



Majid Mir
Development Management
Rochdale Borough Council
Number One Riverside
Smith Street
Rochdale OL16 1XU

30 April 2026

Dear Majid

Re: Response to Objections PL/2026/0246, Land adjacent to 1 Dobfield Road, Cotton Hill, Rochdale

The applicant acknowledges the concerns raised by residents and recognises that air source heat pumps (ASHPs) should be sited and operated in a manner which avoids unacceptable impacts on residential amenity. However, having reviewed the points raised, it remains the applicant's position that the proposed regularisation and limited repositioning of the ASHP units is acceptable in planning terms and does not give rise to any material harm that would justify refusal of the application.

By way of context, all properties were purchased with the ASHP units already installed in their existing locations. No concerns regarding the siting of the ASHPs, noise, vibration or any related amenity issue were raised through the pre-purchase survey process, contract enquiries, completion snagging process or pre-occupation checks. The applicant's representatives also met on site and walked the development as part of the pre-occupation process, during which the ASHP arrangements were visible and capable of being inspected.

It is also relevant that, prior to the submission of the Section 73 application, no sound-related concerns were raised with the applicant verbally or in writing. This is particularly material in respect of Plot 3 and Plot 4, which has been occupied for a number of months. The concerns now raised therefore appear to have arisen only following the submission of the current application, rather than as an identified or evidenced issue during occupation of the property.

The proposal relates to domestic-scale plant serving the approved dwellings. The ASHP units are ancillary to the residential use of the properties and form part of the low-carbon heating infrastructure for the development. The application does not alter the number of dwellings, the approved residential use, the scale of the buildings, the layout of the estate, or the wider character of the approved development.

Use of a Section 73 application

An objection has been raised regarding the use of a Section 73 application. The application seeks to vary the approved plans condition attached to the original permission so that the approved drawings accurately record the ASHP units serving the development, together with the proposed repositioning of specific units where this has been identified as appropriate.

The ASHPs are not a separate land use or a standalone form of development. They are ancillary domestic equipment required to serve the approved dwellings which were installed as part of the residential development. The proposal therefore remains directly related to the residential development already approved and implemented under the original consent. The use of a Section 73 application is considered an appropriate and proportionate mechanism to allow the Council to assess the updated drawings and any associated amenity considerations and allows for consultation of third parties as appropriate to ensure a thorough assessment.

To this end, the application has been publicised and third parties have had the opportunity to comment, including the relevant technical consultees – e.g. EHO. The Council is therefore able to consider the planning merits of the ASHP locations in the usual way, and a S73 mirrors the scope of assessment which would be undertaken in a standalone application, indeed resulting in a new planning permission where granted.

Scope of the proposed changes and submitted plans

The applicant notes the comments regarding the clarity of the submitted drawings and the position of the ASHPs. For the avoidance of doubt, the purpose of the application is to regularise the ASHP units across the development and to show the proposed revised positions where relocation is intended. This is made clear within the submitted covering letter. To confirm no changes beyond the inclusion of the ASHPs have been made to the housetype or site plans. Separate elevation plans have been submitted to reflect the separate locations of the ASHP.

An objection raises concerns re. inaccuracies in the proposed plans. The LPA will note these were also identified by the applicant and updated plans quickly provided to the LPA. There was however some delay in the LPA making these visible on the Council's planning explorer page. This was beyond the applicant's control.

The application should be determined on the basis of the final approved drawing package, with the amended drawings secured through the approved plans condition.

Noise and residential amenity

The applicant acknowledges that noise from ASHP units is a relevant planning consideration. The ASHP units are domestic-scale items of plant and are typical of modern residential developments using low-carbon heating technology. Their presence within a residential setting is not unusual and does not automatically give rise to unacceptable amenity impacts. The heat pumps are specifically positioned on the side elevation and away from habitable windows to take noise into account. The model of ASHP is a leading Ecodan Mitsubishi PUZ-WM85VAA, marketed by Mitsubishi as:

"The innovative stylish single fan outdoor monobloc air source heat pump unit utilises advance technologies and R32 refrigerant to deliver improved efficiencies. Designed to satisfy domestic premises permitted development standards (MCS020), the market leading low noise levels virtually eliminate the need for planning permission and maximises installation options."

Notwithstanding, in response to the comments received, two technical assessments have been prepared by Murray Acoustics Ltd, which directly consider the potential noise impact of the proposed ASHP arrangements on Plots 3 and 4 as raised in the comments.

The assessments have been undertaken with reference to MCS 020a, adopting the relevant 37.0 dB(A) criterion, and have taken a conservative approach by assessing the cumulative noise contribution of both the host plot's own ASHP unit and the relevant neighbouring/opposing ASHP units.

