LAKE DISTRICT NATIONAL PARK AUTHORITY

DEVELOPMENT CONTROL COMMITTEE – WEDNESDAY 7 OCTOBER 2009

REPORT BY THE HEAD OF DEVELOPMENT MANAGEMENT

PLANNING APPLICATIONS

SOUTH LAKELAND DISTRICT (PINK SHEETS)
Application no: 7/2009/5134
Applicant: Messrs Haines & Lowrie
Date of Application: 16 March 2009
Type of Application: Full

Location: Haines & Lowrie, Smithy Hill Works, Smithy Hill, Lindale, Grange-over-sands, LA11 6UU
Grid Reference: 341786 480500  See Plan
Proposal: Conversion of joiners workshop to three dwellings

District Council:
Parish Council: Support the application and would like to see the local occupancy restriction strictly enforced. We believe this application does meet the need for “Local Housing” if the local occupancy restriction were in place and enforced, in addition we feel there is a lack of clarity about the definition of what constitutes “affordability” and “affordable housing”.

Highway Authority: Comments – see report.

**RECOMMENDATION:** REFUSE for the following reasons

**REPORT:**

1. **BACKGROUND AND PROPOSAL**

1.1 I am reporting this application to Committee because my recommendation differs from the views of Allithwaite Upper Parish Council.

1.2 The application site is currently used as a joiner’s business and is located within the development boundary of Lindale - a larger settlement as defined in the Lake District National Park Local Plan. It includes two existing traditional buildings on opposite sides of a small yard. Access is via Smithy Hill and drops down steeply to the yard. The larger building is split level being single storey where it faces Smithy Hill (with an entrance at street level into the first floor) and two storeys to the rear.

1.3 It is proposed to change the use of the buildings to three houses. The application was submitted on the basis that the houses would be subject to a local occupancy condition but not for local affordable housing. Further discussions have indicated that the applicants would be prepared to accept a more restrictive affordable occupancy agreement on one of the proposed dwellings but not on the other two. They claim that the more restrictive agreement would make the scheme unviable.

1.4 The plans as submitted have been amended to omit the canopy as a result of the Local Highway Authority’s comments.
2 REPRESENTATIONS

2.1 In addition to the comments from the Allithwaite Upper Parish Council and Local Highway Authority set out above we have received two letters from nearby residents. Neither of them represents an outright objection to the proposal, rather they raise issues of concern. The first raises concerns about the limited parking space for vehicles on Smithy Hill and also asks that the scheme should be carried out in accordance with the approved plans with no further alterations. The second supports the development in principle but requests that, in order to protect their amenity, permitted development rights be removed should permission be granted.

3 POLICY

3.1 The following policies form the development plan context for the assessment of this proposal:

North West of England Regional Spatial Strategy:

- Policy DP7 (Promote Environmental Quality)
- Policy RDF 2 (Rural Areas)

Extended policies of the Cumbria and Lake District Joint Structure Plan 2001-2016:

- H20 (Housing in the Lake District National Park)

Saved policies of the Lake District National Park Local Plan:

- H2 (Housing in Larger Settlements)
- E2 (Loss of existing employment sites)

4 ASSESSMENT

Is the proposed development contrary to housing policies?

4.1 Policy H20 of the Structure Plan requires that all new housing in the National Park (including those created by conversion of existing buildings) is of a scale and type designed to contribute to the identified housing needs of the locality. Our Supplementary Planning Document provides detailed guidance on demonstrating housing need and the criteria for the evidence of housing need that will be considered. It states that unless supported by a housing needs survey carried out to the methodology specified by Cumbria Rural Housing Trust proposals for housing development are unlikely to be acceptable.

4.2 Local Plan Policy H2 permits housing development in larger settlements such as Lindale subject to a number of criteria. Critically the development must be designed to meet the housing needs of the locality and the site must be located within the development boundary of the settlement. In this case the site is within the settlement boundary so the question remains; would the development meet the housing needs of the locality?
4.3 Lindale lies within the parish of Allithwaite Upper. The housing needs of Allithwaite Upper parish are identified in the Cumbria Rural Housing Trust survey completed in 2008. This identified a need for 8 homes to be built in a mix of rental and shared ownership tenures. The needs survey identified the need for two 3-bedroom properties in the parish, and six 2-bedroom homes.

4.4 This application proposes the creation of three 2-bed houses, which would be in line with the need identified in the survey. However, the applicants do not wish to enter into an agreement which would see all three units secured to meet the housing needs of the locality as defined in the Supplementary Planning Document. Instead they are prepared to accept an “old-style” occupancy condition which would restrict occupation to people who live and/or work in the locality, but are not necessarily in housing need (“housing need” is defined in the Government's Planning Policy Statement 3 as the quantity of housing required for households who are unable to access suitable housing without financial assistance). Consequently the proposal would not meet the housing needs of the locality and is contrary to Structure Plan Policy H20.

**Is the development contrary to employment policies?**

4.5 Local Plan Policy E2 indicates that proposals which would lead to the loss of existing business/industrial sites and buildings will not normally be permitted unless the continued use would perpetuate unacceptable problems relating to traffic generation, noise or disturbance to amenity.

4.6 This proposal would quite clearly result in the loss of a business site. The existing business however is long established and the site and neighbouring properties have evolved together over a number of years. The owners and occupiers of the site are now looking to retire and I am not convinced that a new business would be able to co-exist peacefully as a result of its proximity to residential properties and the poor access. Furthermore I question whether a new business would be attracted to such a constrained site. For these reasons I do not consider that the proposal would be contrary to Policy E2.

**Are the physical alterations acceptable?**

4.7 The existing buildings on site are traditionally styled barn type buildings with stone walls and slate roofs. I consider that the alterations proposed are sympathetic to the character and appearance of the buildings with new openings concentrated on the inward facing elevations.

4.8 As a result of the orientation of the buildings and the design of the conversion I do not consider that the proposal would be detrimental to the amenity of nearby residents.

4.9 In short I consider the physical alterations to be acceptable, but this does not overcome the policy objection outlined at 4.4.

**Are there any material considerations which would justify a departure from housing policy?**
4.10 The applicants' agent puts forward three points in support of the application. Firstly, he claims that the development would be unviablen if occupancy was controlled to the degree set out in the supplementary planning document. Secondly, he contends that in applying a local occupancy condition some of the needs of the locality would be met albeit not the affordable needs. And, thirdly, he argues that the consultation draft of the Local Development Framework (LDF) Core Strategy indicates that the Authority will aim to facilitate appropriate levels of housing whether it contributes towards meeting an identified local need or local affordable need, indicating a more flexible approach than currently in place.

4.11 He concludes by stating that the Authority has a choice. Either grant planning consent for the development of three dwellings all of which are of a size appropriate to local housing needs and occupied by local people with one of these also at an affordable price or end up with nothing.

4.12 I would like to address each of the agent's points in turn. Firstly, we have not been provided with any figures as to the costs of carrying out the development and likely value of the completed houses. However even if the development would be unviable in their terms it would not justify setting aside policy. Other applications have been approved for the conversion of traditional properties where occupancy is restricted in the way indicated by the Supplementary Planning Document. And crucially there is no imperative to provide housing which does not meet the needs of the locality. Secondly, the issue with regard to housing need has been addressed in the Supplementary Planning Document and expanded upon at 4.4 above. Finally, we are currently inviting comments on the LDF Core Strategy in terms of its soundness. Following the consultation period an Inspector will hold a public inquiry (likely to be in May 2010) to confirm whether the Core Strategy is sound or not. Only once the Core Strategy has been deemed to be sound by the Inspector, and the document is formally adopted will the Core Strategy policies become development plan policy and material in planning decisions. In short, the Core Strategy is not yet part of the adopted Development Plan and it carries no weight until its adoption. This obviously differs to previous emerging policy documents which have increased in weight as they progressed.

