

Delegated Report

Planning Ref: 24/00356/CLP

Applicant: Mr Neil Morgan

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: 101 Barton Road Congerstone Nuneaton



Hinckley & Bosworth
Borough Council

Proposal: Installation of external heat pump unit to external wall of existing residential building at ground level

1. Recommendations

1.1. Grant Certificate of Lawful Proposed Development

2. Planning application description

- 2.1. The application seeks a Certificate of Proposed Lawful Development for the installation of an air source heat pump at 101 Barton Road, Congerstone.
- 2.2. The air source heat pump would be situated to the side (south-west) ground floor elevation of the dwelling.
- 2.3. It would sit approximately 6.20 metres behind the principle elevation of the application dwelling and approximately 4.80 metres forward of the rear elevation of the application dwelling and would measure 0.92 metres in height, 1.25 metres in width and 0.36 metres in depth.
- 2.4. The air source heat pump would be the Daikin EDLA-E 4/6/8 kw.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey detached dwelling situated within the settlement boundary and conservation area of Congerstone. The dwelling comprises the use of red brick to the walls, grey tiles to the roof and cream uPVC to the windows. A natural stone pillared structure surrounds the main entrance of the dwelling which is accessed from the public footpath by a row of eight steps. The dwelling is not accompanied by off-street parking forward of the front elevation, however instead sits a raised gravelled hardstanding surrounded by a low rise grey brick wall and various vegetation. The site can be accessed to the south of Barton Road.
- 3.2. The area is predominantly residential in nature, however to the south-east of the site lies open countryside. The street scene comprises a mixture of large modern and barn type farmhouses along with more traditional vernacular brick cottages and newly built development with a mix of brick and render which incorporate a range of local architectural features.
- 3.3. The dwelling forms part of a residential development comprising 6 dwellings, which was approved in October 2012 (Ref; 11/01021/FUL).

4. Relevant planning history

80/00274/4

- TEMPORARY STORAGE AREA FOR WATER TANKS

- REF
- 24.06.1980

80/00434/4M

- ERECTION OF WATER STORAGE TANK
- REF
- 24.06.1980

84/00704/4

- EXTENSION TO EXISTING STOCKYARD AND CONVERSION OF PART TO LAIRAGE
- PER
- 25.09.1984

84/00298/4

- NEW STAIRWAY AT REAR OF MEAT PLANT
- PER
- 01.05.1984

81/01130/4

- PROPOSED RATIONALISATION OF DAWKINS OF CONGERSTONE LTD PREMISES AT CONGERSTONE INCLUDING EXTENSIONS INTO DEVECOTE FARMYARD
- PER
- 22.12.1983

79/00438/4M

- ERECTION OF TELEPHONE ROOM
- PER
- 25.04.1979

76/01249/4M

- REPAIRS AND IMPROVEMENTS TO EXISTING RETAIL BUTCHERS SHOP CONVERSION OF ADJOINING GENERAL STORE AND FLAT OVER TO OFFICES
- PER
- 23.11.1976

75/01678/4M

- EXTENSION TO DESPATCH AREA AND CANOPY OVER
- PER
- 23.12.1975

5. Publicity/Consultation

- 5.1 This is an application for a certificate of proposed lawful use and no publicity or consultation is required.

6. Policy

- 6.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. Appraisal

- 7.1 The main consideration for the determination of this proposal is whether the proposed development falls within permitted development as set out under The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) Schedule 2 Part 14, Class G.

- 7.2 Please note Class G covers the installation or alteration etc. of air source heat pumps on domestic premises.

G.1. Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards.

G.2. Development is not permitted if:-

- a) in the case of the installation of an air source heat pump, the development would result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building or block of flats;

The development would not result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building.

- b) in the case of the installation of an air source heat pump, a wind turbine is installed on the same building or within the curtilage of the dwellinghouse or block of flats;

The development would not result in the installation of a wind turbine on the same building or within the curtilage of the building.

- c) in the case of the installation of an air source heat pump, a stand-alone wind turbine is installed within the curtilage of the dwellinghouse or block of flats;

The development would not result in the installation of a stand-alone wind turbine within the curtilage of the dwellinghouse.

- d) the volume of the air source heat pump's outdoor compressor unit (including any housing) would exceed 0.60 cubic metres;

The volume of the air source heat pump would be 0.416 metres and by virtue would not exceed 0.60 cubic metres.

- e) any part of the air source heat pump would be installed within 1.00 metre of the boundary of the curtilage of the dwellinghouse or block of flats;

No part of the air source heat pump would be installed within 1.00 metre of the boundary of the curtilage of the dwellinghouse.

- f) the air source heat pump would be installed on a pitched roof;

The air source heat pump would not be installed on a pitched roof.

- g) the air source heat pump would be installed on a flat roof where it would be within 1 metre of the external edge of that roof;

The air source heat pump would not be installed on a flat roof.

- h) the air source heat pump would be installed on a site designated as a scheduled monument;

The air source heat pump would not be installed on a scheduled monument.

- i) the air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse or the block of flats if the dwellinghouse or the block of flats is a listed building;

The building or on land within the curtilage of the dwellinghouse is not a listed building.

- j) in the case of land within a conservation area or which is a World Heritage Site the air source heat pump—

(i) would be installed on a wall or a roof which fronts a highway; or

(ii) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway; or

The site is situated within a conservation area, however would comply with (i) and (ii).

- k) in the case of land, other than land within a conservation area or which is a World Heritage Site, the air source heat pump would be installed on a wall of a dwellinghouse or block of flats if—

(i) that wall fronts a highway; and

(ii) the air source heat pump would be installed on any part of that wall which is above the level of the ground floor storey.

The site is situated within a conservation area, however would comply with (i) and (ii).

Conditions

G.3. Development is permitted by Class G subject to the following conditions—

- a) the air source heat pump is used solely for heating purposes;

The air source heat pump is solely for heating purposes.

- b) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

The air source heat pump is sited as to minimise its effect on the external appearance of the building.

- c) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

The air source heat pump is sited as to minimise its effect on the amenity of the area.

- d) the air source heat pump is removed as soon as reasonably practicable when no longer needed.

The air source heat pump will be removed as soon as practicable when no longer needed.

8. Equality implications

8.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

8.3 There are no known equality implications arising directly from this development.

9. Recommendation

9.1 Grant Certificate of Lawful Proposed Development

9.2 The application has been determined with consideration to the following submitted documents:

- Application Form
- Site Location Plan
- Dimensions
- Specification

- Planning Statement as received by the Local Planning Authority on the 25th April 2024.
- Site Plan as proposed as received by the Local Planning Authority on the 7th June 2024.

11.1 **Notes to applicant**

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.