

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/25/2381/0F1 |
| 2. | Proposed Development: | INSTALLATION OF AN AIR SOURCE HEAT PUMP (ASHP) AIRA 6KW OUTDOOR UNIT AND INTERNAL 100 LITRE WATER TANK |
| 3. | Location: | THE TOWER COTTAGE, BANKSPRINGS BREWERY, KIRKSANTON |
| 4. | Parish: | Whicham |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Off Coalfield - Data Subject To Change |
| 6. | Publicity Representations &Policy | See report. |
| 7. | Report: SITE AND LOCATION <p>This application site relates to The Tower Cottage which forms part of a small cluster of properties situated within the open countryside within Kirksanton.</p> <p>The property is accessed via a private driveway.</p> <p>The property is a Grade II Listed Building.</p> PROPOSAL <p>Planning permission 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.</p> <p>This application is also being considered alongside a Listed Building Consent application (reference: 4/25/2376/0L1) for the same works at the site.</p> | |

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

Support the application.

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.

Environmental Health

This is an application that supersedes a proposal that was approved previously. Based on the information provided, Environmental Health have no objections to this new proposal.

The ASHP should be kept in good order and maintenance, as outdoor units can be subject to poor weather conditions that can cause wear and tear over time and cause them to become noisier as a result. In such circumstances, the statutory nuisance provisions of s79 Environmental Protection Act 1990 can apply.

Public Representations The application has been advertised by way of letters to 2 neighbour properties, and a site notice displayed on the site.

No representations have been received as a result of this consultation process.

PLANNING POLICY

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



Cumberland Council

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 2001- 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

The key issues raised by this proposal are the principle of development, its siting, scale, design and appearance, impacts upon residential amenity and impact on heritage assets.

Principle of Development

The proposed application relates to a former brewery and tower, now a residential dwelling which is located within the open countryside in Kirksanton.

The property is a Grade II listed building.

Policy H14 supports alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the proposal satisfies Policies DS4 and HS14 of the Copeland Local Plan and the National Planning Policy Framework.

Scale, Design & Impacts on residential Amenity

Policy DS4 section 12 of the NPPF seek to promote high quality designs.

Policy H14 supports house extensions where the scale, design and materials of the proposed development would not adversely alter the character or appearance of the existing building, street scene or wider surrounding area.

The proposed Air Source Heat Pump is considered to be suitably located to the rear of the property. It will be 1.1m in width, 0.45m in depth and 1.05m in height with a 6kW output.

The parent property has other residential properties nearby to the proposal and therefore potential noise issues were a consideration as part of this proposal. The ASHP external unit's noise impact has been addressed as part of the proposal. The unit has been carefully sited with adequate separation distances from neighbouring properties and specific windows to habitable rooms which ensures that the proposal meets a noise limit of 37dB for ASHPs set out in the MCS 020 Planning Standard for ASHPs on domestic premises.

Environmental Health raised no objections to the proposal.

Given the scale and design of the heat pumps, suitable location and proposed noise output, the works would not result in overbearing development to adjoining neighbours.

On this basis, the scale and design of the proposal is considered to be acceptable, and residential amenity issues to be minimal, and therefore the proposal is considered to meet Policy DS4 and H14 of the Copeland Local Plan and NPPF guidance.

Impacts on Heritage Assets

Policy BE1 seeks to preserve and enhance heritage assets and their setting by ensuring proposals are sympathetic to the local character and history.

The ASHP is not considered to have any adverse impacts on the parent property, or adjacent neighbouring properties and the local surrounding area due to its location at the rear along the wall facing the back of the property. This is to further guarantee that the equipment will be easily accessible for maintenance and further minimises the amount of pipework to be installed to the indoor units of the ASHP system.

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.

The Council's Conservation Officer also raised no objections to the proposal.

The proposal is therefore considered to comply with Policy BE1 of the Copeland Local Plan.



Cumberland Council

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| | <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks Planning permission for the installation of an ASHP to the property Tower Cottage, which is a Grade II Listed Building located within Kirksanton.</p> <p>This application supersedes a proposal previously approved under application reference 4/24/2359/0F1 for the installation of an ASHP in a different location.</p> <p>The proposal is modest in scale and will now be sited to the rear of the property. The noise output of the unit is considered to be acceptable and therefore there are no detrimental impacts upon neighbouring amenity.</p> <p>The installation of the ASHP is considered to entail a small amount of less-than-substantial harm to the appearance of this Grade II Listed property, and therefore, has no detrimental impact to this heritage asset, or the wider area.</p> <p>On this basis, the proposal is considered to be acceptable, and complies with the policies of the Copeland Local Plan and NPPF guidance.</p> |
| 8. | <p>Recommendation:</p> <p>Approve (commence within 3 years)</p> |
| 9. | <p>Conditions:</p> <p>1. The development hereby permitted shall be commenced 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. 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: -</p> <ul style="list-style-type: none">- Application Form, received 5th November 2025;- Site Location Plan, scale 1:2500, received 5th November 2025;- Site Block Plan scale 1:200, received 5th November 2025;- Site Block Plan, scale 1:100, received 5th November 2025;- Existing & Proposed Floor Plans, scale 1:50, received 5th November 2025;- Design, Access & Heritage Statement, received 5th November 2025;- Noise Assessment Calculations, received 5th November 2025; <p>Reason</p> |

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.

Informative Note

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemption: Householder development

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: Demi Crawford

Date : 13/01/2026

Authorising Officer: N.J. Hayhurst

Date : 14/01/2026

Dedicated responses to:- N/A