5 CONCLUSION

5.1 In summary I do not consider there are material reasons of sufficient weight to set aside housing policy in regard to the provision of affordable houses to meet identified local needs in this instance.

Committee is recommended to:

REFUSE for the following reasons


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states that within the Lake District National Park housing development will only be permitted where the development is of a scale and type which is designed to contribute to the identified housing needs of the locality. The policy specifically states that housing development includes new dwellings resulting from the conversion of non-residential buildings. Policy H20 requires that housing development be appropriately controlled to ensure that it is occupied only by those in housing need.

The Supplementary Planning Document on Demonstrating Housing Need states that to be in housing need a household must be inappropriately housed, unable to afford to rent and/or buy on the open market and have a need to live in the locality.

In the absence of an agreement to restrict the occupancy in accordance with the above, the proposed conversion to three dwellings fails to provide housing designed to contribute to the identified housing needs of the locality. The proposed development would therefore be contrary to Policy H20 of the Cumbria and Lake District Joint Structure Plan 2001-2016, and there are no material considerations weighty enough to justify setting aside policy.

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: 7/2009/5300
Applicant: Black Beck Caravan Park
Date of Application: 22 June 2009
Type of Application: Amend/Delete Condition
Location: Black Beck Caravan Park, Bouth, Ulverston, LA12 8JN
Grid Reference: 333596 485688  See Plan
Proposal: Amend condition to allow season from 1 November to 16 January in following year
District Council: Object on the basis of the ‘Quieter Area’ policy and the need for Bouth residents to have a winter break from this very large site which generates considerable tourist pressure on a small village (both in terms of numbers of people and car parking issues).
Parish Council: No objection

REPORT:

1 BACKGROUND
1.1 I am reporting this application to Committee as my recommendation is contrary to that of Colton Parish Council.

1.2 Black Beck Caravan Park is sited in otherwise open countryside around 400 metres to the east of Bouth village. The site is reached via a minor road from the A50 with the last few hundred yards to the site proper via a private road. The caravan site is long established pre-dating the Caravan Act 1960. Planning permission was granted in 1973 for the use of land for an additional 60 pitches. The permission was subject to a condition that “this permission shall not authorise the use of the land as a site for caravans except during the period from 1st March to 31st October in each year”.

1.3 In 1987 further approval was granted for an additional 40 touring pitches. This permission was also subject to a condition identical to the above, with the exception that the permitted period was extended to 15 November rather than the 31 October.

1.4 The application seeks to extend the period during which caravans may be occupied to between 1 March in one year and the 16 January the following year. This would leave a close season between 17 January and 28 (or 29) February each year.
2 REPRESENTATIONS

2.1 In addition to the comments of the statutory consultees above, we have received four letters of objection and five letters of support for the application.

2.2 Of the four letters of objection one is from a local resident and the remaining three from owners of caravans on the site. The resident is concerned that the extension of the season would be detrimental to the village of Bouth. The village suffers the effects of increased traffic flow and all that is associated with it, extending the season would worsen the situation. The influx of tourists to the village in respect of the three current sites around the village has grown considerably over the past couple of years. Further increases would be detrimental to the village and villagers.

2.3 The caravan owners object to the application because they consider it would result in an increase in the ground rent, and are concerned about potential damage to caravans as a result of freezing pipes.

2.4 Of those who support the application, four have provided a standard letter and the fifth raises very similar points. They argue that the proposal would:

- Be in line with government advice on tourism as a year round activity
- Be in line with RSS advice that there should not be any seasonality to the tourism industry in the Lake District National Park
- Not affect any nature conservation interests
- Provide benefits in terms of a longer season to tourism in general for the surrounding area of Bouth, Ulverston and beyond
- Bring Black Beck into line with other caravan parks in the Lake District.

3 POLICY AND ASSESSMENT

Is the development acceptable in terms of policy principle?

3.1 Policy T9 of the Local Plan advises that where permissions for caravans are granted conditions will be imposed restricting their use for short term holiday accommodation only and, in appropriate cases, restricting the period of the year within which such caravans may be occupied.

3.2 Notwithstanding the above, policy with regard to retaining a quiet period at caravan site has softened over recent years, given that Policy T10 of the Local Plan has not been saved. Indeed Policy W7 of the Regional Spatial Strategy (the most recent development plan document) explicitly and actively promotes facilities which will extend the existing tourist season, and the National Guidance contained in the Good Practice Guide on Planning for Tourism advises that Local Planning Authorities should give sympathetic consideration to applications to extend the opening period allowed under existing permissions.
3.3 I am satisfied then that the extension of the season at Black Beck Caravan Park is not contrary to policy in principle. The acceptability of the scheme therefore rests on whether any material harm would be caused by the extension of the season such as to outweigh the active policy support detailed above.

Would the proposed development cause material harm?

3.4 The site lies within a designated Quieter Area of the National Park and therefore Local Plan Policy NE5 applies. Policy NE5 prevents development where it would cause demonstrable harm to the character and appearance of a Quieter Area by reason of an increase in traffic; a material increase in the level of recreational use; or, visual intrusion, noise or other forms of disturbance.

3.5 By extending the season there would be an increase of traffic and recreational use for an additional 8 weeks of the year. However this would have little impact on the appearance of the area as the static caravans are on site all year round, and there is only likely to be limited demand for touring spaces during the winter months. In terms of the impact on the character of the area, there would be more on-site activity during the winter months and probably particularly so at Christmas/New Year but it is unlikely to cause harm, as the site benefits from good screening. There would also be more off-site activity but it is hard to conclude that this would be demonstrably harmful given the thrust of government policy.

3.6 There are few properties immediately next to the site so I think it unlikely that there would be a direct impact on individual houses. The fact that we have had no objections on these grounds seems to support this view.

3.7 There are no nearby nature conservation interests (such as wintering wildfowl sites) likely to be affected by the extended season.

Are the concerns of the parish council justification for refusal?

3.8 The parish council are concerned that in the absence of any conditions restricting the occupation of the site to holiday use, extending the season would lead to permanent or semi-permanent occupation of the premises. They are concerned that ultimately this could result in the development of a village much larger than Bouth on their doorstep. They contend that most villagers also greatly value the quieter period over the winter to retain the village for its residents for a while.

3.9 The extension of the season as proposed will retain a significant closed season of six weeks, an important factor as this provides a mechanism to ensure that the caravans do not become permanently occupied as the parish council fear. In addition the applicants have indicated that they would not be averse to an amended condition restricting occupancy to holiday use. Such a condition is currently not part of the permission enjoyed by Black Beck Caravan Park. The parish council welcomed this but "still resolved to object on the basis of the 'Quieter Area' policy and the need for Bouth residents to have a winter break from this very large site
which generates considerable tourist pressure on a small village (both in terms of numbers of people and car parking issues)."

3.10 There is likely to be more activity and potentially more disturbance at times of the year which are currently relatively quiet. On the other hand there are some positive features of longer occupation in terms of increased use of local facilities such as the public house thus enhancing its viability. As it seems highly unlikely that the site will be at capacity in the extended season and a closed (albeit shorter) season will still remain, I consider that the current policy context has removed previous policy objections to proposals such as this, and I feel the weight must be placed with policy.

3.11 I have considered objections with regard to the Quieter Area policy above and concluded that they would not be contrary to policy, particularly in the light of more recent guidance contained in the Regional Spatial Strategy and government guidance.

Other matters

3.12 With regard to the objections of existing occupiers, I do not consider that the potential freezing of pipes or the raising of ground rents are material planning considerations in determining the application. Rather they are matters between the site owners and individual caravan users.

3.13 Most of the conditions attached to the original planning permissions are no longer applicable; however to maintain control over the visual amenities of the area the condition which restricts the overall number of caravans on the site is still relevant. Also relevant is the condition reserving spaces for touring caravans/tents because this would help to provide a range of tourism accommodation in accordance with Policy EM16 of the Structure Plan. For the avoidance of doubt, it would be appropriate to attach these conditions to an approval of the current application.

