Application no: 7/2008/5605
Applicant: Mr & Mrs Wood
Date of Application: 27 October 2008
Type of Application: Full

Location: Land to north of B5286, Hawkshead Hall Farm, Hawkshead, Ambleside, LA22 0NN
Grid Reference: 334983 498921 See Plan

Proposal: Re-siting of 5 static caravans and associated engineering works (resubmission)

District Council: Not consulted
Parish Council: See report
Highway Authority: See report

**RECOMMENDATION:** APPROVE with conditions

**REPORT:**

1 **BACKGROUND AND PROPOSAL**

1.1 I am reporting this application to Committee because one of the applicants is a close relative of a Member of the Authority. Committee deferred a decision on the application at the January meeting to receive comments from the local Highway Authority on the amended access arrangements. Unfortunately I have not received those comments at the time of writing this report, and I will update Committee at the meeting. Other information received since the previous report was written has been updated in this report, including the comments of Friends of the Lake District and one additional representation.

1.2 The site is a field and is located some 700m to the north west of the centre of Hawkshead with access off the B5286 and forms part of Hawkshead Hall Farm which is a working farm and has a camp and touring caravan site.

1.3 There is an existing gated access to the field. The field is sloping in nature with the lowest part of the field in the south west corner of the site adjacent to the river.

1.4 There have been caravans sited in this field in the past to the south west corner of the field adjacent to the river. Planning permission for 2 caravans was granted in 1958 with a seasonal restriction. In 1972 planning permission was granted on appeal for 3 additional caravans with no seasonal restriction. Therefore there is consent for 5 caravans to be sited on this field and these caravans were sited here until recently. The caravans were sited on the lowest part of the field by the river and located...
close together with a tight site boundary. This proposal extends beyond that previous site boundary.

1.5 This proposal is to locate 5 caravans of a lodge type appearance (but still meeting the definition of caravan in terms of construction and size). These would have the addition of timber decks and steps, low level bollard lighting and parking for two cars each. The units would be cedar clad with a natural finish or wood stained. The applicant indicates that the caravans were outdated and a larger area is required to meet modern requirements.

1.6 The proposal includes a planting belt of semi natural trees and shrubs to the southern boundary and road side boundary of the field. This planting has taken place and in addition the proposal includes Birch and Rowan located adjacent to the caravans and parking areas.

1.7 The existing access into the field would be improved and a new track laid to the caravans of a reinforced grass track type. As a result of comments from the Local Highway Authority an amended plan showing changes to the access detail was received which reduces the height of the wall and geometry of the entrance and realignment of the existing field hedge to improve visibility. Committee will be updated on this matter at the meeting.

1.8 Pre- application discussions have taken place, including our Landscape Architect, on the issue of siting, colour and landscaping. This followed an earlier application in 2008, which was subsequently withdrawn. The application is as a result of those detailed discussions.

2 REPRESENTATIONS

2.1 4 letters of objection have been received and the issues raised are summarised as follows:

- Query as to whether this is an existing caravan site as comments made in the application are contradictory. This is not relocation but a new caravan site.
- No caravans currently at the site.
- Previously virtually no services to the site.
- Field has predominantly been used for grazing.
- 4 of the 5 old caravans had not been used for a number of years.
- Caravans previously located in a compact line (7% of the field).
- The caravans were small.
- There are listed buildings near the field.
- The site is not visually well contained by groups of trees and the trees are deciduous. It is a site which can be seen from various public places.
- This side of the road is untouched by tourist development unlike the other side of the road.
- Concerns over additional loading on existing septic tank /drainage system due to numbers.
- Concerns over the area of coverage of the site.
- The site would be visible from local houses.
- The decking would encourage people to sit outside with associated noise pollution and impact on local residents.
• Concerns over the potential number of people using the lodges and number of cars.
• Exit from the site would create a staggered junction on to the B5286 as it is close to the access opposite and so potentially cause accidents.
• The lodges are spaced well apart.
• The proposal would have a detrimental effect on the natural beauty of the valley.
• Re-siting caravans should not be visible from the road but on the site of the caravans which were there under the 1972 consent.
• The previous permission was only granted on appeal.

