LAKE DISTRICT NATIONAL PARK AUTHORITY

DEVELOPMENT CONTROL COMMITTEE – WEDNESDAY 4 NOVEMBER 2009

REPORT BY THE HEAD OF DEVELOPMENT MANAGEMENT


PLANNING APPLICATIONS

SOUTH LAKELAND DISTRICT (PINK SHEETS)
Application no: 7/2009/5484
Applicant: Mr Andrew Clowes
Date of Application: 2 September 2009
Type of Application: Full
Location: The Peat House, Nibthwaite Grange, Nibthwaite, Ulverston, Cumbria, LA12 8DB
Grid Reference: 329591 488161 See Plan
Proposal: New small glazed conservatory on the reading room
District Council: 
Parish Council: No objection
Highway Authority: 

RECOMMENDATION: APPROVE with conditions

REPORT:

1 BACKGROUND & PROPOSAL

1.1 I am reporting this application to committee because of the recent planning history, which I set out below.

1.2 The Peat House is a detached dwelling which stands in Nibthwaite Grange. Set at the rear of its curtilage, with its rear wall forming part of the boundary with its neighbour, the Peat House stands near the junction of Bletherbarrow Lane and the Lowick Bridge to High Nibthwaite Road. The Peat House is in a relatively prominent position in the hamlet, visible from viewpoints on the road both to the north and south despite being set some 50m back from the roadway.

1.3 The house was converted from an agricultural building (by virtue of planning permission 7/1988/5403), a conversion which has resulted in much of the original agricultural character being lost. Constructed of unfinished local stone under a traditional local slate roof, the converted Peat House has a domestic character. A small outbuilding, again stone built with a slate roof, stands to the north of the house.

Recent planning history

1.4 A planning application was received in Spring 2008 seeking planning permission for the erection of a “glazed link” between the main dwellinghouse and the nearby outbuilding. This was to be a simple timber structure, which would culvert a short length of the Bletherbarrow Beck which runs through the Peat House’s curtilage. Following a site inspection by Committee, planning permission was refused in June 2008. The reasons for refusal were that the proposed development would be likely to result in an unacceptable flood risk at
the site as there would be an increased likelihood of the culverted channel becoming obstructed. (7/2008/5099)

1.5 In October 2008 Committee refused a second amended scheme at the site because despite design revisions it would remain likely to present an unacceptable risk of flooding. (7/2008/5424)

1.6 A third proposal for a small conservatory to the southern side of the existing outbuilding (not culverting the beck) was submitted in March 2009. This application was withdrawn prior to its determination following the period of consultation by the Authority with the Parish Council, neighbours and interested parties. (7/2009/5099)

1.7 This application seeks planning permission for the erection of a timber and glazed conservatory and open fronted log store to the front elevation of the existing stone outbuilding.

1.8 The proposed conservatory would be of a simple gabled form, constructed with a timber frame set on low local stone walls. The footprint of the conservatory would be 3.5m wide and 3.4m deep, with an eaves height of 2.5m above ground level and a ridge height of 3.4m above ground level. A small open fronted log store (a timber framed canopy with a slate roof) would be fitted to the wall adjacent to the conservatory.

1.9 The application site is 2.8m from the Bletherbarrow Beck. No works in, over or adjoining the beck are proposed.

2 REPRESENTATIONS

2.1 Colton Parish Council has no objections to the proposed development.

2.2 A letter of representation has been received from a neighbouring owner. The representation discusses two issues. On the matter of flood risk the representation notes that the proposed development no longer includes the culverting of the beck, nor does it make permanent previous works to the beck channel in the Peat House curtilage. The representation therefore offers no objection on this matter.

2.3 The representation also raises concern that the apex of the conservatory is at a height and location that it will block the only ground floor outlook of neighbouring Bletherbeck House. The representation notes that previous developments by Nibthwaite Grange (a two-storey garage building and studio) already block sunlight and outlook to the south, and this development will block the remaining outlook to the west. The respondent states that "a lack of control then, and a continued lack of consideration now, will achieve a total boxing in of this historic farmhouse (Bletherbeck House).

2.4 The representation also asked that we request that the apex of the conservatory be lowered. The applicant wishes the application to be determined as submitted.