4  CONCLUSION

4.1 Current development plan policies indicate that proposals which would extend the tourist season will be supported unless material considerations indicate otherwise. Moreover Local Policy T10, which previously provided a policy justification for a closed period, is no longer development plan policy. Whilst there will be some increased impact upon Bouth village, the local area and the highway network, I do not consider that this would justify discounting the clear direction of policy.

Committee is recommended to:

APPROVE with conditions

1. With reference to that part of the site covered by permissions 7/1986/5266 and NL.1/4/9531, this permission shall not authorise the occupation of any caravan on the site except during the period from 1 March in one year and
16 January in the following year, and no caravan shall be occupied other than for holiday purposes only.

**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.

2. With reference to that part of the site covered by permission NL.1/4/9531, not more than sixty caravans shall be sited at any one time.

**REASON:** For the avoidance of doubt and to safeguard the amenities of the area.

3. With reference to that part of the site covered by permission NL.1/4/9531, thirty of the sixty caravan pitches permitted shall be reserved for the use of touring caravans, being caravans not remaining on site for longer than 21 consecutive days.

**REASON:** For the avoidance of doubt.

4. With reference to that part of the site covered by permission 7/86/5266, the use of the pitches hereby permitted shall be limited to touring units (tents or caravans), staying on site for not more than 21 consecutive days.

**REASON:** For the avoidance of doubt.

### Summary of Reasons for Approval

Having regard to the Governments Good Practice Guide for Tourism and the relevant development plan policies, in particular Policy EM16 of the Cumbria & Lake District Joint Structure Plan 2001-2016, Policies T9 & NE5 of the Lake District National Park Local Plan and Policy W7 of the North West of England Regional Spatial Strategy to 2021 and all other material planning considerations, the proposed extension of the season is in line with the thrust of policy and would not cause demonstrable harm to nearby residents or the character of the area by reason of increased activity or other interests of acknowledged importance, 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:  7/2009/5305
Applicant:     Mr Stephen Shone
Date of Application: 22 June 2009
Type of Application: Full
Location:     High Beck, Underbarrow, Kendal, LA8 8DN
Grid Reference: 345398 491265  See Plan
Proposal:     New higher roof, extensions and alterations to provide rooms in roof and garage
District Council: Not consulted
Parish Council: Refuse – see report
Highway Authority: No objection

RECOMMENDATION: APPROVE with conditions

REPORT:

1  BACKGROUND AND PROPOSAL

1.1 I am reporting this application to Committee as my recommendation is contrary to the views of Underbarrow and Bradleyfield Parish Council.

1.2 The property is located on the main Underbarrow to Crosthwaite road about halfway between the villages. There are no other immediate properties.

1.3 Highbeck is a bungalow with a detached cottage in the grounds also within the same ownership. The front of the property is dominated by a large parking and manoeuvring area and the site is separated from the road by a gate and hedging. The ground rises steeply to the rear of the property and there is a public right of way about 25m to the north of the site. The development would be visible from the public right of way. There are extensive long distance views to the south of the property.

1.4 The proposal is to raise the height of the roof of the bungalow by 0.9m and incorporate front and rear gable roof extensions to provide accommodation in the roof space. The proposal also includes a detached single garage to the west of the entrance on an existing lawn area.

2  REPRESENTATIONS

2.1 Underbarrow and Bradleyfield Parish Council - Recommend refusal due to the size and prominence of the proposed development.

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 (A) (Landscape)
- EM1 (B) (Natural Environment)

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

- BE1 (Roof and wall materials)

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

- E35 (Nature conservation)

The proposal does not raise issues of policy significance and the relevant matters, which are essentially site specific, are set out below.

Would the development result in harm to the character or appearance of this building or visual amenities of the area?

3.2 The works involve the increase in height of the roof of the building by 0.9m and two new gable roof extensions to the south elevation of the building which would be visible from the highway. The increase in height of the roof by 0.9m would not be significant in terms of any visual impact from public vantage points. The new gable extensions would add bulk and massing to the building and from the front of the site would make the building more noticeable in the landscape than the existing building but not to the extent that this would draw undue attention or appear visually harmful in the landscape. The roof materials would match the existing building which is blue grey slate. The front elevation which is rendered would have stone faced gables. Whilst there are extensive views from the south of the site of the property I do not consider that the alterations are out of scale or inappropriate for this location or the original building. The alterations to the dwelling would not have any detrimental impact on the visual amenities of the area.

3.3 The proposed single garage would be located 3m from the front boundary. There are trees and hedging making up the boundary with the highway in this location. The garage would be aligned parallel with the road. The location of the garage would mean it would be visible from the highway particularly when there are no leaves on the trees but given that it is a single garage within the curtilage of a dwelling it would not appear out of place in this setting. To locate it closer to the dwelling would increase the prominence of the garage in the landscape due to rising ground levels. This is the best location within the site.

3.4 The resulting building would remain somewhat unassuming and I consider the alterations for the building and new garage would not result in harm to the character or appearance of the building or the locality.

Would the development result in harm to the occupiers of the adjacent dwelling within the application site?
3.5 High Beck has additional living accommodation, in the form of a cottage within the grounds, in the ownership of the applicant. The proposed increase in height of the roof and additional front gable will, due to its proximity and orientation to the other building, result in some overshadowing of that building and would have a more overbearing impact on the outlook from that building. However, as this is within the same ownership and is ancillary to the main house and conditioned as such, I do not consider that this would warrant refusal of the proposal.

Would the development result in harm to ecological interests?

3.6 The proposed works involve alterations to the roof of the building and as the property is in a location where bats might be expected then a bat survey has been undertaken. The survey indicated that there has been evidence of bats using the building but it appears that the roost has been abandoned. No bats were found to emerge from the building and all evidence of usage was over 12 month old. However mitigation will be required for up to 2 years since it was last used and the bat survey indicates mitigation measures to ensure no adverse effect on the bat population in the area. Therefore provided the mitigation measures as specified in the submitted bat report are carried out then the development would not result in harm to the bat population.

4 CONCLUSION

4.1 The proposed alteration and extension of this dwelling and the erection of a domestic garage would not cause harm to the character and appearance of the locality.

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 mitigation measures indicated in sections E1 to E7 inclusive of the Bat Survey undertaken by Envirotech 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.

3. The roof of the roof extension and garage hereby permitted shall be covered in 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), to match the existing slates on the property at the time of the application 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 BE1 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 & 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 visual amenities of the area, nor cause harm to any non related dwelling or harm to any ecological interests.

The relevant North West of England Plan Regional Spatial Strategy to 2021 Policies are:
- DP7 (Promote Environmental Quality)
- RDF2 (Rural Areas)
- EM1 (A) (Landscape)
- EM1 (B) (Natural Environment)

The relevant saved Lake District National Park Local Plan Policies are:
- BE1 (Roof and wall materials)

The relevant extended Cumbria & Lake District Joint Structure Plan 2001-2016 Policies are:
- E35 (Nature conservation)

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: 7/2009/5308
Applicant: Mr & Mrs L and J Thorley
Date of Application: 19 June 2009
Type of Application: Reserved Matters
Location: Hopebeck, Keldwyth Drive, Troutbeck Bridge, Windermere, Cumbria
Grid Reference: 340627 499757 See Plan
Proposal: New four bedroom detached dwelling
District Council: 
Parish Council: Approve
Highway Authority: No objection

RECOMMENDATION: APPROVE with conditions

REPORT:

1 BACKGROUND

1.1 I am reporting this application to Committee as a request has been received from a member for the application to be considered by the Development Control Committee. As this is an unusual scheme both in terms of its planning history and also its design, I considered it appropriate for Committee to visit the site to gain a better appreciation of the context prior to consideration of the proposals. Members inspected the site on 10 September 2009.

