

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0755	Case Officer:	Stefan Galyas
Application Type:	Householder Application		
Proposal:	Installation of air source heat pump to rear of property		
Site:	65 Blunts Wood Road, Haywards Heath, West Sussex, RH16 1ND, , , ,		
Validation Date	21 Mar 2025	Overall Expiry Date:	14 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	13 May 2025
Target Date:	16 May 2025	Recommending Officer Signature:	<i>Stefan Galyas</i>

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	<i>Stephen Ashdown</i>	Date:	14 May 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0755

**65 Blunts Wood Road, Haywards Heath, West Sussex, RH16 1ND, , ,
Installation of air source heat pump to rear of property
Ian Squire**

SUMMARY OF REPRESENTATIONS

There were no letters of representation received in response to the proposed development.

SUMMARY OF CONSULTEES

Environmental Protection:

Given the ASHP only just fails the MCS 020 assessment I'm inclined not to object to this application however, the applicant should be made aware that there is the potential for their neighbour to make a noise complaint, and that if that were to happen then Environmental Protection would be duty bound to investigate and take enforcement action if a statutory nuisance were found to be in existence.

TOWN/PARISH COUNCIL OBSERVATIONS

No comment.

INTRODUCTION

The application seeks planning permission for the installation of an air source heat pump.

RELEVANT PLANNING HISTORY

DM/22/1563 - Ground floor rear extension to relocate kitchen. Permission 11.07.22.

SITE AND SURROUNDINGS

65 Blunts Wood Road is a two-storey detached property set to the southern side of the highway. The dwelling is set back from the highway edge by an existing brick paved front driveway space and is afforded ample garden amenity space to the rear. The existing property has been altered to its rear roof slope through an array of southern facing solar panels. The existing dwelling is composed of brick exterior walls with some tile hanging at first floor level, a tiled roof and white uPVC windows. With regard to the site's locality, there are a number of detached well space out residential dwellings, primarily contained to the southern side of the highway.

The site is within the built-up area for Haywards Heath as defined in the District Plan (DP) and the sites eastern boundary adjoins the Lucastes Lane/ Bluntswood Road Area of Townscape Character.

APPLICATION DETAILS

The proposal would install a new air source heat pump (ASHP) to the properties side (western) elevation and would sit to the rear of the single storey garage.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and the Haywards Heath Neighbourhood Plan

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26: Character and Design

DP29: Noise, Air and Light Pollution

DP39: Sustainable Design and Construction

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

Haywards Heath Neighbourhood Plan (Made March 2016)

Relevant policies:

Policy E9 - Protection and Reinforcement of Local Character

Policy H9 - Domestic Extensions

Mid Sussex District Plan 2021-2039 Consultation Draft

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS1 - Climate Change

DPS2 - Sustainable Design and Construction

DPB1 - Character and Design

DPN7 - Noise Impacts

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

The National Planning Policy Framework (NPPF) 2024 is a material consideration. Paragraphs 2, 8, 11, 39, 48, 131, 135, 139, 165, 166 & 167.

ASSESSMENT

It is considered that the main issues that need to be considered in the determination of this application are as follows;

- Design and Character
- Impact on Neighbouring Amenities
- Sustainability
- Biodiversity Net Gain

Design and Character

DP26 of the District Plan, in part, states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- o is of high-quality design and layout and includes appropriate landscaping and greenspace;*
- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- o protects open spaces, trees and gardens that contribute to the character of the area;*
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution'*

Policy E9 of the Haywards Heath Neighbourhood Plan states that:

'Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- o height, scale, spacing, layout, orientation, design and materials of buildings,*
- o the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- o respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- o creates safe, accessible and well-connected environments that meet the needs of users,*
- o will not result in unacceptable levels of light, noise, air or water pollution,*
- o Makes best use of the sites to accommodate development,*
- o Car parking is designed and located so that it fits in with the character of the proposed development.'*

Furthermore, Policy H9 of the Neighbourhood Plan states that:

'Extensions to existing dwellings will be permitted where it meets the following criteria:

- o The scale, height and form fit unobtrusively with the existing building and the character of the street scene.*
- o Spacing between buildings would respect the character of the street scene.*
- o Gaps which provide views out to surrounding countryside are maintained.*
- o Materials are compatible with the materials of the existing building.*
- o The traditional boundary treatment of an area is retained and, where feasible reinforced.*

- o *The privacy, daylight, sunlight and outlook of adjoining residents are safeguarded.'*

Principle DG49 of the Mid Sussex Design Guide states:

'Extensions should typically use simple, uncomplicated building forms to compliment and coordinate with the scale, form and massing of the original dwelling. The design approach may benefit from coordinating with the existing pattern of window and door openings as well as employing facing materials to match those of the existing dwelling. Otherwise, it should demonstrate the appropriateness of the alternative approach.'

