

Delegated Decision Report

Application No:	25/0091	Statutory Period Expires:	14th April 2025
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Site:	45 Brigantine Way Newport NP10 8EW		
Proposal:	AIR SOURCE HEAT PUMP INSTALLATION		
Applicant:	J Brotheridge		
Type:	Full	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED WITH CONDITIONS		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 This application seeks planning permission for the installation of an air source heat pump (ASHP) within 3 metres of a boundary at 45 Brigantine Way, a 2no storey, detached property situated in the Tredegar Park and Marshfield ward.

3. DESCRIPTION OF DEVELOPMENT

3.1 The ASHP measures 1250mm in length, 770mm in height, and 362mm in depth, and would be set off from the front elevation by 300mm. 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.

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
18/0751	CONVERSION OF INTEGRAL GARAGE TO HABITABLE ROOM	GRANTED WITH CONDITIONS	15/11/2018

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)

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

6. CONSULTATION RESPONSES

6.1 Local Highways Authority: *No response.*

6.2 Environmental Health Officer: *No response.*

7. PUBLIC REPRESENTATIONS

Neighbour and Ward member notification letters were sent on 25.02.2025, Site Notice was put up on 28.02.2025.

7.1 NEIGHBOURS: *No response.*

7.2 COUNCILLORS: *No response.*

7.3 COMMUNITY COUNCIL: *No response.*

8. ASSESSMENT

8.1 This application seeks planning permission for an air source heat pump at 45 Brigantine Way in the Tredegar Park and Marshfield ward.

8.2 The proposed unit is located at the rear of the elevation at ground level. 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. As the ASHP is located to the rear of the property, it cannot be seen from the highway and would have no detrimental effect on visual appearance and the character of the area.

8.3 To the West of the application site there is one neighbour that could be impacted, however, at 60dB(A) this would be low level noise in any case. It would not be proportionate for the Council to monitor the future maintenance of the unit.

8.4 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. It is noted that the application has not been accompanied by a Green Infrastructure Statement and the plans do not provide any biodiversity net gain. The addition of a biodiversity ecological enhancement is conditioned below.

8.5 The Environmental Health officer was consulted on this application but no response was received.

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 installation of the air source heat pump would be compliant with the aims of Policy GP2, GP6 and GP7 and is therefore acceptable.

The application is granted with conditions.

11. **DECISION
GRANTED WITH CONDITIONS**

01The development shall be implemented in accordance with the following plans and documents <Revised Proposed Site Plan, Revised Existing Site Plan, Revised Site Location Plan, Conveyance Plan - Sheet 2, Clearance Needed Around ASHP, Conveyance Plan - Sheet 1, EDLA 06 Technical Sheet, HP Dimensions EDLA04>.

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 commencement of development, 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. The location and details of these must be shown on relevant plans.

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

NOTE TO APPLICANT

01 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies GP2, GP4, 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.