1.2 A member of the public wishes to present their objections to the Committee in person.

1.3 This application seeks reserved matters consent for the erection of a new dwellinghouse on land off Keldwyth Drive, between Troutbeck Bridge and Windermere.

1.4 Outline planning permission (ref. NW786) was granted in 1957 for the layout of nine houses on land around Keldwyth Drive. In 1961 and 1965 reserved matter applications were received for the dwellings now known as Brantwood and Cedar Howe. The submission of reserved matters applications, and the subsequent construction of those dwellings implemented the 1957 outline permission, allowing it to remain extant. In the following years the remaining plots were also developed. The Hopebeck site is the sole remaining undeveloped site to which the 1957 permission relates.

1.5 Prior to 1968, there was no requirement for reserved matters to be submitted within a particular period of time following the grant of an outline planning permission. The implementation of the 1957 outline permission allows it to remain extant to this day and, subject to the submission and approval of a
reserved matters application, the principle of a new and unfettered
dwellinghouse is established at this site.

1.6 The legal position regarding the outline planning permission and the reserved
matters was confirmed in 2007 when a lawful development certificate was
issued to that effect (7/2007/5303).

2 PROPOSALS

2.1 The proposed scheme would provide a large four bedroom dwelling, offering
living accommodation across two floors with a garage underbuild below. The
ground floor would offer an open plan lounge, snug and kitchen/diner
arrangement, with an additional study and utility. To the first floor four en-suite
bedrooms are proposed.

2.2 The woodland set application site is an unusually contoured plot, being almost
bowl shaped. A previous owner of the land maintained a miniature railway at
the site, the remnant groundworks of which are still visible around the site. The
proposed house would stand towards the south-east of the corner of the site
(near to the Keldwyth Drive), following the contours of the plot. An existing
lightly vegetated spoil heap would be removed and an amount of cut and fill
would take place. The building would be accessed from a new driveway off
Keldwyth Drive to the north of the house.

2.3 The proposed dwelling would be two storeys high, with an angled footprint
allowing it to follow the contours of the site. The proposed building would be a
large four bedroom dwelling, with a principal elevation 24m in length. The
house would focus its outlook towards the west, with a number of large
windows and a surrounding balcony to this elevation. The remaining elevations
are much less heavily fenestrated. The design features strong, simple forms
set under a shallow pitched roof with large overhangs.

2.4 The proposed scheme presents an interesting and potentially challenging
contemporary design, combining local and modern materials. The walls of the
building would feature materials including local stone facing, timber panel
sections and black pre-cast plinths. The roof proposed would be of rolled zinc,
in a green finish. The windows would be of gunmetal grey powder coated
aluminium.

3 REPRESENTATIONS

3.1 Windermere Town Council recommends that the application is approved.

3.2 The Local Highway Authority has no objections to the application, noting that
Keldwyth Drive is a privately maintained road.

3.3 Windermere Civic Society noted that "there is no mention of restricted
occupancy and, as a society, [they] would hope that any new build would have
a local occupancy restriction". The Society also expressed concern with regard
to "burden on the sewage system in Windermere".

7/2009/5308
3.4 A further three letters of objection have been received from nearby residents (APPENDIX A provides site plans showing the relationship between the application site and the neighbouring properties). The concerns raised can be summarised as follows:

- The occupiers of Wood Howe, which overlooks the site of the proposed house, expressed concern about the size and design of the proposed development in relation to neighbouring properties. They note that the proposed building is larger and occupies more of the site than anticipated, with parts of the house visible from their sitting room window. They also expressed concern that the rear aspect of the property would stand too close to the access road and will appear out of keeping with neighbouring bungalows and the surrounding woodland.

- Objections were raised by the occupier of Cedar Howe, a short distance from the application site that the proposed development is inappropriate for the site and that a smaller building or bungalow would be more acceptable on what was perceived as a prominent site.

- The occupiers of nearby Brindlemire object to the scheme on the grounds of its scale and design which, it was felt would not fit into the surrounding environment. The objector states that, whilst building design has moved on since the construction of surrounding houses, surrounding buildings are all either bungalows or semi-bungalows, built with traditional roofs and rendered walls. There was concern expressed about the comparatively modern design proposed, and about the zinc roof suggested. There was particular concern about the rear elevation which is relatively blank and stands close to the adjacent roadway. Questions regarding discrepancies in the submitted plans were also raised. These issues have now been addressed with the architect.

3.5 At the site inspection members noted that the application site features a number of trees. A number of trees are also present on the adjoining land. The applicant has submitted an arboricultural survey with the application, which has been appraised (with the benefit of a site visit) by a Tree and Woodland Officer of the Authority. It was her view that proposed tree management plan for the site was appropriate and, with the requisite protection for those trees which are to be retained during the course of works (which can be secured by condition), the proposed development would not have unacceptable impacts upon tree interests at the site.

4 POLICY AND ASSESSMENT

4.1 The following policies are 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 saved Policies NE1 (development in the open countryside) and BE1 (roof and wall materials)

4.2 The extant 1957 outline planning permission establishes the principle of an unfettered dwelling at Hopebeck. As such saved Policy H20 of the Cumbria
and Lake District Joint Structure Plan 2001-2016 is not applicable to this application.

4.3 Windermere Civic Society raised concerns that the proposed dwelling would place unacceptable additional pressure upon the sewage system in the Windermere area. Whilst there are known issues of capacity in the Windermere and Bowness area, the question of drainage is not a matter before us. Planning permission was granted in 1957 and subsequently implemented to provide foul drainage at the application site (and neighbouring sites) connecting to the mains drains. The proposed dwelling will connect into this system.

4.4 As a reserved matters application the considerations are whether the siting and design of the building are acceptable, and whether the proposed development would adversely affect the amenity of neighbouring properties.

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

4.5 The proposed scheme is of an unusual and distinctly modern design. The scheme proposes to use a combination of both local materials (such as the stone faced walls), as well as modern materials (such the zinc roof). This is an interesting and challenging building to appraise. The design uses unapologetically strong simple forms, in an uncompromising fashion. The proposed building would undoubtedly have a strong presence within its setting.

4.6 However, whilst the application plot is clearly visible from the immediate area, this is a relatively secluded site in terms of wider public views. The buildings surrounding the application site are relatively modern and, rendered walls excepted, do not (contrary to the suggestion of an objector) use locally distinctive materials in their construction. The majority of the dwellings around the application site have concrete tile roofs for example. The only dwelling wholly visible within the setting of the application site is Brantwood, a particularly uninspiring timber clad, concrete roofed bungalow set atop a tall blank rendered plinth. Brantwood, like many other dwellings in the area is a building of its time. In my view there is little strength of character or locally distinctive quality to the built context surrounding the application site, and this lack of distinctiveness (in a comparatively secluded, residential setting) provides an opportunity for a more unusual approach to be adopted.

4.7 The proposed house is a large building in its own right, although in terms of footprint is not significantly larger than some of the bungalows nearby. Ultimately it is not the size of the building in isolation which determines whether the proposals are acceptable, but rather the relationship between the building and its context. The built context around the application site is of a number of buildings which, whilst smaller in footprint than the proposed house would be, are set on elevated plots above the application site. The proposed building whilst large, would be seen against a backdrop of other buildings which will appear taller. The siting and form seek to set the building into the contours of the site and whilst the footprint would be close to the adjacent access drive, the slope of the land is such that the building would appear as a full two storey structure for only part of this length. Any new dwelling,
regardless of design, would bring about a change in the character of the area. Ultimately however this is a relatively secluded site, with limited defining context, which offers opportunities for more design freedom.