2.2 Hawkshead Parish Council have made the following comments - The applicant's father is a councillor and other councillors declared a personal and prejudicial interest. As such a quorum could not be formed to debate the issue.

2.3 Friends of the Lake District and CPRE- consider that the amended layout represents an acceptable improvement upon the previous (withdrawn) proposal and therefore they have no objections.

3 POLICY AND ASSESSMENT

3.1 The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are:
• DP7 (Promote Environmental Quality)
• W6 (Tourism and the visitor economy)
• EM1 (A) (Landscape)

The relevant extended Cumbria and Lake District Joint Structure Plan 2001-2016 Policies are:
• EM16 (Tourism)
• E37 (Landscape Character)

The relevant saved Lake District National Park Local Plan Policies are:
• NE1 (Development in open countryside)
• T9 (Static caravans)
• A3 (Farm diversification)

Is the principle of the development of the siting of 5 static caravans in this location acceptable?

3.2 Policy T9 of the Local Plan permits siting of static caravan on farms in connection with diversification proposals. The site would be run and managed by the family, providing an ongoing income for the farm business and therefore the proposal represents farm diversification as envisaged in the Local Plan. The pre-amble to Policy T9 indicates that only small numbers of caravans should be considered when looking at farm diversification schemes.

3.3 Policy NE1 of the Local Plan only permits development in open countryside where it is closely integrated with existing uses.
3.4 There is a history of planning permission for 5 static caravans on part of this field. Those original caravans could be replaced on their original siting without further planning permission and three of those caravans were unrestricted in terms of when they could be used as there was no seasonal restriction. Therefore the principle of use of part of this field for caravans without a seasonal restriction has been established.

3.5 The main issues are whether the larger units and the extended area for the caravans is acceptable taking into account landscape impact, potentially more intensive use with regard to highway safety and impact on amenity.

Would the development result in harm to the landscape?

3.6 Policy A3 states, amongst other things, that caravan proposals should be integrated into the landscape and located within or near the farm complex. The site is on the opposite side of the road from the main farm complex but visually is seen in the context of other buildings in this area and the camp site on the opposite side of the road.

3.7 The development would be more visible than the previous caravans as the new larger units would extend away from the more secluded river bank site. The grouping of the caravans to the south west corner of the field along the river bank and boundary is the least intrusive location for the proposed units within this field. The lower slope close to the river bank means units 1, 2 and 3 will be partially screened by the rising ground and trees along the river bank. That however does not mean to say that some of the caravans will not be visible from neighbouring properties or from the highway or a footpath to the east, because units 4 and 5 are on rising ground compared with the other units.

3.8 The planting belt will filter views when it becomes established such that I consider that the caravans placed in the positions shown would not be prominent in the wider landscape in a manner which would cause harm to the landscape. The species planted within this area are semi natural species and are appropriate to this area. The planting will be subject of a landscape management plan to ensure the planting becomes established and maintained. The proposed siting and grouping of the caravans is as a result of discussions with our Landscape Architect.

Would the development result in harm to highway safety?

3.9 There is an existing field gate into the field which has served the users of the previous caravans in the past and has been used by agricultural vehicles. The proposal includes alterations to the access and an improved track to the caravans.

3.10 The Local Highway Authority has expressed concerns regarding site lines and have requested a 2.4m x 90m visibility splay given the 30mph speed limit on this road, which would result in the removal of all of the
hedge along the road frontage of this field for a length of 90m. This would be visually unacceptable in terms of its impact on the area.

3.11 This is an existing access which has been used for both agricultural vehicles and users of the caravans. The removal of part of the hedge and replanted set back into the field to allow an improved sight line and reduction in height of the new stone wall would improve visibility at the access without causing landscape harm. The applicant has proposed alterations to the access by setting back the boundary hedge and stone wall and reduced the height of the wall that would result in a 70m visibility, rather than the 90m recommended by the Local Highway Authority. The views of the Local Highway Authority on these revised details are awaited and Committee will be updated on this matter at the meeting. It is relevant to consider the existing lawful use for caravans and that the proposal represents an improvement over the access arrangements that have existed for many years on reaching a decision.