3 POLICY AND ASSESSMENT

7/2009/5484
3.1 The following policies are considered relevant to this application:

- North-West of England Plan: Regional Spatial Strategy to 2021 Policy DP7 (promote environmental quality)
- Lake District National Park Local Plan 1998 saved Policies NE1 (development in the open countryside), BE1 (roof and wall materials) and BE15 (setting of listed buildings)

3.2 As a development within the curtilage of an existing dwelling and related to the domestic use I am satisfied that the proposed development is acceptable in terms of policy principle. In my view the following issues are the key considerations in this case:

- whether the scale, design and materials of the proposed development are acceptable given the setting;
- whether the proposed development would adversely affect the amenity of neighbouring properties.

Given the proposed development's separation from the nearby beck I am satisfied that there are no issues of flood risk which would result from this development.

Is the proposed development acceptable in terms of scale, design and materials?

3.3 Although the proposed conservatory is a relatively modest proposal in terms of its scale, it would be a visible feature extending on the front of the existing outbuilding. This scheme is, I believe less successful than previous schemes (which straddled the beck) in design terms. Whilst previous proposals were recessive in terms of their form and location, this scheme would be a more visible feature by reason of its siting. However the acceptability of this scheme must be assessed on its own merits.

3.4 The form of the conservatory is simple and the traditional materials proposed of a high quality. The applicant has undertaken to remove the finial detail from the conservatory to provide a simple structure which better reflects the simplicity of the main house. The colour of the conservatory is however critical to its acceptability and likely impact. A white painted or stained finished could result in an unsatisfactorily prominent structure, at odds with the simplicity of the surrounding buildings. I believe this matter could be satisfactorily dealt with by a condition.

3.5 It is my view that whilst not as satisfactory in pure design terms as previous schemes, this proposal remains acceptable subject to conditions controlling colour. The simple form and traditional materials will deliver a high quality finish which, whilst visible from public vantages, will be acceptable in the context of a simple but undoubtedly domestic building. Given the high quality finish and traditional materials proposed, I do not believe that the context of Grade II listed Nibthwaite Grange Farm will be adversely affected by the development.
Would the proposed development adversely affect the amenity of neighbouring properties?

3.6 The letter of representation from the nearby owner suggests that the proposed development would be detrimental to the amenity of neighbouring Bletherbeck House as it would further enclose the sole remaining open aspect and Outlook of that property. In the consideration of previous planning applications it was not thought that impacts upon neighbouring properties would be such as to be considered a reason for refusal. In this case the proposed development is sited further yet from the boundary of the Peat House with Bletherbeck House. Whilst the proposed development will, in part, be visible from the curtilage and habitable rooms of neighbouring Bletherbeck House, the separation between the proposed development and the house is such that I do not believe the proposed development will be overbearing or detrimental to privacy. I do not believe in this case that such adverse impacts upon neighbouring properties would result from the proposed development as to be a justifiable reason for refusal.

4 CONCLUSION

4.1 This is a suitably designed extension that provides additional accommodation without the flood risk associated with previous proposals and without harm to the amenities of neighbours.

Committee is recommended to:

APPROVE with conditions

1. The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

   REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2. Unless otherwise agreed in writing with the Local Planning Authority, within 2 months of the completion or first use of the conservatory hereby permitted, whichever is sooner, all timberwork shall be painted in a colour, the details of which have first been submitted to and approved in writing with the Local Planning Authority. All timberwork shall be retained as so painted thereafter.

   REASON: To ensure a satisfactory standard of development, particularly as seen against the built context of Nibthwaite Grange from the East of the Lake Road.

Summary of Reasons for Approval

Having regard to the relevant development plan policies, in particular Policy DP7 of the North-West of England Regional Spatial Strategy to 2021, saved Policies NE1,
BE1 and BE15 of the Lake District National Park Local Plan 1998 and all other material planning considerations, it is considered that the proposed conservatory is of an acceptable scale and design which will not cause harm to the visual amenities of the area (particularly as seen from the nearby highways), will not cause unacceptable harm to the amenity of neighbouring dwellings, and will not result in an increased flood risk. The proposal is therefore considered to be acceptable subject to the conditions imposed.

BACKGROUND PAPERS: Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.
Application no: 7/2009/5523
Applicant: Mr G Birkett
Date of Application: 16 September 2009
Type of Application: Listed Building
Location: Wilson Place Farm Cottages, Little Langdale, Ambleside, Cumbria, LA22 9NY
Grid Reference: 331795 503414 See Plan
Proposal: Addition of traditional style open porches to 2 front entrances
District Council: 
Parish Council: No objection
Highway Authority: 

RECOMMENDATION: GRANT Listed Building Consent

REPORT:

1 BACKGROUND & PROPOSAL

1.1 I am reporting this application to committee because the applicant is a close relative of an employee of the Authority. It is an application for listed building consent for two porches.