4.8 The proposed scheme uses high quality materials throughout. The use of local stone facing to the side and rear elevations, and as an accenting feature to the principal elevation, will serve to deliver a building which is recognisable as being in the Lake District. I also anticipate that the local stone will soften those elevations (such as the rear) which have fewer windows, and would have a far reduced visual bulk in comparison to that which could be expected from a similar size in alternative materials, such as render for example.

4.9 The cedar boarded panel sections proposed would reflect the wooded setting of the house, softening the form of the building, particularly as they weather with time. Dark grey powder coated aluminium windows meanwhile would offer a simple and contemporary fenestration detail, that would recede against the building as a whole.

4.10 The applicant proposes a preweathered zinc roof, a sample of which has been submitted with the application and which was circulated to members on site. I shall also present this sample to Members during the Committee meeting. The proposed zinc has a green hue, similar (although clearly not identical to) that of Westmorland Green slate. The zinc would be laid on the roof in sections with standing seam details. The roof has strong overhang details, which will create texture and shadow across the building. The proposed roof would be a distinctive feature, however in an area which has no strong slate vernacular and within a contained visual envelope, I do not believe it would be unacceptable.

4.11 The proposed house is an assertive modern building design, with bold components and strong forms being characteristic of its design. It is a contemporary building, but one which uses local materials throughout its palette. The proposed scheme is highly individual, however without a strong and defining built character and quality to its context, the site presents an opportunity for this more distinctive scheme. I do not believe that, within the context of this site, the proposed development would, by reason of its scale and design be harmful or unacceptable.

Would the proposed building adversely affect the amenity of nearby dwellinghouses?

4.12 The proposed dwellinghouse would be set in a large plot, however to minimise its imposition upon the setting, the siting places the building towards the south-eastern periphery of the site, which is also towards neighbouring dwellings. The proposed dwelling would be visible from neighbouring dwellings, in particular Wood Howe which overlooks the site. However, I am unconvinced that the proposed dwelling would result in unacceptable detriment to the amenities of neighbouring properties.

4.13 Immediately neighbouring Brantwood is set on an elevated site above the application plot. The proposed development would maintain a separation of over 20m from Brantwood, with no windows proposed in the gable which
faces that property. Whilst there would obviously be changes to the character of the access route to Brantwood, Boulderigg and Sundown by reason of the proximity of the proposed scheme to this track, the proposed scheme will not, in my view significantly affect the amenity of those dwellings by virtue of its separation from, and siting below those dwellings.

4.14 With regard to Wood Howe, the property to the south of the application site, whilst the proposed development will be visible from Wood Howe, again I am unconvinced that such significant harm would be caused to the amenity of that dwelling as to render the proposals unacceptable. The application site is set well below the level of Wood Howe and at its nearest point the proposed dwelling would be 19m away. Although the proposed development would be clearly visible from Wood Howe, because of this separation and the difference in levels I cannot conclude that it would be overbearing upon that dwelling such as to be unacceptable.

4.15 The proposed dwelling would be sufficiently separated from other dwellings so as not to affect their amenity.

5 CONCLUSION

5.1 The proposed dwelling would be a bold and distinctive building, but one which would stand within a relatively tight visual envelope with limited public views beyond the immediate vicinity of the site. The scheme proposes to use a combination of local vernacular and modern materials and seeks to reflect its setting through its palette.

5.2 Whilst a large building, and one which would be visible from nearby properties, it would sit within the contours of the site at a lower level than neighbouring dwellings, and at such a separation from them as to have limited identifiable harm to the amenity of such dwellings. As such, in my view the proposed development can be considered acceptable.

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 92 of the Town and Country Planning Act, 1990.

2. Unless otherwise agreed in writing with the Local Planning Authority, roof of the building hereby permitted shall be covered in pigments green VMZinc of a type to match the sample submitted to the Local Planning Authority in conjunction with the application submission, and shall be retained as such thereafter.
REASON: To ensure a satisfactory standard of development.

3. Those sections of the external walls of the building hereby permitted as being stone faced, shall be faced with natural local stone laid on its natural bed and shall be maintained as such thereafter.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE1 of the Lake District National Park Local Plan.

4. Unless otherwise agreed in writing with the Local Planning Authority, the window frames of the building hereby permitted shall be of dark grey powder coated aluminium manufacture and shall be retained as such thereafter.

REASON: To ensure a satisfactory standard of development.

5. The garage door of the building hereby permitted shall, unless otherwise agreed in writing with the Local Planning Authority, be constructed of vertically boarded timber and shall be painted 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: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development.

6. Unless otherwise agreed in writing with the Local Planning Authority, those trees on the application site and the adjoining land within the applicant’s control which have been identified for retention in the tree survey submitted with the application (and received by the Lake District National Park Authority 16 July 2009) shall, prior to the commencement of works be protected in accordance with details included in the submitted tree survey. Such protection shall remain in place until the completion of works on site.

REASON: To minimise the likelihood of harm to trees on the application site and adjacent land in accordance with S197 of the Town and Country Planning Act 1990.

Summary of Reasons for Approval

Having due regard to the relevant planning policies, in particular Policy DP7 of the North-West of England Plan: Regional Spatial Strategy to 2021, saved Policies NE1 and BE1 of the Lake District National Park Local Plan 1998, and all other material planning considerations, the proposal is considered to be acceptable subject to the conditions imposed. The scale of the proposed building can be accommodated on the site and the contemporary design and materials will not cause harm against the context of modern, non-vernacular buildings within a relatively tight visual envelope. The proposal due to the distance and difference in levels from neighbouring properties, would have no unacceptable impacts upon residential amenity.
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:  7/2009/5322
Applicant:      Mr N Seed
Date of Application:  28 June 2009
Type of Application:  Full
Location:       Tanglewood, 4, Brown Howe, Water Yeat, Ulverston, Cumbria, LA12 8DW
Grid Reference: 329047 490764  See Plan
Proposal:       Alterations to house, new underground garage, new boat store, new jetty, new greenhouse, new shed

District Council:
Parish Council:  Refuse. See letter
Highway Authority:

**RECOMMENDATION:** Split Decision

**REPORT:**

1  BACKGROUND

1.1 I am reporting this application to Committee following a site inspection by Committee on 10 September 2009, and as my recommendation is contrary to the views of Blawith and Subberthaite Parish Council. As the scheme involves significant alterations to a property situated close to the shores of Coniston Water, a request that the application be determined by the Development Control Committee has also been received from a member.

1.2 Blawith and Subberthaite Parish Council have requested the opportunity to present their concerns in person to the committee.

1.3 Tanglewood is one part of the large subdivided property known as Brown Howe which stands on the western shore of Coniston. Dating back to the 19th Century, Brown Howe is an attractive property built in local stone. Like many large lakeshore properties from the Victorian era, Brown Howe is clearly visible from the lake, and was intended to be. Tanglewood comprises the southern part of Brown Howe, in what was formerly the billiard room. The property features extensive grounds around the house and along the western lakeshore, to which other residents of Brown Howe have some limited access rights in addition to their own grounds.

1.4 Tanglewood, whilst originally forming part of the main house, and remaining attached, has a character of its own. It is an unusual building, constructed of local stone, with a large glazed eastern gable — constructed with large single glazed panels set in slender timber frames. The applicant informed me in mid-August that this glazed front had been found to be structurally unsound and it
was due to be removed for safety reasons (in accordance with the advice of South Lakeland District Council Building Control). This had been removed by the time of the Committee site visit.

1.5 Tanglewood has been unoccupied in recent years, and it is now in the process of being brought back into residential use. The period of neglect of both the house and grounds mean that improvement works are required at the property. Some permitted development works at the house, and works to its interior (which do not require planning permission) along with works within the grounds to clear significant rhododendron growth which had overwhelmed areas of the surrounding woodland (which is subject to a woodland tree preservation order) have already been undertaken. Works to upgrade access tracks around the site, including a track past the kitchen garden, and along the lakeshore to the house have been undertaken.

