

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2358/0F1
2.	Proposed Development:	INSTALLATION OF AN AIR SOURCE PUMP TO BE INSTALLED AT FRONT OF OUR PROPERTY; SOLAR PANELS ON THE ROOF
3.	Location:	1 ROWNTREE GARDENS, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See Report
7.	Report: SITE AND LOCATION <p>The application site comprises a two storey mid terraced dwelling house in a block of three properties, situated in a residential area of Egremont.</p> <p>The application site is on Rowntree Gardens, which forms part of a modern residential estate accessible via East Road.</p> <p>The dwelling has gardens to the front and rear. A parking/ bin storage area is in place to the front of the property, separated from the front garden via a low timber fence, which also has gated access. A timber fence is also in place to the sides of the front garden.</p> PROPOSAL <p>The proposal involves the installation of an air source heat pump to the front elevation of the property. The unit would be sited below a ground floor window and would measure approx.</p>	

1.08m high x 1.095m wide x 0.518m deep. The unit would be approx. 1m from the shared boundary with 1 Christy Place and approx. 3m from the shared boundary with 2 Rowntree Gardens.

In addition, a solar panel array is proposed to the front roof slope comprising 6 panels, each measuring approx. 1.722m x 1.134m x 0.3m. The panels would be arranged in two columns of three panels, to each side of an existing central roof light.

RELEVANT PLANNING APPLICATION HISTORY

N/A

CONSULTATION RESPONSES

Town Council

No response received within the consultation period.

Environmental Health

Requested a noise assessment be submitted. No objections upon receipt of this information.

Public Representations

The application has been advertised by way of neighbour notification letters issued to two adjacent properties. No comments have been received as a result of this consultation process.

PLANNING POLICIES

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

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development

Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the Local Plan as commenced by Copeland Borough Council.

The Local Plan was adopted by Cumberland Council on the 5th of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:-

Policy DS4: Design and Development Standards

Policy H14: Domestic Extensions and Alterations

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on the visual amenity of the locality and adjacent residential amenity.

Principle of Development

The proposed application relates to a residential dwelling within Egremont. The development would introduce an air source heat pump to the front of the dwelling and solar panels to the front roof slope.

Policy H14 of the Copeland Local Plan supports domestic extensions and alterations to residential properties subject to detailed criteria, which are considered below.

The principle of the development is therefore accepted within the context of Policy H14 of the Copeland Local Plan.

Scale and Design

Policy H14 of the Copeland Local Plan indicates that developments within the curtilage of existing properties will be permitted, provided that they would not adversely alter the existing building or street scene. Policy DS4 of the Copeland Local Plan indicates that all new development should meet high quality standards.

The proposal would result in the siting of an air source heat pump to the front façade of the property, which would be positioned below an existing window. The applicant has advised

that it is not possible to position the heat pump to the rear of the property, due to the configuration of windows and doors to this elevation limiting the wall space available to house the unit. The proposed position is therefore the only feasible option to site the unit.

Although this element of the proposal would introduce equipment to the front of the property, there is a fence in place to the front and side boundaries of the front garden, which enclose the small front garden area and would partially screen the unit to some effect.

Similarly, the proposed solar panels array would not protrude significantly above the front roof slope so as to appear visually jarring. It is also noted that solar panel development is in place to other properties within the locality, such that this element of the proposal would not be out of character with development within the surrounding area.

Given that the proposed air source pump and solar panels would provide renewable energy to the property, and that the visual impact of the proposals has been reduced as far as possible in terms of the projection of the panels and the existing screening in place via the boundary fence to the front of the property, it is considered that the proposed development would not have a significant adverse impact upon the existing building or street scene.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in this regard.

Residential Amenity

Policy DS4 of the Copeland Local Plan states that all new development should maintain high levels of amenity and that developments must mitigate noise pollution through good layout, design and appropriate screening. Policy H14 of the Copeland Local Plan indicates that alterations to dwellings will be permitted provided that the development would not harm the amenity of the occupiers of the parent property or adjacent dwellings through noise nuisance.

The proposed air source pump would be situated within 1m of the shared side boundary with the neighbour at 1 Christy Place, and within 3m of the shared side boundary with 2 Rowntree Gardens.

The Council's Environmental Health Officer requested the submission of an MCS020 Noise Assessment to ensure that the proposed Air Source Heat Pump would meet the minimum planning standard of a noise output of 42 dBA within one metre of the nearest neighbouring residential door or window opening. The applicant has provided a suitable Noise Assessment, which the Council's Environmental Health Officer raises no objection to. It is noted that the air source heat pump should be maintained in good working order to prevent any future noise issues. Should any issues occur in the future, this can be dealt with under separate statutory nuisance legislation.

Given that the proposal is sufficiently separated from adjacent properties and would not give rise to adverse noise pollution, it is considered that the proposal would not have a significant adverse impact upon adjacent residential amenity.

The proposal therefore complies with Policies DS4 and H14 of the Copeland Local Plan in



Cumberland Council

	<p>this regard.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed addition of an air source heat pump and solar panels at the property would preserve the visual amenity of the locality and retain suitable standards of residential amenity. It would also facilitate the use of sustainable energy sources.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1.The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>2. This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:</p> <ul style="list-style-type: none">- Application Form, received 23rd October 2024- Location Plan, scale 1:1250, received 23rd October 2024- Block Plan, scale 1:200, received 23rd October 2024- Proposed Elevation, scale 1:100, DWG No. 24/0419/01, received 23rd October 2024- Air Source Heat Pump information sheet, received 23rd October 2024- Solar Panel information sheet, received 23rd October 2024- Noise Assessment, received 19th December 2024 <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p>

	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: L. White		Date : 09/01/2025
Authorising Officer: N.J. Hayhurst		Date : 10/01/2025
Dedicated responses to:- N/A		