Would the development affect the character and amenity of the area by reason of increased activity, traffic or disturbance?

3.12 There have been 5 caravans at the site, although their usage appears, in recent years, to be fairly low key. That would not prevent the applicant from replacing the older caravans with new and making more use of the existing permitted site. The larger size units could mean more people using each unit and could result in more vehicles using the site than previously. The decking and revised layout would allow more usage of the exterior of the caravans than the previously tight layout. The issue is whether the additional number of users would result in harm to the surrounding area and occupiers of nearby residential properties.

3.13 Opposite the road is a large camp site which allows caravans and tented camping (5 touring caravans and 50 tents). This area therefore has an existing degree of activity, and noise both vehicular and pedestrian. I do not consider that the larger caravan units on the application site would result in such an increase in activity to cause harm to the character or the area in terms of traffic, noise or general recreational activities.

3.14 Two of the new caravan units would be located in a more visually prominent location with regard to nearby homes and usage of the caravans would be more noticeable from the neighbouring properties but the distance is sufficient that there would be no harmful overlooking into those dwellings. Any additional outside recreational activities would not, in my opinion, be of such a level to cause demonstrable harm to occupiers of those properties.

4 CONCLUSION

4.1 This farm diversification scheme has been designed in consultation and includes the views of our Landscape Architect to ensure a sensitive development. Particularly given the lawful use for caravans the proposed access arrangements represent an acceptable improvement, giving a
visibility of 70m in a manner that can be achieved without adverse visual impact.

**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 by the Local Planning Authority, the development hereby permitted shall not be carried out otherwise than in complete conformity with the amended plan received by the Local Planning Authority on 19 December 2008.

   **REASON:** For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development and suitable highway access.

3. Prior to the installation of any external lighting at the site whether on the caravan lodges themselves or free standing details of such lighting shall be submitted to and have received the written approval of the Local Planning Authority and thereafter implemented in full accordance with those approved details.

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

4. Before the caravans hereby permitted are placed on the land they shall be painted or factory finished in one or more colours in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the caravans shall be retained in the approved colours unless the Local Planning Authority agrees, in writing, to any variation and any decking or steps shall also be subject to the above requirement.

   **REASON:** To minimize the visual impact of the caravans in the landscape.

5. In the event of failure of any hedge, trees or shrubs planted within the site including the new planting belt to the road frontage and southern boundaries of the site, as indicated on the amended drawing subject of condition 2 of this permission, to survive five years from the date of completion of the development, such trees or shrubs shall be replaced by the developer with such live specimens of similar species and size unless otherwise agreed in writing by the Local Planning Authority.

   **REASON:** To ensure a satisfactory standard of development in the interests of the visual amenities of the area.
6. The section of hedge to be removed at the entrance to the site in accordance with the amended plan subject of condition 2 of this permission, shall be removed prior to the bringing onto site any of the caravan lodges hereby approved. The realignment and replacement of the removed section of hedge shall take place in accordance with the approved plans in the first planting season following the siting of the caravan lodges at the site.

REASON: To ensure adequate visibility during installation of the caravan lodges and for the users of the site in the interests of highway safety.

7. The caravans hereby permitted shall be operated as an ancillary element of the agricultural business (known as Hawkshead Hall Farm) comprising the land edged blue on the plan attached to and forming part of this decision notice, unless otherwise agreed in writing by the Local Planning Authority.

REASON: The development is approved as a form of farm diversification in compliance with Policy A3 of the Lake District National Park Local Plan.

8. In the event that any of the caravan pitches hereby permitted are sold or otherwise disposed of separately from the land edged blue on the plan attached to and forming part of this decision notice, or from an agricultural business operating from the land edged blue on the plan attached to and forming part of this decision notice or that business ceases to trade as such then the caravans sited thereon shall be removed from site within three months of such sale, disposal or cessation and no replacement caravan shall be brought onto the site pursuant to this planning permission unless otherwise agreed in writing with the Local Planning Authority.