1.6 A previous planning application (7/2009/5115) at the site was withdrawn in order to allow the further consideration of certain elements of the scheme and for revisions to be made. This application represents a revised scheme.

2 THE CURRENT SITE

2.1 At the site inspection it was clearly apparent that the applicant has already undertaken a number of works at Tanglewood. Many of the works which have been undertaken at the site, in the view of myself and the Authority’s Compliance Officers, are permitted development. Other more recent works have been undertaken at risk. Members asked for clarification as to what works constituted permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (and why these works were permitted development), and what constituted unauthorised works for which retrospective permission was being sought.

2.2 The following works are considered to be permitted development:

- Alterations and enlargement of an existing window on the NW elevation of the main house – considered permitted development under Schedule 2, Part 1, Class A of the 1995 Order
- Upgrading of existing tracks at the site – considered permitted development under Schedule 2, Part 9, Class A of the 1995 Order
- Wall along the boundary between Tanglewood and 3 Brown Howes – considered permitted development under Schedule 2, Part 2, Class A of the 1995 Order
- Wall along the lakeshore – considered permitted development under Schedule 2, Part 2, Class A of the 1995 Order
- Sitling of a caravan within the walled garden – considered permitted development under Schedule 2, Part 5, Class A of the 1995 Order which permits caravans on-site (or on adjoining land) for the accommodation of workers employed in carrying out or engineering operations which benefit from planning permission.
- Temporary building in the walled garden – considered permitted development under Schedule 2, Part 4, Class A of the 1995 Order which permits the provision of building on land (or on adjoining land) for use in connection with operations being carried out on that land
which benefit from planning permission. Upon completion of works such temporary buildings must be removed from the site.

2.3 Retrospective/part retrospective planning permission is sought for the following works:

- Alterations and extensions to the south-western elevation including the removal of existing flat-roof dormer windows, the erection of a large and a small eaves dormer, and the erection of a single storey pitched roof extension at first floor level in place of a previous flat roof porch
- Creation of a short stone jetty on the lakeshore.

2.4 Whilst the applicant may have commenced certain works for which planning permission is sought, this does not affect the appraisal of those aspects of the proposal - those works must be assessed upon their planning merits. That the applicant has already undertaken certain works does not prejudice us to permit otherwise unacceptable alterations, nor however can we penalise the applicant by withholding planning permission for otherwise acceptable operations.

3 IS THE USE OF THE BUILDING KNOWN AS TANGLEWOOD AS A DWELLINGHOUSE LAWFUL?

3.1 Members asked at the site inspection for further information to be provided about the lawfulness of the use of the building as a dwellinghouse. This is a question that can be addressed by way of an application for a certificate of lawful development application under S192 of the 1990 Act (as amended), not through the mechanism of a planning application.

3.2 The Authority has received a number of planning applications at the site through the years (these applications are detailed at APPENDIX H), the most recent (prior to this scheme) was received in 1993. All these previous applications consider Tanglewood as an individual dwellinghouse. The site was also visited by an officer of the Authority in 2008, prior to the commencement of works – the officer's notes from that meeting again described Tanglewood as an individual dwellinghouse formed from the subdivision of Brown Howe.

3.3 The correspondence, reports and notes held on file indicate that Tanglewood has been used as a dwelling in the past and offer no indication that this residential use has been lost. I believe it is appropriate to consider this application on that basis.

4 PROPOSALS

4.1 This application contains six separate components shown on the layout plan in APPENDIX A. Planning permission is sought for:

- Alterations to the existing Tanglewood dwellinghouse
- The creation of a new underground garage attached to the main house

7/2009/5322
• The erection of a new timber jetty on the lakeshore in front of the house
• A new boat store in the south-western corner of the kitchen garden
• The erection of a new greenhouse on the site of a former greenhouse in the kitchen garden
• The erection of a timber shed on land adjacent to an existing access track in the woodland area

4.2 I shall discuss each of these separate components, their issues and considerations in turn.

5 REPRESENTATIONS

Blawith and Subberthwaite Parish Council

5.1 Blawith and Subberthwaite Parish Council recommend that this application is refused. Whilst the Parish welcomes the applicant's attempts to address some of their previous concerns, they were of the view that the amendments made did not significantly address all the points previously raised. In particular the Parish is concerned that the proposals would adversely affect the amenity of neighbouring 3 Brown Howe.

5.2 The Parish Council is also concerned that the proposed garage, despite measures to mitigate its visual intrusion, would remain visible from the lake and, with its shoreline approach road would have an unacceptable impact.

5.3 The Parish Council commended the inclusion of a new greenhouse as an appropriate and beneficial addition to the development.

5.4 Concern was expressed that the proposed timber shed would be an unacceptable addition, and that given its location it would be visible from well beyond the immediate site.

5.5 The Parish Council also noted that, whilst the property is largely hidden among the trees, the works proposed would remain visible from the lake and opposite shore, increasing its visual impact. The Council also had concerns about a proliferation of jetties in the area and their potential effect upon the character of the lakeshore.

5.6 Finally the Parish Council repeated its support for the re-instatement of the Tanglewood property to a permanent residence, requesting that whatever measures council be put in place to ensure it remained in local occupancy were applied. This view was reiterated by the Parish Council representative at the site visit.

5.7 The full comments of the Parish Council are attached at APPENDIX B and a representative of the Parish Council will be present at the committee meeting.

Colton Parish Council

7/2009/5322
5.8 At the site visit members requested that Colton Parish Council be consulted on the application as the scheme would, particularly in winter be visible from the Colton Parish side of Coniston Water. At the time of writing Colton Parish Council had been consulted on this application, however no response has been received. Colton Parish Council has been asked to provide their comments in such time that they may be reported verbally to Committee.

The Rawdon Smith Trust

5.9 The Rawdon Smith Trust owns the lakebed of Coniston. Members enquired at the site visit as to whether the Trust was aware of this application. The applicant has fulfilled his obligations to inform the trust that a planning application had been lodged which affects land in their ownership. No representations have been received from the Rawdon Smith Trust although the Blawith and Subberthwaite Parish Council representative present on the site visit noted that the Trust does not, as a matter of course, comment on planning applications affecting the lakebed.

The Environment Agency

5.10 The Environment Agency has no objection to the scheme. It did however note that certain elements of the scheme other than the jetty (which is acknowledged as a water compatible development), may lie within flood risk zone 2. These include the garage and boat store, and the Environment Agency recommended that current ground levels should not be lowered so as to increase flood risk. The Environment Agency also suggested that, given the lakeshore location of the site, several informatives regarding the method of the proposed works and the requirement for the applicant to obtain additional consents be attached to any permission.

Tree and Woodland Advisors

5.11 The majority of the Tanglewood site is covered by a woodland tree preservation order. The Authority's Tree & Woodland Advisors have been heavily involved in the management of the site. During the site inspection members requested a summary of the site be provided by the Authority's Tree and Woodlands Advisors, such a summary will be provided verbally to Committee.

Objections

5.12 One letter of representation has been received from a nearby resident, living in a property close to Tanglewood (and with a right of recreational access to the land immediately south of the kitchen garden) but outside the main Brown Howe house. This objection raises a number of issues with the scheme as proposed, and also with works which have been undertaken at the site to date. Ten pages of photographs were also supplied. I have summarised the objection below.

5.13 The objection notes that some works have already taken place both at the Tanglewood house and also in its grounds, including the construction of walls, the erection of a storage building, works to tracks and cuttings, works to the
lakeshore, works within the woodland and also some landscaping. The objection notes a number of perceived inaccuracies with the application submission, for example suggesting that the applicant had not held pre-application discussions with the objector as suggested by the application (which suggested immediate neighbours had been consulted), stating that a number of works had already been undertaken on site, and noting that the site can be clearly seen from the lake shore on the western side of the lake at Blawith common and from the eastern side of the lake at Water Park.

