

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2144/OF1
2.	<b>Proposed Development:</b>	INSTALLATION OF A 15 PANEL SOLAR PV SYSTEM SPLIT OVER REAR/WEST AND SIDE/SOUTH ROOF PITCHES
3.	<b>Location:</b>	CAMBRIDGE HOUSE, 1 CAMBRIDGE STREET, MILLOM
4.	<b>Parish:</b>	Millom
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to Cambridge House, a guest house and bed and breakfast which is located within Millom.  <b>PROPOSAL</b>  Planning Permission is sought for the installation of 15 solar panels split over the rear and side roof pitches. They are proposed to be ultrablack AR coating tempered glass with an anodized aluminium alloy frame. They are to measure 1724 x 1134 x 35mm per panel.	

## **RELEVANT PLANNING APPLICATION HISTORY**

Planning Permission has previously been granted for a bedroom/living room extension at the site (ref: 4/88/0053/4).

## **CONSULTATION RESPONSES**

### Millom Town Council

No objections.

### Conservation and Design Officer

No objections.

### Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 5 no. properties - No objections have been received as a result of this consultation.

## **PLANNING POLICIES**

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Development Plan**

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV4 – Heritage Assets

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM27 – Built Heritage and Archaeology

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS2PU – Reducing the impacts of development on Climate Change

Policy DS6PU – Design and Development Standards

Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

## **ASSESSMENT**

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on heritage assets.

### Principle of Development

The proposed application relates to a guest house and bed and breakfast within Millom and it will provide renewable energy generation. Policy DM11 supports proposals for improvements or alterations to existing buildings that include measures to increase energy efficiency and incorporate renewable energy.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM11 of the Local Plan and the NPPF guidance.

### Scale and Design

Policy ST1 seeks the creation and retention of quality places is on high quality design and the safeguarding of residential amenity. Policy DM10 also seeks to achieve a high standard of design.

The solar panels are appropriately scaled and well designed to be in keeping with the existing building. The majority of the panels will be located on the rear roof pitch and therefore the development will not be excessively prominent within the roofscape and the locality. In addition, the limited projection from the roof of 35mm will further reduce the impact on the existing character and appearance of the building.

No objections to the proposal have been received.

On this basis, the proposal is considered to be of a suitable scale and design in accordance with

Policies ST1 and DM10 of the Local Plan.

#### Heritage Assets

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

Paragraphs 189 – 208 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The application site is located within Millom Conservation Area and the justification for installing the PV arrays is fairly self-evident to provide renewable energy. The array on the rear west-facing roof pitch will not be visible from the Conservation Area, however the one to the south-facing roof pitch will be. The Conservation Officer considered this as entailing less-than-substantial harm to the character and appearance of the conservation area towards the lower end of the scale.

Due to the siting of Cambridge House, the proposal would have a slight harmful impact on the setting of the listed War Memorial which is located 40 metres to the south-east of the building. The Conservation Officer considered this impact at the lower end of less-than-substantial, perhaps negligible.

In addition, due to the design of the building, the proposal on the south-facing roof pitch will be located towards the rear of the building and in a corner of the Conservation Area, where it will only be partially visible. As a result, the Conservation Officer considered the harm as being justifiable, in light of the need to provide electricity more efficiently.

In accordance with the tests set out in the LBCA and the NPPF, the potential harm of the proposed solar panels are considered to be less-than-substantial on the conservation area and listed building, towards the lower, negligible end of the scale, justified by the advantage of providing this building with renewable energy.

On this basis, the Conservation Officer raised no objections to the proposal and therefore it is considered to meet Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.

#### Planning Balance and Conclusion

The proposed solar panels are of an appropriate scale and design and will not have any detrimental impact on the conservation area or the listed War Memorial. It therefore represents an acceptable

	form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.
8.	<b>Recommendation:</b> Approve (commence within 3 years)
9.	<b>Conditions:</b> <ol style="list-style-type: none"> <li>           The development hereby permitted must commence before the expiration of three years from the date of this permission.             Reason             To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.         </li> <li>           This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -             Application Form, received 23<sup>rd</sup> March 2022;            Location Plan, scale 1:1250, drawing no. 1, received 23<sup>rd</sup> March 2022;            Existing and Proposed Site Plan, scale 1:200, drawing no. 1, received 23<sup>rd</sup> March 2022;            Existing and Proposed Elevations and Roof Plan, scale 1:100, drawing no. 1, received 23<sup>rd</sup> March 2022;            Solar Panel Specifications, received 23<sup>rd</sup> March 2022;            Supporting Photographs, received 23<sup>rd</sup> March 2022.             Reason             To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.         </li> </ol> <b>Statement</b>  The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

<b>Case Officer: C. Unsworth</b>	<b>Date : 18/05/2022</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 18/05/2022</b>
<b>Dedicated responses to:- N/A</b>	