1.2 This Grade II listed building would have once been a farmhouse and cottage and was a single dwelling when it was listed as of historic and architectural importance in 1974. It is an attractive building seen from the nearby road and public footpaths with limewashed stone walls under a slated roof.

1.3 This application seeks listed building consent for two traditional pitched roofed, open fronted porches, constructed of stone and finished to match the existing walls with slate roofs, on the southern elevation.

2 REPRESENTATIONS

2.1 Lakes Parish Council has no objections to the proposal.

3 POLICY AND ASSESSMENT

3.1 The following policies provide the context for this decision:

Cumbria and Lake District Joint Structure Plan 2001-2016

- Policy E38 (Historic Environment)

Lake District National Park Local Plan
• Policy BE13 (Alterations and extensions to listed buildings)
• Policy BE15 (The setting of Listed buildings)
• Policy BE1 (Roof and wall materials)

3.2 In considering whether to grant listed building consent we are required by statute to have special regard to the desirability of preserving the building or its setting. In this case the main policy considerations are set out in Local Plan Policy BE13.

Would the proposed porches pay special regard to the scale, proportions, character and detailing of the existing building?

3.3 The proposed porches would relate well to the existing external doorways and reflect the modest proportions of the building. A simple pitched roofed design with an open front is proposed that is traditional in appearance and in keeping with the architectural and historic character of the building.

Stone and slate are proposed and the precise external finish and details can be controlled by conditions.

4 CONCLUSION

4.1 These are well designed porches that preserve the historic and architectural interest of this listed building.

Committee is recommended to:

GRANT Listed Building Consent

1. The works hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

   REASON: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Before the specific works itemised below for which consent is hereby granted are commenced there shall be submitted to and approved in writing by the Local Planning Authority details/samples of the following matters:

   i) the material and finished appearance of the lintels
   ii) the finished appearance of the walls.

   Thereafter the works shall be carried out in accordance with the approved details.

   REASON: To safeguard the character and appearance of this listed building in accordance with Policy BE13 of the Lake District National Park Local Plan.
3. The roof of the porches hereby granted consent shall be covered in weathered slate a sample of which shall be submitted to and approved in writing by the Local Planning Authority before being incorporated into the roof shall be laid in diminishing courses from eaves to ridge.

**REASON:** To safeguard the character and appearance of this Listed Building.

**Summary of Reasons for Approval**

**Development Plan Policies relevant to the Decision**

Having regard to the relevant development plan policies, and all other material planning considerations, the proposal is considered to be acceptable in scale, proportions, character and detailing to that of Wilson Place Cottages and as a result can be considered to have an acceptable impact on the buildings appearance and character, subject to the conditions imposed.

**North West of England Plan Regional Spatial Strategy to 2021:**

- Policy EM1(c) (Integrated Enhancement and Protection of the Region’s Environmental Assets – Historic Environment)

**Cumbria and Lake District Joint Structure Plan 2001-2016:**

- Policy E38: Historic Environment
- Policy E37: Landscape Character

**Lake District National Park Local Plan:**

- BE13: Alterations and extensions to listed buildings
- Policy BE15: The setting of Listed buildings
- Policy BE1: Roof and wall materials

**BACKGROUND PAPERS:** Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.
Lake District NPA Development Control Committee – Wednesday November 4 2009

Application no: 7/2009/5576
Applicant: Mr H Wild
Date of Application: 24 September 2009
Type of Application: Full

Location: Skelwith Fold Caravan Park Ltd, Skelwith Fold, Ambleside, LA22 0HX
Grid Reference: 335588 502690  See Plan

Proposal: Resubmission of application 7/2009/5119 for infill development to create 20 landscaped pitches for holiday static caravans on land within the existing caravan park boundary

District Council: Not consulted
Parish Council: Not yet received
Highway Authority: Not yet received

RECOMMENDATION: APPROVE with conditions

REPORT:

1 BACKGROUND AND PROPOSAL

1.1 I am reporting this application to Committee as this proposal is the same as a previous proposal determined by Committee in August this year. Members visited this site last month and the positions of the caravans were marked out on the site.

1.2 Skelwith Fold Caravan Park is one of the largest caravan parks in the National Park with permission for 300 static caravans (identified pitches) and 150 touring caravans (identified areas) within an approved 18 hectares caravan site boundary. The land ownership extends beyond this site boundary for approximately another 34 hectares.