REASON: The development is only approved for short term holiday letting as a form of farm diversification in accordance with Policy A3 of the Lake District National Park Local Plan.

9. Details of the extent of excavation and piling of soil to enable the caravans to be sited on the land and to lay services to the caravans shall be submitted to and agreed in writing by the Local Planning Authority, before the caravans are first brought to site. The development shall be carried out in accordance with the detail so agreed.

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

10. This permission only permits the siting of the five caravan units indicated on the approved plan as amended by condition 2 of this permission and in those exact locations. The rest of the field shall not at any time be used for the siting of caravans.

REASON: For the avoidance of doubt and to safeguard the amenities of the area.
11. This permission shall not authorise the occupation of any caravan on the site except for the purposes of holiday use and no individual, family or group of persons shall occupy any caravan for a period exceeding eight weeks in any period of three months.

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.

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 and Lake District Joint Structure Plan 2001-2016 and 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 landscape or amenities of occupiers of neighbouring properties or highway safety is an appropriate form of farm diversification.

The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are DP7 (Promote Environmental Quality), W6 (Tourism and the visitor economy) and EM1 (A) (Landscape)

The relevant saved Lake District National Park Local Plan Policies are NE1 (Development in open countryside), T9 (Static caravans) and A3 (Farm diversification)

The relevant extended Cumbria and Lake District Joint Structure Plan 2001-2016 Policies are EM16 (Tourism) and E37 (Landscape Character)

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: 7/2008/5643
Applicant: Mr David Robinson, Lake District National Park Authority
Date of Application: 29 October 2008
Type of Application: Full
Location: Boating Centre to Yewdale Beck to B5285, Coniston, Cumbria
Grid Reference: 330928 497229 See Plan
Proposal: 1) Replacement of existing footbridge over Yewdale Beck with another, wider bridge for bridleway users and people with limited mobility; 2) Realignment and surfacing of route from bridge to Pier Cottage access road to enable dedication of route as a public bridleway
District Council: Not consulted
Parish Council: Support
Highway Authority:

**RECOMMENDATION:** APPROVE with conditions

**REPORT:**

1. **BACKGROUND AND PROPOSAL**

   1.1 I am reporting this application to Committee as it is made by the Authority.

   1.2 There is an existing informal unlicensed permissive path from the Boating Centre to the bridge over Yewdale Beck and then onto the B5285.

   1.3 The first part of the path from the Boating centre to the bridge is surfaced and clearly defined on the ground. The path crosses the bridge and continues along the side of the beck for approximately 35m through a gate, then over part of a field to meet the access track from Pier Cottage to the B5285. A plan is attached as Appendix 1.

   1.4 This application does not affect the path from the Boating Centre to the bridge. This application is for a new timber bridge across Yewdale Beck, and an extension of the path along the beck following the existing field boundary to the point where the field boundary meets the existing access drive to Pier Cottage. These works are required to enable the adoption of the unlicensed permissive path as a bridleway. The bridge needs to be widened and hand rails increased in height to take account of safety requirements for use by horseriders and cyclists. It proposes improving the surface of the path from the bridge to the access drive with local quarry waste surfacing and would reduces the length of shared use of the access drive to Pier Cottage. The
access to the bridge and new path would be upgraded for wheelchair access. The route would be a miles without stiles route.

2 REPRESENTATIONS

2.1 Coniston Parish council have indicated support for the proposal and were keen to register how important they considered this development to be for all users, local and visiting, able and infirm, pedestrian and other. They acknowledged how much thought had gone into the proposals to rectify all obvious existing problems with the route.

2.2 We have received one letter of objection from the owners of the land between the boating centre and the bridge. (This is land leased to the National Park Authority.) Their objections are based upon concerns that the value of their freehold interest would be injuriously and adversely affected. They claim that the presence of the proposed public bridleway would effectively sterilise the land and would prevent future development or alternative use. The land is currently subject to the existing tenancy to the Lake District National park Authority and if this tenancy ceased the bridleway would affect the long term future and value of the land.