The proposed ASHP would adjoin the properties side (western) elevation and would be set towards the rear of the property. Views towards the ASHP from the public domain to the north would likely be concealed by the existing single storey garage. As such, it is considered that the ASHP would be sited in a visually discrete position with regard to the public domain and the proposal would have a limited impact upon the character and appearance of the area.

The proposal is therefore considered to comply with Policy DP26 of the District Plan, Policies E9 and H9 of the Haywards Heath Neighbourhood Plan and the relevant principles of the Mid Sussex Design Guide SPD.

Impact on Neighbouring Amenities

Policy H9 of the Haywards Heath Neighbourhood Plan states that proposals should 'safeguard' neighbouring amenities with regard to privacy, daylight, sunlight and outlook whereas policy DP26 of the MSDP states that development should not cause 'significant harm' to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution. There is therefore some conflict between the District Plan and Neighbourhood Plan in this respect. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. As such, Policy DP26 of the Mid Sussex District Plan is considered to take precedence and therefore the test in this instance is whether the development causes 'significant harm' to neighbouring amenities as outlined above.

DP29 then, in part, relates to noise pollution:

'The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people's life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- o *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*

- o *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- o *an assessment of the impact of noise generated by a proposed development; or*

- o *an assessment of the effect of noise by an existing noise source upon a proposed development;'*

It is recommended by the Institute of Acoustics that a sound rating level of 40dB should not be exceeded. The proposed ASPH had an MCS contractor result of 41.51dB which is over this

recommended level and therefore, concern was initially raised by the Environmental Protection Officer in response to the proposal.

The Applicant clarified that the proposed positioning on the western elevation was optimal, allowing for the associated pipework to run from the garage. It was also noted in correspondence that the neighbouring side (eastern) elevation windows at No.67 Blunts Wood Road serves as a secondary lounge window and the first-floor window serves as a secondary bedroom window.

It is noted that no objections nor letters of representation were received in response to the proposed development. The Environmental Protection Officer responded that despite the ASHP failing the MCS 020 assessment, this would only be marginal. It was noted that irrespective of any planning permission that may be granted, there is the potential for the neighbouring occupier to make a noise complaint which would require further investigation from Environmental Protection.

In light of the above it is not felt that significant harm has been demonstrated from the proposal and that the level of noise would not be unacceptable.

Sustainability

Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development. It states:

'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:

- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation,*
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible,*
- Use renewable sources of energy,*
- Maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both construction and occupation,*
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment,*
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience'*

Paragraph 167 of the NPPF states that:

'Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework'

It is considered that the ASHP would replace an existing gas boiler which would help contribute towards reducing the dwellings CO2 emissions and carbon footprint on the local level. As such, the proposal is considered to comply with the provisions of DP39 of the District Plan.

Biodiversity Net Gain

Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. As a householder application this development is exempt from the requirement to provide biodiversity net gain.

PLANNING BALANCE AND CONCLUSION

In conclusion, the proposal is appropriate in terms of design, will not negatively impact on the host dwelling nor its immediate setting. Whilst the proposed ASHP would not entirely be in compliance with the normally accepted noise levels, this exceedance would be marginal. Furthermore, when weighed against the benefits of the introduction of a renewable energy source on site which would reduce the dwellings carbon footprint, thus working towards regional and national climate goals. As such, the limited harm would be outweighed by the substantial benefit of providing a more sustainable energy source.

The proposal will comply with Policies DP26, DP29 of the District Plan as the proposal would not cause significant harm or unacceptable levels of noise, policy DP39 of the District Plan, Policies H9 and E9 of the Haywards Heath Neighbourhood Plan, the MSDC Design Guide and the requirements of the NPPF.

Decision: Permission

Case Officer: Stefan Galyas