

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2280/OF1
2.	Proposed Development:	INSTALLATION OF 22 GROUND MOUNTED SOLAR PANELS TO BE CONFIGURED IN A TWO ROW ARRAY, EACH WITH 11 PANELS
3.	Location:	LAND ADJACENT TO THE BEECHES, KIRKLAND
4.	Parish:	Lamplugh
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION <p>This application relates to The Beeches, a detached dwelling situated on the southern tip of Kirkland. There are residential dwellings to the north, agricultural fields to the south and west and the road leading from Ennerdale Bridge to Kirkland to the east.</p> PROPOSAL <p>Planning Permission is sought for the installation of ground mounted solar panels in the field adjacent to the property. There will be 22 panels in total, covering an area of 40 square metres.</p> <p>The panels will tilt to face south at an angle of 30 degrees, be 1.18m from ground level at the highest point and 0.4m from the ground at the lowest point. They will be 1.77m in length and be anchored into the ground by a 1.2m screw.</p>	

RELEVANT PLANNING APPLICATION HISTORY

There have been no previous relevant applications on the site.

CONSULTATION RESPONSES

Lamplugh Parish Council

No comments received.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 1 no. property.

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 ENV3 – Biodiversity and Geodiversity

Policy ENV6 – Access to the Countryside

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

Wildlife and Countryside Act 1981

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

ASSESSMENT

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

Principle of Development

The proposed application relates to a south-facing field adjacent to The Beeches, Kirkland and it will provide renewable energy generation for the existing dwelling on the site. Policy DM11 supports proposals that reach high standards of sustainability and incorporate renewable energy. The Applicant states that the panels will add to the sustainability of their dwelling, which is already served by an air source heat pump and mechanical ventilation system. The panels will help to power the air source heat pump and reduce their need for electricity from the grid.

The siting of the panels is well related to the existing dwelling and during the pre-application stage, the Applicant ruled out other locations for logistical purposes.

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

Scale and Design

Policy ST1 seeks the creation and retention of quality places is on high quality design. Policy DM10 requires development to respond positively to the character of the site and the wider setting and maintain reasonable standards of general amenity.

The ground-mounted solar panels are considered to be modest in scale and suitably located within the site, behind an existing boundary wall and in a position where they will not be seen from surrounding viewpoints. The modest height of the ground mounted panels will ensure amenity standards are maintained for the parent dwelling and the design is considered to be suitable for the use. There are no neighbouring dwellings to the south of the proposal, therefore there will be no

amenity issues for other properties.

On this basis, the proposal is considered to be acceptable in terms of scale and design and comply with Policy DM10.

Landscape and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The application site lies within a vacant agricultural field at the southern tip of Kirkland. The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 11a 'Foothills', which includes large areas of farmland which are bound by stone walls and hedges. The CLCGT seeks to conserve and enhance the landscape with new developments respecting the grain and scale of the landscape.

The proposal will be screened by the existing boundary wall to the north of the site. Furthermore, due to the topography of the land, the site will not be visible from the access road leading into Kirkland from Ennerdale Bridge. This will minimise the impact of the development on the surrounding landscape in accordance with the vision set out in the CLCGT.

Overall, the solar panels are not considered to have a significant impact on the character and appearance of the landscape or result in a significant intrusion into the open countryside. The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the CLCGT.

Ecology

Policy ST1, ENV3 and DM25 and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposals that are likely to have an effect on nature conservation sites, habitats and protected species.

The application is not supported by any ecology details as the site does not relate to the ALGE trigger list. On this basis, it is considered that it would not be necessary to seek an ecological survey for this minor application.

On this basis, it is therefore considered that the development complies with Policies ST1, EV3 and DM25 of the Copeland Local Plan and the NPPF guidance.

Planning Balance and Conclusion

The proposed solar panels are of an appropriate scale and design and will not have any detrimental impact on the character of the area or ecology. 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.	Recommendation: Approve (commence within 3 years)	
9.	Conditions: 1. The development hereby permitted shall be commenced 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. 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Site Location Plan, scale 1:1250, received 28 th June 2022; Site Block Plan, scale 1:200, received 28 th June 2022; Proposed Site Plan, received 28 th June 2022; Proposed Elevations, received 28 th June 2022; Planning Supporting Information, received 28 th June 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. Statement 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.	
Case Officer: Sarah Papaleo		Date : 08/08/2022
Authorising Officer: N.J. Hayhurst		Date : 18/08/2022
Dedicated responses to:- N/A		