

Delegated Decision Report

Application No:	25/0063	Statutory Period Expires:	21st May 2025
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Site:	7 Ridgeway Place Newport NP20 5DY		
Proposal:	RETROSPECTIVE APPLICATION FOR THE INSTALLATION OF AIR SOURCE HEAT PUMP		
Applicant:	M Fitzgerald		
Type:	Full	Ward:	Allt-yr-Yn
Decision:	Granted with Conditions		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 The application site is a mid-terraced property located within the Allt-yr-Yn ward. The row of terraced houses is situated within a Cul-de-Sac. As the ASHP is located within 3 metres of the boundary of the property, the installation is not considered Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). An application for planning Permission is therefore required.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks planning permission for the retention of an air source heat pump (ASHP). The ASHP is situated within the garden of the dwelling. The ASHP measures 1.11m in height, has a depth of 0.59m and a width of 0.86m.

4. RELEVANT SITE HISTORY

4.1 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

Policy 9 - Resilient Ecological Networks and Green Infrastructure

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)

5.3.1 Policies GP2 (General Amenity), GP5 (Natural Environment), GP6 (Quality of Design) and GP7 (Environmental Protection) of the Newport Local Development Plan 2011-2026 (Adopted January 2015) are relevant to the determination of this application.

6. CONSULTATION RESPONSES

6.1 **Environmental Health:** No objection.

6.2 **Contamination Officer:** No response received

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 07.02.2025.

7.1 NEIGHBOURS: 9no. neighbours were consulted. One representation was received querying where the ASHP would be installed, however no further representations were submitted following clarification of location.

8. ASSESSMENT

8.1 Principle of Development

8.1.1 The application site comprises an existing residential dwelling that is located within a settlement boundary as designated by the maps contained within the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Therefore, the principle of development is accepted.

8.2 Character and Appearance

8.2.1 Air source heat pumps must be sited to have minimal effect on the external appearance of the property and wider amenity of the area. The ASHP is suitably located at the rear of the property and as such would not be visible from any public vantage points. It is noted that the ASHP would not add any aesthetic to the property, however it is located to the rear and as such would not have a detrimental impact on the character and appearance of the street scene. The proposals accord with policy GP6.

8.3 Residential Amenity

8.3.1 As the ASHP is located approximately 3m away from a neighbouring habitable room, noise impact has been considered as part of this application. The information submitted by the applicant confirms that at the boundary the noise level is 25.2db. This is considerably lower than the PD allowance which states that an ASHP can be 45db during the day and 40db during the night. It is not anticipated that there would be an impact on noise to the neighbouring property. The Environmental Health officer has offered no objection to the development, however has requested that a condition is added to any positive determination with regards to regularly maintaining the ASHP. Whilst this is noted, this would not be enforceable under the Town and Country Planning Act 1990. The future maintenance of the ASHP will be the responsibility of the owner.

8.3.2 The noise level generated at the Air Source Heat Pump would be 40db, and as such, would not be higher than is acceptable. It is not considered that there would be a detrimental impact on the current or future occupiers of the application site. Overall, it is considered that the proposals do not conflict with policies GP2 (amenity) and GP7 (environmental protection) of the adopted Newport Local Development Plan.

8.4 Biodiversity

8.4.1 Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy GP5 of the NLDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. A scheme of Biodiversity enhancement can be secured by a suitably worded condition.

8.4.2 In accordance with Chapter 6 of PPW 12 due regard has been given to the fact that the application should be accompanied by a Green Infrastructure Statement, however given the scale of the development proposed it is not considered proportionate to request one in this instance.

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 decibel levels do not exceed higher than acceptable. There would be no impact on residential amenity. It is considered that the ASHP accords with the aforementioned policies.

11. **DECISION**

Granted with Conditions

01 Within three months of this decision notice, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be implemented in accordance with the approved plans prior to the first beneficial use of the development hereby approved and retained as such for the lifetime of the development.

Reason: In the interest of protected species, in accordance with Policy 9 of Future Wales and Policy GP5 of the Newport Local Development Plan 2011-2026 (adopted January 2015).

NOTE TO APPLICANT

01 This Decision relates to plan nos: J-2725F854 -03 - Proposed Site plan, J-2725F854-02 - Existing Elevations, J-2725F854 -00 - Site Location Plan, J-2725F854-04 - Proposed Elevations, J-2725F854 -01 - Existing Site Plan, Cosy 6 Technical Specification, MCS Noise Calculation

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP5, GP6 and GP7 were relevant to the determination of this application.

02 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.