For Plot 3, the assessment predicts a cumulative noise level of 33.3 dB(A) at Assessment Position 1 and 32.8 dB(A) at Assessment Position 2, both of which are below the 37.0 dB(A) threshold. For Plot 4, the assessment predicts a cumulative noise level of 31.0 dB(A), again below the 37.0 dB(A) threshold. The assessments therefore demonstrate compliance with the relevant MCS 020a noise criterion and confirm that the ASHP arrangements do not give rise to an unacceptable airborne noise impact.

The objection refers to the alignment of the ASHPs with a bedroom window on the adjacent dwelling. It is assumed that this refers to the bedroom window on the front elevation of the properties, noting that the ASHPs are proposed on the side elevations. There are no habitable room windows within the side elevations of the affected properties. In any event, the independent acoustic assessments have specifically considered the nearest relevant habitable room assessment positions and confirm that the predicted noise levels remain comfortably below the applicable MCS 020a threshold. On this basis, there is no substantiated noise-related reason to withhold planning permission.

Airflow, efficiency and system performance

Representations have raised concerns regarding airflow recirculation and system efficiency, particularly in relation to the units serving Plots 3 and 4. The applicant has sought to respond to these concerns through the proposed repositioning of the relevant unit, which would introduce a staggered arrangement and avoid the units sitting directly opposite one another in their current configuration.

The manufacturer correspondence provided by objectors appears to give general technical advice, rather than identifying a planning prohibition or concluding that the proposed revised arrangement is unacceptable.

The correspondence refers to maximising separation where possible. The proposed repositioning has been advanced precisely to improve the relationship between the relevant units and respond to the operational concerns raised.

Furthermore, the positions align with the installation guide (link: [Installation Manual \(PDF\)](#)).

This guidance specifically requires:

At 2.1: *“Avoid locations exposed to direct sunlight”*

At 2.3.1: *“Situate the air outlet of the unit so that it is not directly exposed to strong winds. Strong wind entering the air outlet may impede the normal airflow and a malfunction may result. Precautions against strong winds: Face the air outlet **towards the nearest available wall** about 35cm away from the wall”.*

It is also material that the independent heating report referred to by objectors identifies a number of other potential system performance matters, including internal pipework configuration, external insulation, internal insulation, the UFH mixing valve and possible property fabric issues. System efficiency is therefore not solely attributable to the external position of the ASHP unit. We have reviewed the submitted report and there are no valid claims, nor any factual evidence presented to suggest the ASHP is not operating correctly. Conversely everything is in working order with warranty and certificate sign offs.

Many of these matters are technical, installation, commissioning, warranty or building control matters rather than material planning issues. Notwithstanding it is relevant to note that the manufacturers guidance also advises external pipework should be minimised to maximise efficiency of the unit. The location of the ASHP on the side elevation is considered the most efficient location, placing the external fan adjacent to the internal cylinder to minimise pipework and optimise performance.

The planning question for the Council is whether the siting of the ASHP units would result in unacceptable impacts on amenity, character or appearance. The submitted evidence does not demonstrate that the proposed revised arrangement would result in planning harm sufficient to justify refusal, and the location and slight adjustment proposed is inline with manufacturers guidelines for best practice installation which includes being close to a wall (within 1m), isolated from winds, with short pipe runs and out of direct sunlight.

Visual amenity

The ASHP units are modest domestic plant items located on side elevations of dwellings within a modern residential development. While some views may be available from the street, the units would be read as ancillary equipment associated with the dwellings and would not appear as dominant or incongruous features within the streetscene. Furthermore, the location of the ASHP and the limited views do not materially undermine the character or appearance of the dwellings or the wider development.

The objections suggest that less visible locations may be available, however, this does not mean the location of the ASHP on the side elevation is in itself not acceptable. Conversely, other locations would go against manufacturers guidance and would void the warranty regarding being placed in direct sunlight, open to wind, and not facing a wall.

As a result the proposed location was chosen during the construction of the scheme to ensure that minimal external pipe work was required to the units in line with the manufacturers guidance, in addition to locating the ASHP on a elevation with no habitable room windows, and away from the most visible elevations of the development to the front and rear.

The objection also makes reference to the new location being marked with a chalk line (shown in the submitted attachment 4b) commenting that the submitted drawings do not include dimensions to confirm this. It should be noted that scalable plans have been submitted by the applicant, so all measurements can be scaled off the plans. It is important to note that the chalked line on the submitted objectors photograph **does not** appear to reflect the new location of the proposed unit (the chalk line appears to be closer to the front of the house).

For the avoidance of doubt, I have included a table below which outlines the positions relative to the front elevation of the property, as installed and as proposed in this application. Please note there are no proposed changes to the heights of the units.

Plot	As Installed (mm)	As Proposed (mm)	Comments
1	1700	1700	No change
2	1700	1700	No change
3	1600	2600	Moves to the rear by 1000mm
4	1400	900	Moves forward by 500mm
5	2650	2650	No change
6	1070	1070	No change
7	1060	1060	No change
8	2160	2160	No change

The proposal therefore accords with the design and amenity objectives of the development plan when considered in the context of the approved residential scheme.