1.3 The caravan park is located south east of Skelwith Bridge in open countryside and is a well wooded site on undulating land with some steep internal access roads. The static caravans and touring caravans are dispersed throughout the site with touring caravans in groups with easy access.

1.4 The static caravans are of various designs and sizes with varying degrees of landscaped personalised areas around the caravans but still of a natural character.

1.5 The application is for siting 20 static caravans within the existing caravan site boundary. Permission is required as the additional units
would take the number of statics above the originally approved 300.

1.6 The site for the new static caravans is mainly to the south eastern end of the site (15 units) and 5 other units towards the more central area of the caravan park. The proposed pitches are mainly on areas previously indicated for touring caravans and generally require little ground works. The exception being the area known as "Glade" for the siting of 10 units which will require some excavation works and removal of vegetation but no trees.

1.7 This proposal is identical to the application (7/2009/5119) which I recommended be granted planning permission and Committee refused in August for the following reasons:

The proposed increase in the number of caravans would result in harm to the character of the area, due to the increase in activity and adversely affect the amenity enjoyed by the residents of the hamlet of Skelwith Fold. Therefore the development would be contrary to Policy DP7 of the North West of England Regional Spatial Strategy and Policy E37 of the Cumbria and Lake District Joint Structure Plan 2001-2016.

1.8 The applicants have resubmitted the proposal with additional information to address issues raised by the Committee in August. The applicants indicate that the park is not at saturation point and is a low density caravan park set in over 40 acres of screened and landscaped woodland. The pitch density is less than 11.5 caravans per acre whereas the 1960 Act model standards density is 25 caravans per acre. They indicate that the caravan park in 1999 was awarded the LDNPA Conservation Award and in 2000 also received The Association of National Parks' National Conservation Award and for the past 11 years have attracted the David Bellamy Gold Conservation Award. They indicate their commitment to conservation and sustainability.

1.9 The applicants indicate the need for 20 additional pitched to provide income as this year pitch turn over was only 1% with only 2 caravan owners vacating their pitches and lack of empty pitches means few opportunities to sell new caravans to provide income to maintain prices at an affordable level and preserve viability in these difficult times.

2 REPRESENTATIONS

2.1 No representations had been received at the time of writing the report. All persons making representations last time have been notified of this application. Any representations will be reported at the meeting.

2.2 The views of Skelwith Parish Council are awaited and will be reported at the meeting.

3 POLICY AND ASSESSMENT
3.1 The relevant North West of England Plan Regional Spatial Strategy (RSS) to 2021 Policies are:

- DP7 (Promote Environmental Quality)
- RDF2 (Rural Areas)
- EM1 (A) (Landscape)
- W6 (Tourism and the Visitor economy)

The relevant saved Lake District National Park Local Plan Policies are:

- T9 (Static caravan sites)
- NE1 (Development in open countryside)

The relevant extended Cumbria & Lake District Joint Structure Plan 2001-2016 Policies are:

- EM16 (Tourism)
- E37 (Landscape Character)

3.2 Other documents that are relevant to the determination of this proposal are:

PS7 Sustainable Development in Rural Areas
Good practice Guide on Planning for Tourism

3.3 There are three main issues to consider in the determination of this application:

- Would the development satisfy development plan policy on static caravan sites and tourism?
- Would the development result in harm to the character of the area?
- Would the development result in harm to highway safety?

**Would the development satisfy development plan policy on static caravan sites and tourism?**

3.4 Policy T9 of the Local Plan indicates the siting of static caravans will only be permitted within the approved boundaries of established and well screened static caravan sites or in connection with farm diversification. The proposed 20 static caravans would be located within the approved well screened caravan site boundary and therefore the proposal complies with Policy T9.

3.5 The caravan site is within open countryside. Policy NE1 includes many criteria for assessing development in open countryside which includes being closely integrated with existing uses. The location of the proposed 20 static caravans is within the approved caravan site boundary and adjacent to existing static caravans. The proposed caravans are therefore closely integrated with existing use of the site as a caravan park and therefore I consider the proposal accords with that part of Policy NE1.
3.6 Policy EM16 of the Structure Plan indicates tourism development will only be permitted where it would not result in loss of touring caravan pitches to other tourist uses. The proposed siting of the static caravans would partially be on some areas previously used for touring caravans. The consent for 150 touring caravans identified areas for touring caravans to use rather than individual pitches. Members requested at the site inspection confirmation that if two areas currently used by 22 touring vans are changed to use for static caravans that there is still sufficient capacity on the other areas that the overall number of touring caravans would not be reduced at the site. The applicant has been requested to provide such confirmation and this will be reported at the meeting. If that is the case, which from my site visit I believe it is, then there would be no loss of touring caravan capacity at the site and therefore the proposal would not conflict with Policy EM16 and conforms to development plan policy on tourism.

