

Delegated Report

Planning Ref: 25/00111/HOU
Applicant: Mr Sukhjinder Singh
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 6 Elsalene Close Groby Leicester

Proposal: Installation of air source heat pump

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the installation of an air source heat pump to the side elevation of 6 Elsalene Close, Groby.
- 2.2. The proposed air source heat pump model would measure 1.38 metres in width, 0.60 metres in depth and 1.02 metres in height.
- 2.3. The proposed air source heat pump model is EDLA09DA3V3
- 2.4. The proposed distance in noise level from the assessment window is 44.07dB.
- 2.5. The proposed distance from the assessment window is 5.80 metres.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two storey detached residential dwelling situated within the settlement boundary of Groby and within the constraints of the National Forest, Charnwood Forest, Ancient Woodland and Great Crested Newt Breeding Pond.
- 3.2. The application dwelling hosts a hipped form with a forward facing gable to the main roof and a mono-pitched form to the canopy porch which extends over the family room. It has red brick to the walls with sporadic stone accents above the openings, brown tiles to the roof and white uPVC to the openings. An integral double garage sits to the front elevation forward of which sits an area of hardstanding and grassed amenity space.
- 3.3. The site can be accessed to the south-west of Elsalene Drive and compromises a cul-de-sac made up of six dwellings permitted under application 01/00376/HOU.

4. Relevant planning history

99/00546/OUT

- Demolition of house and erection of up to 12 dwellings
- Refused
- 15.09.1999

99/00547/OUT

- Demolition of house and erection of 5 dwellings

- Planning Permission
- 24.09.1999

01/00376/HOU

- Erection of six detached dwellings with double garages car parking access and landscaping
- Planning Permission
- 20.06.2001

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. As a result of the publication one comment of support has been received.

6. Consultation

HBBC Environmental Services Pollution;

- 6.1. *"I have no objection."*

Grobby Parish Council

- 6.2. *"The Planning & Development Committee reviewed the application and have the following comments and concerns:*

- *Noise levels – concerns for neighbouring properties if the ASHP is running constantly.*
- *Consideration of an acoustic hood to dampen noise levels.*
- *Ensure HBBC consult with neighbours*

*Kind regards
Deputy Clerk"*

7. Policy

- 7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 21: National Forest
- Policy 22: Charnwood Forest

- 7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Delivering Renewable Energy and Low Carbon Development
- Policy DM10: Development and Design

- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

- 7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area

- 8.2 Policy DM2 of the Site Allocations and Development Management Policies DPD supports renewable energy and low carbon developments subject to mitigation of adverse impacts such as landscape, noise, and visual impacts.
- 8.3 Policy DM10 of the Site Allocations and Development Management Policies DPD seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally.
- 8.4 The application seeks full planning consent for the installation of an air source heat pump to the side elevation of 6 Elsalene Close, Groby.
- 8.5 The air source heat pump is proposed to be located to the side (south-east) elevation of the application dwelling, would not be viewable from a public realm and would not be overly prominent from any principal windows of the neighbouring property. By reason of its modest scale and its discreet siting, it would not have an adverse impact on the character and appearance of the application dwelling or surrounding area. The proposal would therefore be considered to be in accordance with Policies DM2 and DM10 of the adopted SADMP in visual terms. A condition requiring its removal at the end of its life is proposed.

Impact upon neighbouring residential amenity

- 8.6 Policy DM10 of the Site Allocations and Development Management Policies DPD requires that development would not have a significant adverse effect on the amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.7 The MCS-020 noise assessment level calculations are 44.07dB, 2.07dB greater than would be Permitted Development in terms of purely the noise consideration. Despite this, the Environmental Services officer has confirmed that he has no objections and the Local Planning Authority are therefore satisfied that the proposal would not have a significant impact in terms of noise pollution upon the surrounding neighbouring properties.
- 8.8 The air source heat pump would sit 5.80 metres away from the assessment window and would be blocked from sight of the adjacent premises 224 Markfield Road.
- 8.9 Taking the above into consideration, the noise information submitted and the distance of the air source heat pump from the assessment window it is considered sufficient to safeguard the residential amenity of the neighbouring dwelling. The proposal therefore complies with Policy DM10 in terms of its impact on neighbouring residential amenity.

9. Equality implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

10. Conclusion

9.1. The application is acceptable as there would be no adverse visual impact on the building or the wider area and the residential amenity of the neighbouring dwelling would be safeguarded. Therefore, the proposal complies with Policies DM2 and DM10 of the SADMP.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Application Form, Noise Assessment, Heat Pump Dimensions, and Photo - Dimensions all as received by the Local Planning Authority on the 11th February 2025.
- Site Location Plan as received by the Local Planning Authority on the 19th February 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. At such time as the air source heat pump ceases to be operational it shall be removed from the exterior of the building.

Reason: In the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

11.3 **Notes to applicant**

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.