Condensate, safety and maintenance

Concerns have been raised regarding condensate, potential freezing, and future servicing access. These matters are noted, but they are not material planning considerations.

Notwithstanding the ASHP was installed in what is considered the most efficient location, placing the external fan adjacent to the internal cylinder to minimise pipework and optimise performance. On this elevation the ASHP is more sheltered and less prone to direct snow fall and wind drifting, there is less risk of debris blocking the fan from high winds and the wall mount leaves the unit less exposed to impact damage or ground level snow build up.

Similarly, the cost and practicality of future servicing are primarily private maintenance matters between the homeowner, installer and any other parties responsible for the system, rather than matters that would normally justify refusal of planning permission. In any event, the applicant has obtained confirmation from the manufacturer that the ASHP units are capable of being serviced in their current/proposed locations, having regard to the relevant legislative requirements and access arrangements.

Where access from neighbouring land is required for essential maintenance, this is a matter capable of being addressed through the mechanisms available under the Access to Neighbouring Land Act 1992. There is also reasonable physical access for working at height. The ground in the relevant area is level and solid, and the pathway remains clear for general access. The heat pump units can therefore be accessed from the pathway using appropriate equipment, such as platform ladders or a single-width tower scaffold. Accordingly, the representations regarding servicing access do not demonstrate that the ASHP locations are unacceptable in planning terms.

Consultation with residents

The applicant notes the comments regarding engagement with individual residents. The planning application has been submitted to the Local Planning Authority and has been subject to the statutory publicity process. Residents have had the opportunity to make representations, and those representations are now before the Council. Correspondence has also been issued individually to each homeowner at the time of submission (with the Notice no. 1 correspondence to each homeowner submitted with the application).

In addition, the developer has had numerous conversations with the relevant home owners and we have also included an extract from Plot 3’s own snag list which is between P.I.C Homes and Plot 3 showing that the position of the ASHP was being reviewed. We also have confirmation from Plot 4 in writing that they have discussed this with the home owners of Plot 3 prior to the addition of the planning notice being sent out. It is false information to say that they were unaware.

External	Air Source Heat Pumps	The heat pump on the subject property is mounted opposite (approximately 500mm face to face) with the pump on the neighbouring home. There is some lateral separation but the fans of both units are very substantially directly opposite each other. The guidance available online from Mitsubishi would suggest that this arrangement is not acceptable. Discharge air should not be obstructed nor recirculated. Typically, clear unobstructed discharge airflow gaps of a minimum 1.5m is required with no opposing airflow from other units. I would advise the homeowner to seek advice from Mitsubishi directly or from a competent person in this regard as to the suitability of this arrangement.	Recommendation is for us to take action initially by getting an independent report completed. This will cost £400. To arrange for mid-February.	TO BE RECTIFIED / UNDER REVIEW Being addressed; original remedial date declined by neighbour. Revised date to be confirmed.
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All homeowners have therefore been duly notified by the applicant and the Council and have had sufficient time to make representations to the Council and or developer.

Alternative ground-floor rear locations

Objectors have suggested that the ASHP units should instead be relocated to ground-floor rear garden positions. The applicant does not consider that such an alternative is necessary in order to make the development acceptable nor is this justified in the supporting material submitted with the objections.

Specifically, the reports submitted by the objector do not state that the ASHPs should be relocated to the rear garden, and alternatively the minor relocation proposed in this application addresses the issues raised in report.

In addition, rear garden locations introduce their own amenity, operational, pipe-run, or servicing issues noting the presence of habitable rooms on the rear elevation, and also goes against the installation guidance as previously provided.

In any event, the Council is required to determine the application before it. The existence of a potential alternative location does not mean that the current proposed location is unacceptable.

Conclusion

The applicant has considered the objections carefully. However, the matters raised do not demonstrate that the proposal would result in unacceptable harm to residential amenity, visual amenity, or the proper planning of the area. Whilst many of the matters raised in the objections submitted are not material planning considerations, the developer has nonetheless sought to address these in this response and the minor repositioning of the ASHPs to Plot 3 and Plot 4 has been proposed to address the issue of facing ASHPs previously raised with the developer, and this amendment is being delivered at the developers cost and free of charge to the homeowners.

The ASHP units are domestic-scale, ancillary to the approved dwellings, and consistent with the increasing use of low-carbon heating infrastructure in residential development. Where specific concerns have been raised previously regarding the relationship between units, the applicant has sought to address those concerns through repositioning proposed within this application. The technical assessments prepared by Murray Acoustics and submitted with this response confirms that the units are acceptable with consideration to the wider noise environment of the development.

Accordingly, the applicant respectfully requests that the application is approved, subject to the final approved drawing package and any reasonable condition considered necessary by the Council in relation to ASHP noise compliance.

We trust the above sufficiently addresses the comments received, however should any additional information be required, please do not hesitate to get in touch.

Yours sincerely,



Katie Flynn

Director
Hex Land Partners