Would the development result in harm to the character of the area?

3.7 Some of the areas for the proposed static caravans are hard surfaced and previously used by touring caravans and therefore the use as static caravan pitches would not cause loss of recreational value. There would be some excavation and loss of vegetation to create level pitches but this would not impact on other caravans and there is still a high degree of planting in that area and therefore the development would not cause harm to internal visual amenity of the site users. The design would be similar to existing statics at the site.

3.8 The development would not introduce inappropriate levels of activity in the area given the size of the landholding and size of approved boundary within that land holding. It is capable of accommodating the additional number of static caravans proposed without affecting the surrounding areas and not affecting the character or quality of the environment. The siting of 20 static caravans in the areas indicated would not have any visual impact outside the confines of the site and would not conflict with the special qualities of the National Park nor cause harm to the visual amenities of the area. The proposal therefore satisfies relevant policies.

3.9 The previous proposal raised concerns by local residents about additional visitor movements from the site into adjacent areas and potential disturbance to local residents. The applicant has been asked to provide information on the number of movements from the rear of the site into Skelwith Fold through the barriers on that exit and this will be reported at the meeting. However given the popularity of the area as a whole for walkers and visitors and an existing public right of way which passes the south western edge of the site towards the cluster of properties at Skelwith Fold I would not anticipate that the number of caravan site users exiting the site towards Skelwith Fold would form a significant proportion of such walkers or visitors.
3.10 The addition of 20 static caravans within a caravan park of 300 statics and 150 touring caravans is not in my opinion a significant increase on the overall number of caravans within the site. These additional units would not introduce inappropriate activities or levels of use, or otherwise be of a scale detrimental to the character of the caravan park and quality of the environment of the surrounding area. The proposal therefore satisfies relevant policies.

**Would the development result in harm to highway safety?**

3.11 There would be an increase in vehicles visiting the site but the additional number of vehicle movements on the local highway network from 20 additional caravans would not be noticeable given the existing activity on this road. The views of the Local Highway Authority are awaited however they did not object to the previous proposal on highway safety grounds regarding increased use of the access nor on increased traffic on the local highway network.

4 **CONCLUSION**

4.1 This is a very large caravan site situated in a predominantly wooded area and I am satisfied that the additional caravans proposed can be accommodated without adverse impact upon the caravan site or the surrounding area.

*Committee is recommended to:*

APPROVE with conditions

1. The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

   **REASON:** Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2. This permission shall not authorise the occupation of any caravan on the site except for holiday purposes and only during the period from 1 March to 15 November in each year.

   **REASON:** To ensure that the caravans are used for holiday purposes only in accordance with Policy T9 of the Lake District National Park Local Plan.

3. The caravans shall be sited strictly in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

   **REASON:** In the interests of the visual amenities of the area.

4. No trees shall be removed from the site in order to provide access or pitches for the 20 static caravans hereby permitted unless otherwise
agreed in writing by the Local Planning Authority.

REASON: To ensure the site retains adequate tree screening in the interests of the internal amenity of the site and long term screening in the interests of the visual amenities of the area as a whole.

Summary of Reasons for Approval
Development Plan Policies relevant to the Decision

Having regard to the relevant development plan policies, in particular those extended Cumbria & Lake District Joint Structure Plan 2001-2016 and/or saved Lake District National Park Local Plan Policies and the North West of England Plan Regional Spatial Strategy to 2021 as appropriate and all other material planning considerations, the proposal is considered to be acceptable subject to the conditions imposed as the development would not result in harm to the character or appearance of the area or the amenities of the residents of the hamlet of Skelwith Fold.

The relevant North West of England Plan Regional Spatial Strategy (RSS) to 2021 Policies are:

- DP7 (Promote Environmental Quality)
- RDF2 (Rural Areas)
- EM1 (A) (Landscape)
- W6 (Tourism and the Visitor economy)

The relevant saved Lake District National Park Local Plan Policies are:

- T9 (Static caravan sites)
- NE1 (Development in open countryside)

The relevant extended Cumbria & Lake District Joint Structure Plan 2001-2016 Policies are:

- EM16 (Tourism)
- E37 (Landscape Character)

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