5.14 The objection states that the boat store would be less than 20m from the lakeshore (10m at high water) and would occupy an elevated position, visible from the adjacent SSSI, Blawith Common, the eastern lakeshore and the lake. It is felt that the boat store would have a negative impact upon the enjoyment and tranquility of the recreational use enjoyed by neighbouring residents of Tanglewood in the adjacent woodland and shore where they have rights to keep small boats. It was also suggested the boat store may have detrimental wildlife impacts and that the boat store, in the objectors view, would be contrary to saved Policy NE7 as the building seemed unnecessary and inappropriate.

5.15 The objection suggests that developments within the walled garden would be inappropriate and would again be visible from the lake and its shores. It was suggested that the presence of a building overlooking the area of recreational access for other residents at Brown Howe would adversely affect their privacy and enjoyment of that area, and that of other users of the western lakeshore.

5.16 The objection suggests that the construction of a new jetty would have negative impacts upon the beauty, character, navigation and amenity value of the lake.

5.17 Finally, it was suggested that to approve the proposals would make way for the “next chapter” of development, potentially with a residential property, and that the approval of the scheme would give an appearance of the Authority’s complicity in creating a precedent for lakeshore development throughout the National Park despite the policies clearly stated in the Local Plan.

6 POLICY AND ASSESSMENT

6.1 This scheme includes a number of different elements which I shall address in turn. The relevant issues vary with each aspect of the development, however the following policies are relevant to the application as a whole:

6.2 North-West of England Plan: Regional Spatial Strategy to 2021 policies:
  • DP7 (Promote environmental quality)
  • RDF2 (Rural areas)
  • EM1 (Integrated enhancement and protection of the region’s environmental assets)

Cumbria and the Lake District Joint Structure Plan 2001-2016 saved policy:
  • E37 (Landscape character)

6.3 Lake District National Park Local Plan saved policies:
6.4 Local Plan Policy NE8 (development adjacent to Lakes and Tarns) is frequently referred to in the objection received from the nearby neighbour. This policy has not been saved by direction and therefore cannot be given weight.

7 THE PROPOSED EXTENSIONS AND ALTERATIONS TO THE HOUSE (also see APPENDIX C)

7.1 This application proposes significant and striking changes to the Tanglewood dwellinghouse in order to modernise the living accommodation available and to secure the building (some elements of which are at risk) for the future. The proposed extension seeks to provide a modern interpretation of the original, unusual glazed feature, in addition to other smaller alterations.

7.2 The proposed development would involve minor alterations to the windows of the north-western gable that, whilst included in the application, in my view could be considered permitted development.

7.3 An existing flat-roofed porch and a flat-roof dormer to the south-western elevation would be removed. Two new gables would be built, one off the existing eaves (to provide additional accommodation but not extending the footprint of the building) and the other extending the footprint by approximately 3m to the south-west to provide a larger bedroom and making use of the split levels of the site. A small pitched dormer is proposed between the new gables. Two new windows are proposed to the lower floor.

7.4 It is to the south-eastern elevation that the most significant changes would be visible. The existing billiard room glazing would be removed and the building extended by 3.1m. The proposed extension would create a new full height, glazed façade, overhung by a local slate roof. This would provide enlarged lounge and kitchen accommodation. A glazed balcony would be suspended across its front. The glazing system proposed is known as Skyframe and, according to the application, offers the slimmest frame profile of any glass system currently available.

7.5 An additional dormer window and a new lower level window are proposed to the north-eastern elevation.

7.6 In my view the issues for consideration regarding the extension element of the application are whether the proposed development is acceptable in terms of; principle, scale and design, the amenity of neighbouring owners, and ecological interests.

**Is the principle of the proposed extension acceptable?**

7.7 The proposed development is for the extension of an existing house. Whilst the proposals would (in combination with other elements discussed below),
constitute a substantial development in a potentially sensitive lakeshore location, there are no policy requirements or limitations on the size and extent of alterations which would normally be allowed at a residential property. I am satisfied that the proposals are closely integrated with the use of the building as a dwellinghouse, and I am satisfied that, in terms of policy principle, the proposed extensions are acceptable.

7.8 Blawith and Subberthwaite Parish Council has requested that any measures to secure that the building remains in local occupancy in the future are put in place. However, as this property is currently an existing single unfettered dwelling it is not possible to apply retrospective occupancy conditions as such a condition would not meet the tests for conditions established in Circular 11/95.

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

7.9 The proposed extensions and alterations, particularly to the south-eastern elevation will undeniably alter the appearance of Tanglewood. To address the less prominent elevations first, I am wholly satisfied that in terms of design the alterations proposed to the north-western, south-western and north-eastern elevations are acceptable (it should be noted that the south-western elevation is that elevation upon which works have already begun). The simple gables, dormer windows and standard windows proposed reflect the style used elsewhere on Brown Howe. Subject to conditions securing the use of appropriate materials (in particular roof slate) in the construction of these elements, I see no design issues associated with these aspects of the scheme.

7.10 The south-eastern elevation is the most prominent aspect of Tanglewood, overlooking Coniston and, despite being set back from the lakeshore, remaining visible from the lake. As such it is important that this elevation provides the highest quality of design and finish. The south-eastern elevation of Tanglewood has always been somewhat unusual. The original billiard room featured a large glazed wall, with slender timber frames supporting large single glazed windows. The proposed scheme’s design seeks to offer a contemporary interpretation of this feature.

7.11 The slender glazing system would repeat the lightness of the original glazed gable, whilst the overhanging roof would add definition to the feature. I find it an unusual but attractive proposal which continues the slightly quirky and different character that this element of the building has always had.

7.12 Even in its original form, Tanglewood from the south-east felt somewhat separate of the remainder of Brown Howe. Tanglewood extends well forward of the face of the rest of the building, and it has a wholly different character. That this proposal is different to the other, more traditional Victorian elevations of Brown Howe is not, for these reasons, unacceptable.

7.13 It has been raised in representations that the proposed scheme would be visible from the lake, and therefore should be considered unacceptable. Because the property is visible from the lake it is important to seek the highest standards of quality and finish in the project, but that a scheme would be
visible from the lake does not necessarily make it unacceptable. Brown Howe is already visible from the lake, and it is those occasional glimpses of the grander buildings and houses which sets part of the character of Coniston Water. The proposed Tanglewood building will form part of that character. I am satisfied that, despite being visible from the lake, the proposed scheme is acceptable.

Would the proposed extension adversely affect the amenity of neighbouring dwellings?

7.14 The majority of the proposed alterations are unlikely to affect the amenity of neighbouring properties. Works to the northwest and southwest of the house will not overlook neighbours and I believe it is highly unlikely that such works could affect amenity in any way.

7.15 The insertion of new windows in the north-eastern elevation caused me considerable concern during the course of the previous (now withdrawn) application. The applicant has revisited the fenestration of this elevation and has sought to address any potentially unacceptable overlooking which could have resulted to the harm both of the neighbours, but also the occupiers of Tanglewood. This application includes detailed images showing what likely overlooking could result were this scheme to be considered acceptable. The applicant also provided members, myself and the representative of the Parish Council an opportunity to view the neighbouring dwelling from the location of the proposed window. This revised scheme has placed the proposed first floor bedroom window tight to the internal bedroom wall, thus minimising the likelihood of overlooking. To the lower floor, the new bedroom window has been similarly placed and a large stone mullion added to further minimise the likelihood of overlooking. The applicant has also noted that a partially implemented (and therefore extant) permission exists which would allow the insertion of a new window in the north-eastern elevation.