3 POLICY AND ASSESSMENT

3.1 The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are:
   - RT9 (walking and cycling)

The relevant extended Cumbria and Lake District Joint Structure Plan 2001-2016 Policies are:
   - E37 (landscape Character)

The relevant saved Lake District National Park Local Plan Policies are:
   - S5 (Public rights of way)
   - TR7 (cyclists and horse riders)
   - NE1 (open countryside)

Would the development result in harm to the visual amenities and character of the area?

3.2 There is an existing well used permissive path and bridge crossing Yewdale Beck. This proposal would result in a larger bridge and alter the route of part of the existing path. The bridge would be widened to 1.8m and hand rails increased to 1.6m high. The existing bridge is a simple timber structure and the new bridge is of a similar character and construction, typical of small stream crossings within the National Park. There are trees along the banks of Yewdale Beck which screen the bridge site from any distant views. The increase in size of a bridge in this location would not have any detrimental impact on the wider landscape. Given the design and materials and size of the bridge I consider the new bridge would not result in harm to the visual amenities of the area and satisfies policy E37 of the Structure Plan.
3.3 The works are to enable the path to be upgraded and adopted as a public bridleway. This will increase the number of users of the path as it would allow horses and cyclists and persons in wheelchairs. The character of this lake shore and its immediate environs is already one of high activity, popular with visitors and local people using the path, car park, boating centre, the shoreline and boats arriving and departing from the jetty. The increase in use of the path when added to the existing level of activity would not, in my opinion, result in harm to the character of the area.

Would the development result in harm to the enjoyment of users of the path?

3.4 The path is already well used as a permissive path by walkers. The upgrade and alterations to the bridge and route would enhance the experience of users of the path by enabling easier access to the bridge and reducing the length of shared use of the access drive to Pier Cottage. The improvements would also enable a greater range of users of the path and provide better linkage with existing public rights of way in the area. The works would enable the path to be upgraded to a public right of way which will extend the range of users of the path, by allowing horses and cyclists. This would enable cyclists and horse riders to avoid the traffic in the village centre. Even if the path was not upgraded to a public right of way the proposals would make access easier for existing users. The proposal satisfies Policy S5 of the Local Plan and RT9 of the RSS.

Would the development result in harm to occupiers of the nearby Pier Cottage or landowners?

3.5 The proposals are likely to lead to an increase in users of the path. The alterations to the route along the river bank would take the path away from Pier Cottage and reduce the shared use of the access drive. This would be an improvement to occupiers of Pier Cottage. The area around the bridge has a lot of trees and although two trees would be removed to permit a wider bridge they would not significantly reduce the existing screening between the neighbour and the bridge. Therefore any increase in number of users of the path would not result in harm to the residential amenities of occupiers of Pier Cottage.

3.6 An objection has been received from the landowner of the land between the Boating Centre and the bridge. They are concerned that the works would permit upgrading of the route to a bridleway and they consider this would affect the value of their land and any potential future development of this land. Given that the site is open countryside and close to the lake there is little future development potential for the route of the bridleway and I am not aware of any such proposals.

Other issues

3.7 The path is within a flood risk area, however the bridge and path would not result in any change to the current flood risk area and not displace any flooding which would occur on this land.
3.8 Two trees would have to be removed to make way for the wider bridge. These are within a well tree lined river bank and the removal of two trees would not have any impact on the overall character of the river bank. The remaining trees would not be affected by the development.

3.9 The consent of the Environment Agency will be required to carry out the bridge works over the stream. A method statement has been submitted to indicate method of working near the river to avoid any accidental damage to the river and that the path will be closed during the works to avoid danger to the public.

4 CONCLUSION

4.1 This is a sensitively designed upgrade to this route that offers benefits to a range of users.

Committee is recommended to:

APPROVE with condition:

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.

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 and Lake District Joint Structure Plan 2001-2016 and 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 in terms of the character and appearance of the locality and local amenity and would result in an improved route for a range of users.

