

DELEGATED DECISION REPORT

HPK/2024/0218 AND HPK/2024/0227 Valid 18/06/2024	BOWER COTTAGE WHITLE FOLD WHITLE BANK ROAD NEW MILLS	INSTALLATION OF AIR SOURCE HEAT PUMP. NEW OUTDOOR UNIT, REPLACEMENT OF INTERNAL EQUIPMENT (FULL – HOUSEHOLDER AND LISTED BUILDING CONSENT)
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MAIN ISSUES

- Heritage – listed building
- Heritage – Whitle conservation area
- Amenity

DESCRIPTION OF SITE

Bower Cottage is a grade II listed building. Bower Cottage is a converted barn, now detached dwellinghouse. The listing description covers Bower Cottage and two other barns at Bower House Farm. The other two barns consist of Appletree Barn (now dwellinghouse) and a smaller barn, which now acts as an outbuilding to Bower Cottage.

PROPOSAL

Planning permission and listed building consent is sought for the installation of an air source heat pump adjacent to the north west elevation. This will include installation of the necessary pipework etc.

It is noted that the plans demonstrate removal on the internal vestibule wall, however, the applicant has confirm this is not part of the proposal.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 4 Green Belt Development
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4
Section 12
Section 13
Section 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- HPK/0003/4095 AND HPK/0003/4096 Restore And Renovate Derelict Cottage APPROVED
- HPK/2014/0555 AND HPK/2014/566 Proposed Conversion of an Existing Barn Currently Used for Storage into Ancillary Accommodation to the House APPROVED 22/12/2014
- HPK/2022/0405 AND HPK/2024/0406 Single storey extensions and internal alterations WITHDRAWN

CONSULTATIONS

Publicity

Site Notice expiry date: 25/07/2024
Neighbour consultation period ends: 17/07/2024
Press Advert: 25/07/2024

Public Comments

Neither (1)
- Concerns regarding proximity to farm yard

Town / Parish Comments

Not object.

Environmental Health

None received

Derbyshire County Council Highways

No objection

Historic England

No comment

HPBC Conservation Officer

None received

OFFICER COMMENTS

Principle of Development

The application site is within the Green Belt. Paragraph 154 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. LP Policy EQ 4 states that within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy. As such must be determined if the proposal is considered appropriate development for within the Green Belt.

Paragraph 154 (previously paragraph 149) of the NPPF states that an LPA should regard the construction of new building as inappropriate in the green belt, unless it meets one of the exceptions listed in this paragraph. In this case, the air source heat pump would amount to an extension or alterations of a building and provided that it does not result in a disproportionate addition, over and above the size of the original dwelling would be acceptable. Whilst the heat pump would not be physically attached the buildings, it has been held in in the court (Warwick DC vs SOS 2022) that detached buildings can amount to an extension to a dwellinghouse. It was concluded that:

Accordingly, I am satisfied that [149(c)] is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension

The dwelling has not been previously extended and therefore given the overall size and height of the structure would not amount to a disproportionate addition to the dwelling, and thus comprises appropriate development in the green belt.

The principle of the development is therefore considered acceptable subject to consideration of the following policies.

Design and Heritage

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

LP Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

Section 16 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether

any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposed ASHP unit will be located on the north western elevation, adjacent to a low stone boundary wall. ASHP will not be visible when approaching the dwelling, and will have minimal visibility when viewed from the principle elevation. The northwest elevation is a black side elevation and as such the proposed unit will not obstruct any key features of the barn.

Overall, the ASHP unit is of a modern appearance and its placement ensures that the proposed unit will not harm the listed building. Furthermore, the unit will not be visible from outside of the application site and as such will not harm the wider conservation area. As such the applications are considered acceptable in terms of design and heritage and would sustain the importance of the heritage asset.

Amenity

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The ASHP unit will be located next to a low stone wall boundary. This wall forms the boundary between the application site and Bower house farm yard. This yard forms the entrance to Bower House farm, Appletree Barn. The closest neighbour at Appletree Barn is located 7m to the north.

The applicant has supplied the sound specifications for the proposed ASHP unit. This demonstrates that the unit complies with MCS 20 permitted development sound limits, the noise levels being 42db. Had the unit be located in the curtilage of a non listed building it would be considered to comply with permitted development rights, and would not require planning permission on the basis of sound levels. Despite the concerns raised by the neighbour, it is therefore considered unreasonable to object to the application on the basis of noise pollution.

The unit is considered to be of a satisfactory sound output and to be located a sufficient distance from any neighbouring dwelling as to not negatively impact upon amenity.

As such there are no amenity concerns.

Highway Safety

LP Policy CF 6 states that all development should deliver sustainable patterns of development by ensuring that it does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic.

The proposal will not impact upon existing highway safety provisions.

Other matters

It is also noted that plans show the removal of an inner wall. However, upon discussion with the applicant it has been confirmed that this is not part of the proposal.

Furthermore, the heritage statement refers to removal of a coal store. This has been confirmed to be a freestanding timber structure positioned where the ASHP unit will be located. The removal of the coal store does not, therefore, require planning permission.

CONCLUSION / PLANNING BALANCE

In conclusion the proposed ASHP unit is considered to be satisfactory in terms of design and heritage. The unit is not considered to harm the listed building, nor the conservation area. The development would sustain the heritage asset. Furthermore the proposed unit has been found to be compliant with permitted development sound levels. As such it has been found satisfactory in terms of amenity. The proposed development is therefore recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 9th August 2024

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Signed by: Jane Colley Signature

On behalf of High Peak Borough Council