground level of the rear garden is lower than ground floor level of the dwelling.

3. DESCRIPTION OF DEVELOPMENT

3.1 It is proposed to install a Daikin Altherma 3 9kw air source heat pump to the rear/side of the property. It will measure 870mm in height, 1380mm in width and 460mm in depth. It is to be located within 1.5m from the nearest boundary. It will be located underneath an existing rear facing window and set against the back wall of the property. As it is located within 3 metres of the boundary of the property, the installation is not Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended), hence why planning permission has been sought from the authority.

3.2 A 1.8m high acoustic fence panel is proposed adjacent to the neighbouring property, to minimise noise impact. The acoustic panel would be set in 1.1m from the shared boundary and would run along the edge of an existing patio area to the rear for a distance of 1.8m. The fence would include pressure treated smooth-planed mixed softwood, a rebated frame with extended tongue and groove boards and a triangular Triform profile for additional sound diffusion. The fence would measure 4.5m in depth with a board thickness of 17mm.

3.3 In addition, biodiversity enhancements including pollinator-friendly planting, two bat boxes and two bird boxes are to be installed in suitable locations within the garden.

4. RELEVANT SITE HISTORY

None.

5. PLANNING POLICY

5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- GP2 (General Amenity)
- GP6 (Quality of Design)
- GP7 (Environmental Protection and Public Health)

5.4 SUPPLEMENTARY PLANNING GUIDANCE
NONE.

6. CONSULTATION RESPONSES

6.1 ENVIRONMENTAL HEALTH

No objection

I refer to the above application passed to the Environmental Protection Team for comment. I confirm I have no objections to the proposals; however, the following condition should be attached to any permission granted.

Air Source Heat Pump – Maintenance

The installed equipment shall be regularly maintained in order to ensure its continued satisfactory operation in accordance with the manufacturer's recommended service intervals. In the absence of such intervals; the equipment shall be maintained annually.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Air Source Heat Pump – Installation

The equipment shall be installed on a robust level and solid surface with sufficient loading bearing capacity.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Acoustic fencing

Boundary fencing should be of a solid construction of a minimum surface density of 10kg/m², a minimum height of 1800mm and of close boarded timber construction. The fencing shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

7. PUBLIC REPRESENTATIONS

Neighbour notification letters were sent on 03.09.2025.

7.1 NEIGHBOURS: 3no neighbours were consulted. No representation received to date.

8. ASSESSMENT

8.1 Air source heat pumps (ASHPs) must be sited to have minimal effect on the external appearance of the property and wider amenity of the area. The ASHP is to be sited at the rear of the main house adjacent to the projecting annexe at the rear of the house. This is a less prominent elevation that is not visible from the public realm and is an appropriate siting for the proposal. As such, it is considered that there would not be an adverse visual impact caused by the proposal. Therefore, the proposal accords with Policy GP2 of the Newport Local Development Plan 2011 – 2026 (Adopted January 2015).

8.2 As the ASHP is located 1.5m away from a neighbouring shared boundary, noise impact has

been considered as part of this application and as such the Environmental Health officer was consulted. The Environmental Health Officer offers no objection, but various conditions are recommended that relate to future maintenance of the plant, specific details of the base upon which it is sited and specific details of an acoustic fence. These matters are for the operator and responsible homeowner to manage and ongoing maintenance of the pump is not suitably controlled via planning condition. The MCS 020 noise assessment submitted with the application indicated a fail: due to the sound rating level of 40dBA being exceeded. The rated noise output on the ASHP is 62dB. As such further information in relation to the acoustic insulation panel; specification, surface density, dimensions and impact on the MCS 020 assessment were submitted to assess the impact further. The supporting noise information and acoustic panel specification is satisfactory, reducing the noise output to 42.8dB. The Council's Environmental Health officer is satisfied that the pump would not have an unacceptable level of noise output if the mitigatory fence is installed so there is no reason to consider there would be an unacceptable impact upon amenity insofar as noise is concerned.

- 8.3 In accordance with Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015) and Planning Policy Wales edition 12, an ecological enhancement scheme commensurate with the scheme is required. The proposal suggests pollinator-friendly planting, two bat boxes and two bird boxes are to be installed in suitable locations within the garden. It is considered that this would sufficiently address the importance of biodiversity, and the implementation will be secured via a suitably worded planning condition.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

- 9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been

considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

- 10.1 The ASHP is suitably sited and would not have an adverse visual impact or impact on the amenity of the neighbouring occupier through noise generation subject to the imposition of a condition requiring acoustic mitigation (noise fence).

11. DECISION

GRANTED WITH CONDITIONS

01 The development shall be implemented in accordance with the following plans and documents:

- Site Location Plan
- Correspondence RE: Acoustic Fence Panel
- Rear View with Proposed Site to the Left
- Proposed Site with Property Boundary
- Proposed Site under Central Window
- Proposed Elevation
- Noise Assessment Calculations
- Heat Pump Location
- Cover Letter and Planning Statement

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

02 Prior to the beneficial use of the development hereby approved, a 1.8m acoustic fence minimally to the specification set out in the email of 22.09.2025 shall be installed in the location and height shown in the drawing 'Proposed Elevation Plans' The fence shall be retained as approved so long as the approved pump is operational.

Reason: In the interests of the amenity of the occupants of the property and neighbouring occupants and in accordance with Policy GP2 of the NLDP

03 Prior to the first operation of the development hereby approved, the biodiversity enhancement scheme as detailed in 'Covering Letter and Planning Statement' shall be undertaken in full and retained for the lifetime of development.

Reason: In the interest of biodiversity, in accordance with Policy GP5.

NOTE TO APPLICANT

01 This decision relates to plan Nos: Site Location Plan, Correspondence RE: Acoustic Fence Panel, Rear View with Proposed Site to the Left, Proposed Site with Property Boundary, Proposed Site under Central Window, Proposed Elevation, Noise Assessment Calculations, Heat Pump Location, Existing Floor Plan, Existing Elevations, Cover Letter and Planning Statement.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP6 and GP7 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.