



## CUMBERLAND COUNCIL

### DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2376/0L1
2.	<b>Proposed Development:</b>	LISTED BUILDING CONSENT FOR INSTALLATION OF AN AIR SOURCE HEAT PUMP (ASHP) AIRA 6KW OUTDOOR UNIT AND INTERNAL 100 LITRE WATER TANK
3.	<b>Location:</b>	THE TOWER COTTAGE, BANKSPRINGS BREWERY, KIRKSANTON
4.	<b>Parish:</b>	Whicham
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Off Coalfield - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See report.
7.	<b>Report:</b> <b>SITE AND LOCATION</b>  This application site relates to The Tower Cottage which form part of a small cluster of properties situated within the open countryside within Kirksanton.  The property is accessed via a private driveway.  The property is a Grade II Listed Building.  <b>PROPOSAL</b>  Planning permission was previously granted under application reference 4/24/2359/0F1 and Listed Building Consent under reference 4/24/2408/0L1 for the installation of an air source heat pump. This new now application seeks permission to install the unit in a different location.  Listed Building Consent is sought for the installation of a 6kw air source heat pump external unit and internal 100L water tank. The unit is to be 1.1m in width, 0.45m in depth and total height to be 1.05m.	

This application is also being considered alongside a Planning application (reference: 4/25/2381/0F1) for the same works at the site.

### **RELEVANT PLANNING APPLICATION HISTORY**

4/24/2359/0F1 AIR SOURCE HEAT PUMP INSTALLATION (6kW)

4/24/2408/0L1 LISTED BUILDING CONSENT FOR AIR SOURCE HEAT PUMP INSTALLATION (6kW)

### **CONSULTATION RESPONSES**

#### Whicham Parish Council

No comments received to date.

#### Cumberland Council Conservation Officer

No objections.

- This application effectively supersedes a proposal from last year for installation of the ASHP in a different location.
- This proposal now seeks to locate the unit on the rear wall of the building in order to make the unit more accessible for maintenance and reduce the internal piping runs.
- I would view this as entail a small amount of less-than-substantial harm to the appearance of the property, and there will need to be some holes drilled through the external wall into the interior for the main supply and return pipes.
- This would appear justified by the benefit of heating the house using an ASHP, and positioning it so as to be accessible and efficient.

### **PLANNING POLICY**

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 LP as commenced by Copeland Borough Council. The LP 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

Policy BE1 – Heritage Assets

Policy BE2 – Designated Heritage Assets

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

National Design Guide (NDG)

Cumbria Development Design Guide

Planning (Listed Buildings and Conservation Areas) Act 1990.

## **ASSESSMENT**

Policies BE1 and BE2 of the Copeland Local Plan seek to protect, conserve and where possible enhance listed buildings and their settings. The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting. Section 16.2 requires that: 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as listed buildings, 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. Information has been provided by the Applicant in respect of the heritage asset significance of the property and the impacts of the proposed development; and, the proposals have been fully reviewed and assessed by the Conservation Officer of the Council and by the Planning Officer.

The heritage asset significance of the property is principally derived from its physical

	<p>form/construction. The building is a Grade II Listed Building.</p> <p>This application seeks Listed Building Consent for the installation of an Air Source Heat Pump which will be 1.1m in width, 0.45m in depth and 1.05m in height with a 6kW output.</p> <p>The works are not considered to remove any historical features of the building, and the proposal is modest in scale. Although there will be the introduction of pipework to the building itself, it is considered to conserve the traditional character of the building and is not considered to impact upon its character and setting.</p> <p>The Councils Conservation Officer also raised no objections to the proposal.</p> <p><u>Planning Balance and Conclusion</u></p> <p>Given the minor nature of the works proposed it is considered the proposed works would have a less than substantial impact on the Listed Building. These impacts are outweighed by the positive benefits of ensuring the ASHP can now be easily accessible and well maintained. The works proposed to the exterior for pipework etc are minor and are acceptable.</p> <p>The works are therefore considered to be in accordance with Policies BE1 and BE2 of the Local Plan. In applying the tests of the Copeland Local Plan 2013-2028, the LBCA and the NPPF, the proposal is not considered to harm the heritage significance of the Listed Building, so is therefore supported.</p>
8.	<p><b>Recommendation:</b> Approve Listed Building Consent (start within 3yr)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li data-bbox="160 1439 1494 1507">1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. Reason In order to comply with Section 18 (1) of the amended Planning (Listed building and Conservation Areas) Act 1990.</li> <li data-bbox="160 1776 1414 2041">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: - <ul style="list-style-type: none"> <li data-bbox="208 1888 1129 1922">- Application Form, received 5<sup>th</sup> November 2025;</li> <li data-bbox="208 1922 1129 1956">- Site Location Plan, scale 1:2500, received 5<sup>th</sup> November 2025;</li> <li data-bbox="208 1956 1129 1989">- Site Block Plan scale 1:200, received 5<sup>th</sup> November 2025;</li> <li data-bbox="208 1989 1129 2023">- Site Block Plan, scale 1:100, received 5<sup>th</sup> November 2025;</li> </ul> </li> </ol>



**Cumberland  
Council**

	<ul style="list-style-type: none"><li>- Existing &amp; Proposed Floor Plans, scale 1:50, received 5<sup>th</sup> November 2025;</li><li>- Design, Access &amp; Heritage Statement, received 5<sup>th</sup> November 2025;</li><li>- Noise Assessment Calculations, received 5<sup>th</sup> November 2025;</li></ul>
--	---

**Reason**

In order to ensure the works are carried out in complete accordance with the approved plans to preserve the historic and architectural qualities of this heritage asset.

**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 Listed Building Consent in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

<b>Case Officer:</b> Demi Crawford	<b>Date :</b> 13/01/2026
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 14/01/2026
<b>Dedicated responses to:-</b> N/A	