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

• RT9 (walking and cycling)

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

• S5 (Public rights of way)
• TR7 (cyclists and horse riders)

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

E37 (landscape Character)
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: 7/2008/5661
Applicant: Mr John Birkett
Date of Application: 21 November 2008
Type of Application: Full

Location: Wilson Place Farm, Little Langdale, Ambleside, LA22 9NY
Grid Reference: 331825 503396  See Plan
Proposal: Farm diversification holiday let in association with farm

District Council: Not consulted
Parish Council: Grant/approve
Highway Authority: Grant/approve with conditions

RECOMMENDATION: APPROVE with conditions

REPORT:

1  BACKGROUND AND PROPOSAL

1.1 I am reporting this application to Committee as the applicant is a close relative of a member of staff.

1.2 Wilson Place Farmstead is located to the north of the road through Little Langdale and comprises a traditional farmhouse, and agricultural buildings including the application site. It is a working farm. The farmhouse and attached building are listed buildings. At the entrance to the farmstead is a residential property not within the ownership of the applicant and there is another cottage attached to the farmhouse which is not part of the farm but occupied by a family member.

1.3 The application building is a small single storey building which has been used as dog kennels with dog runs to the rear with wire enclosures. The walls of the building appear to be structurally sound but the roof needs work. Stone walls form the western boundary of the site. To the rear of the enclosure is a small orchard. The land slopes down to the road and the building is visible from the road.

1.4 A public right of way runs along the northern side of the building and another public right of way runs along the western boundary of the site continuing north through the farm. The area of land to the north of the access track is a Site of Special Scientific Interest.

1.5 The proposal is to carry out alterations to the building to form a one bedroom self contained holiday let. The works include altering the roof slope to gain head height and a more conventional appearance to the
roof. This increases the roof ridge by 400mm. The dog runs become the rear outside space for the cottage enclosed by a stone wall. Existing openings in the building are reused for windows and doors.

1.6 This proposal is farm diversification to bring additional income to the farm. The farmhouse is currently rented out for holiday purposes as the applicant lives at another nearby farm at High Birk Howe, which is on a tenancy agreement from the National Trust. Wilson Place Farm is owned by the applicant and consists of 26 hectares. The applicant works both farms, with 200 hectares of tenanted and rented land at High Birk Howe, Coniston, and Brantwood. Both farms and the land are farmed as one business. The National Trust tenancy ends in 2015 and the applicant intends to move back to the Farmhouse at Wilson Place, thereby losing the existing holiday rental income from that farmhouse. This proposed holiday let will then provide extra income for the farming business.

2 REPRESENTATIONS

2.1 No representations from the public have been received. The publicity period has not as expired at the time of writing. Any representations received will be reported at the meeting.

2.2 Lakes Parish Council - recommend approval as diversification is needed by hill and valley farmers to supplement their income subject to the new dwelling being tied in perpetuity to the farm and never sold off separately. Members were also of the opinion that a site visit might be beneficial for Members of the Development Control Committee.

3 POLICY AND ASSESSMENT

3.1 The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are:
- DP7 (Promote Environmental Quality)
- RDF2 (Rural Areas)
- EM1 (c) (Historic environment)

The relevant extended Cumbria and Lake District Joint Structure Plan 2001-2016 Policies are:
- E37 (Landscape Character)
- EM16 (Tourism)
- E38 (Historic environment)

The relevant saved Lake District National Park Local Plan Policies are:
- NE1 (Development in Open Countryside)
- A3 (Farm diversification)
- S5 (Public rights of way)
- C7 (Requirements for all conversions)
- H20 (Housing in the National Park)
- BE13 (The setting of listed buildings)
- BE1 (Roof and wall materials)
Does the proposed development accord with Policy H20 of the Structure Plan and if not are there any material considerations to indicate that the application could be approved contrary to this policy?

3.2 The proposal is for a self contained living unit and although providing holiday accommodation at Wilson Place Farm, it is still a form of housing development. Policy H20 of the Structure Plan states that housing development will only be permitted where the development is of a scale and type designed to contribute to the housing needs of the locality, as defined in the Supplementary Planning Document.

3.3 The proposed development is being put forward as a scheme of agricultural diversification and this is a material consideration. The income derived from this diversification scheme would support the running of the farm.

3.4 Although Policy H20 must be given consideration and carries significant weight, in this instance more weight should be afforded to Local Plan Policy A3 which favours farm diversification schemes of an appropriate scale and location. Due to the size of the building and proximity to the farming activity this is not a site where a permanent house would be favoured so this is not a missed opportunity and there is justification to have greater regard to Policy A3 in this instance.

3.5 The proposal is a departure from housing policy however a condition would bring the development within conformity to the development plan in terms of Policy A3 tying the occupancy to holiday accommodation in association with the farming unit of Wilson Place.

Would the development satisfy development plan policy on farm diversification?

3.6 Paragraph 8.15 of the Local Plan indicates that this type of diversification scheme will be considered under conversion policies. However, other than the general principles established by Policy C7 in respect of all conversions, none of the other policies are now development plan policies. In the circumstances it is reasonable to consider the terms of Local Plan Policy A3, which is supportive of farm diversification proposals providing certain criteria are met.

3.7 In this case the proposal is to reuse and adapt an existing traditional stone building. Reuse of this building for the purposes of providing farm diversification is preferable to new build development. The alterations to the building would be compatible with the character and appearance of the locality and would not result in harm to the visual amenities of the area or affect the enjoyment of users of the adjacent public rights of way. Parking is provided adjacent to the building and would not obstruct the public right of way.

3.8 The size of the holiday let, being one bedroom, would not generate a significant increase in traffic or activity close to non related residential
properties and would not result in any detrimental impact on the amenities of occupiers of neighbouring properties. It would therefore not conflict with the requirement of criteria (b) and (c) of policy A3 regarding amenity and traffic.

**Is this a suitable location for tourism development?**

3.10 An objective of Policy EM16 seeks to guide new development into accessible locations. However, this policy also recognizes the benefits of this type of development to the economy and where they bring benefit to the community. One of the recognized exceptions to the normal policy of restraint in the countryside is development to sustain existing businesses and maintain the viability of farming. The road network in this area is made up of narrow roads and whilst the development would result in some additional traffic, the property would allow easy reach of many popular walks from the door without the need to use the car. There are two rights of way which pass directly outside the building. I consider one small holiday unit would not be unreasonable in this location in terms of traffic generation.

**Would the proposed conversion of the barn have any detrimental impact on the character and appearance of this building or affect the setting of the listed building (farmhouse)?**

3.11 The proposal requires some alterations to the building including increasing the height of the ridge. The changes to the roof are sympathetic to the character of the building. The proposal makes best use of existing openings and the character of the northern elevation to the public footpath is retained with the timber and glazed panels reflecting the original timber doors. The removal of the wire enclosure and enclosure of the rear area with a wall would be a great improvement to the appearance of this building when seen from the road. The alterations are sympathetic to the character and appearance of this building and would not affect adversely the setting of the listed farmhouse. The provision of a parking space adjacent to the building enclosed by a stone wall fits well into the site without having any detrimental impact on the character of the building or affecting the setting of the nearby listed building. The development would satisfy Policies BE1 and BE13 of the Local Plan and Policy E38 of the Structure Plan

**Would the development result in harm to ecological interests?**

3.12 The roof of the building would be removed and therefore a bat survey has been undertaken. This survey indicates one probable bat roost would be disturbed and one bat appeared from the building. No owls roosts were found but other birds nests were located inside the building during survey. The bat and owl survey report indicates mitigation measures to be undertaken to ensure no harm to protected species including timing of works and the mitigation measures would form part of the conditions of any approval. On the basis of the proposed mitigation measures I am satisfied that there would be no harm to ecological interests at the site.
3.13 There are two Sites of Special Scientific Interest close to but outside the site. One to the north and one to the south. The foul and surface drainage from the site will be fed into existing systems at the site and will not have any impact on the SSSIs. Also there are stone walls separating those SSSI from the holiday let and therefore there would be no additional disturbance of those sites from users of the cottage.

4 CONCLUSION

4.1 In this case there is a range of relevant development plan policies. I am satisfied that there are policy and other considerations, as set out in this report, that warrant grant of planning permission for a self contained holiday cottage to assist farm diversification as an exception to housing policy, in particular that this is not a suitable site for affordable housing. Whilst the Lakes Parish Council have requested a site visit I am of the opinion that as this is a reuse of a traditional stone building, albeit with some alterations, and those alterations are sympathetic to the character of the building and as my recommendation is in line with the Parish Councils recommendation to approve a Committee site inspection is not required.

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. The windows hereby permitted shall be of timber construction and left natural or stained in a colour to be agreed in writing with the Local Planning Authority prior to first occupation of the development hereby approved.

REASON: To safeguard the character and appearance of the building.

3. The roof of the building hereby permitted shall be covered in matching local blue grey slates (that is slates which have been mined or quarried in Cumbria and are similar to each other in colour and texture), and shall be laid in diminishing courses from eaves to ridge.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE 1 of the Lake District National Park Local Plan.

4. The mitigation measures indicated in section F2 of the Bat Survey undertaken by marshall ecology dated October 2008, and in Appendix 2 detail 4A, detail 1A and detail 5 of that report shall be implemented in full accordance with those details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the building remains as a potential roost location for the bats occasionally using the building in accordance with Policy E34 of the Cumbria and Lake District Joint Structure Plan 2001-2016.

5. The dwelling hereby permitted shall only be used as short term holiday let in association with the working farm known as Wilson Place Farm as identified by the blue line line on the attached plan and shall not be occupied by an individual, family or group for a period exceeding 8 weeks in any 3 month period unless otherwise agreed in writing by the Local Planning Authority. The dwelling hereby approved shall at no time be operated or managed separately from Wilson Place Farm. In the event that the accommodation is sold separately from the Farm as identified above, or the farming operation ceases to trade as such then the accommodation shall not be occupied pursuant to this planning permission.

REASON: Planning permission has been granted for dwellings which would not contribute to meeting an identified local housing need as an exception to Policy H20 of the Cumbria and Lake District Joint Structure Plan 2001-2016 on the grounds that the proposal is a farm diversification scheme designed to sustain the farm business.

6. The parking space to the side of the building shall be formed, surfaced and made available for use prior to the commencement of the use of the building hereby approved and thereafter maintained for that sole purpose.

REASON: To ensure the public right of way is kept free of obstruction.

7. The southern boundary to the patio area hereby approved shall be enclosed by a stone wall no less than 1m high in materials to match the existing stone walls adajcent to the site.

REASON: To ensure a satisfactory standard of appearance of the development.

INFORMATIVE:

Regulation 39 of the Conservation (Natural Habitat, &c.) Regulations 1994 makes it an offence deliberately to capture, kill or disturb a member of a European protected species or to damage or destroy the breeding site or resting place of such an animal. New developments for which development works would contravene the protection afforded to European protected species require derogation in the form of a European Protected Species (EPS) Licence. EPS Licenses are issued by the Natural England Wildlife Licensing Unit (tel: 0117 959 8453).

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 and Lake District Joint Structure Plan 2001-2016 and 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 is associated with farm diversification and would not be suitable for permanent residential occupation and satisfies the criteria of farm diversification proposals.

The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are:
- DP7 (Promote Environmental Quality)
- RDF2 (Rural Areas)
- EM1 (c) (Historic environment)

The relevant saved Lake District National Park Local Plan Policies are:
- NE1 (Development in Open Countryside)
- A3 (Farm diversification)
- S5 (Public rights of way)
- C7 (Requirements for all conversions)
- H20 (Housing in the National Park)
- BE13 (The setting of listed buildings)
- BE1 (Roof and wall materials)

The relevant extended Cumbria & Lake District Joint Structure Plan 2001-2016 Policies are:
- E37 (Landscape Character)
- EM16 (Tourism)
- E38 (Historic environment)

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.