7.16 I am more comfortable with the scheme as proposed than I was with the previous proposals with regard to overlooking. I believe that the likely overlooking from the new north-eastern windows has been minimised to the greatest possible extent, and in my view the scheme as proposed is now acceptable. I would however recommend that a condition be applied to any grant of planning permission to remove permitted development rights that would allow the insertion of further windows into the north-eastern elevation of the building in order to protect the amenity of neighbouring properties from potential future works, which could affect their amenity.

Will the proposed development adversely affect nature conservation interests in the area?

7.17 As the proposed development involves significant alterations to the Tanglewood building, a bat survey was commissioned and submitted with the application. The survey found evidence of bats roosting at the property. Bats are a protected species and therefore their presence is a material consideration in the determination of a planning application.
7.18 The bat survey undertaken at Tanglewood recommended a number of mitigation measures be employed, and provided for a methodology of works on site to minimise the likelihood of harm being caused to bats as a product of the scheme. I am satisfied that, given the measures in place harm will not be caused to bat interests in the area. Furthermore it should be noted that the applicant will require a European Protected Species licence from Natural England for the proposed works and will therefore also be subject to separate legislative regimes regarding ecological interests at the site. I am satisfied (based upon the submitted survey, mitigation and advice from our Ecologist), that the proposed work will not result in material harm to protected species at the site. I recommend a condition to ensure that works are undertaken strictly in accordance with the methodology contained in the submitted survey.

8 THE PROPOSED UNDERGROUND GARAGE (also see APPENDIX C)

8.1 The proposed underground garage would represent, by reason of its siting a non-vermacular addition to Tanglewood. In my view the central consideration with regard to this aspect of the proposed development is the potential impact the garage would have upon the visual amenity of the area. Issues of neighbour amenity must also be considered.

Is the proposed garage acceptable in terms of scale and design?

8.2 The proposed garage would stand on the lakeshore elevation of Tanglewood, extending in front of the house and set into the hillslope. The garage would be topped by a flat terraced area. Originally the proposed garage extended straight from the front of the house. This raised concern that the garage would be a particularly visible and prominent development, imposing itself upon the landscape. The scheme has since been amended to set the garage more tightly to the contours of the site and to screen it behind the existing landforms around the site. I am satisfied that the scheme proposed seeks to minimise the visual impacts of the garage, however it remains an unusual feature on this lakeshore facing elevation.

8.3 The proposed garage would sit low within the site and would be mostly hidden from wider public view by the contours of the land (the applicant has also undertaken to provide a scheme for additional screen planting to further hide the garage from lake views). Furthermore the garage has been designed to appear against a backdrop of the retaining walls of the site – almost as a terrace.

8.4 The garage as proposed would be an unusual feature. It is clearly uncommon to see a garage sited facing, and accessed along the lakeshore. This arrangement is a product of the evolution and subdivision of the site, with the historic parcelling of the Brown Howe estate forcing previous Tanglewood owners to access the house along the lakeshore (as no right of access is available to the rear of the dwelling, and the contours of the site are prohibitively steep to the south-west, particularly in winter). Whilst an unusual feature, I feel that the garage would not cause harm to the character and amenities of the area as seen from important public views. It would be screened from the lake by the existing lie of the land and this would be further
8.5 The most visually intrusive aspect of development at the site has been the upgrading works to the track which runs along the lakeshore. This is, I understand, a long established track which has been cleared and upgraded. Permitted development rights also allow the applicant to provide areas of hardstanding within the curtilage of the house. I do not believe that the refusal of the garage element of the scheme would prevent vehicular access along the lakeshore, nor would it prevent parking in front of Tanglewood. With this in mind, and given the measures taken to screen the garage from the lake, (subject to the approval of a satisfactory planting scheme), I believe that the garage component will be acceptable in visual terms.

Would the proposed garage adversely affect the amenity of neighbouring residents?

8.6 The proposed garage would introduce a large walled feature on the boundary of the Tanglewood curtilage. Whilst overlooked by neighbouring properties, it would from inside the houses, appear as a continuation of the existing Tanglewood house. Given the revised dog-legged floorplan, the garage would not, despite its height of 2.7m to the terrace level, dominate or unacceptably affect the amenities of neighbouring dwellings.

8.7 The structure would however be a significant addition on the property boundary, tight to the curtilage of neighbouring Brown Howe properties. There has always been significant development upon this boundary however, not least in the side elevation of the Tanglewood house, in addition to the steeply rising land at the site. The neighbouring gardens are already overlooked by Tanglewood and the proposed garage and terrace would not worsen that. Whilst a large addition, on balance I believe that the garage is acceptable.

9 THE PROPOSED TIMBER JETTY (also see APPENDIX D)

9.1 The applicant seeks planning permission for a proposed timber jetty, which would extend almost 20m from the lakeshore into Coniston. The jetty would be a simple timber structure, which following the Lakeland vernacular, would be constructed using timber piles which extend above the deck height of the jetty. The jetty would be approximately 1.2m wide along its length, with a T-shaped end, 1.8m deep and 4.87m wide. The jetty would be built off an existing retaining wall on the shoreline.

9.2 By its very nature a jetty has a functional requirement to be sited at the lakeshore, and therefore in terms of policy principle is an acceptable development in this location. In my view there are two key issues to consider with regard to the jetty. Firstly whether the jetty would cause harm to the visual amenities of the lakeshore, and secondly whether the jetty would result in harm to the ecology of the lake.

9.3 During the site inspection members asked for further information about the number and size of jetties along this stretch of lakeshore. I have been able to
identify some jetties along this shoreline from our mapping, planning applications, and aerial photography. The following are examples of jetties along the southern reaches of Coniston, I cannot however confirm that this is an exhaustive list and I have not sailed on the lake to complete a survey.

9.4 Of the jetties I have identified along the lakeshore near the site:

- There is a single jetty which stands perpendicular to the shoreline in the grounds of 1 Brown Howe. This jetty is simple timber structure with no uprights, approximately 14m in total length.

- There is a second jetty to the south of the above, on the lakeshore owned by 2 Brown Howe. This jetty is again perpendicular to the lakeshore and of simple timber construction with two uprights at its end. This jetty is visible in photos from the lake but is not shown on mapping, planning applications or aerial photos – its length is therefore unknown.

- Planning permission was granted in 2001 for a single jetty running parallel to the shoreline south of the above jetties for use in conjunction with 3 Brown Howe. The approved jetty was to be 10m long.

- Planning permission was granted for the replacement and extension of a jetty at Brown Howe boathouse, on the headland to the north of the application site. The jetty approved was T-shaped, with piles standing above the deck level. The jetty is 8.3m in length.

- I have also identified an additional jetty on the western lakeshore some way south of Brown Howe at Lakebank. This pier, used by the Coniston Gondola is a traditional vernacular wooden jetty, extending perpendicularly from the lakeshore into the lake with piles standing above the deck level. This jetty is 35m long.

9.5 The above are examples of jetties which are located along the southern reaches of Coniston’s shore. There are a number of jetties along the shoreline around Brown Howe, set against the backdrop of the existing house, boathouse and a shoreline which is clearly in residential use. The question must then be considered as to whether an additional jetty would be harmful within this context.

Would the proposed jetty cause harm to the character and visual amenities of the lakeshore?

9.6 The proposed jetty would be a significant addition to the lakeshore, extending some 20m out onto the lake. The length of the jetty is dictated by the depth of the lake. The bay upon which Tanglewood stands is relatively shallow and remains so for a significant distance from the shore. At 20m from the shoreline the lake bed begins to shelve and becomes deeper, although even then not at the rate of other parts of the lake. The distance of 20m from the shore is considered to be the shortest reasonable length of the jetty to allow a modest boat with a relatively shallow draft and retractable keel to moor safely at its end.
9.7 Concerns have been expressed both in the letter of objection from the nearby neighbour and also in the comments of the Parish Council that the proposed jetty could cause harm to the character and visual amenities of this stretch of shoreline. Certainly care must be given to the siting of such structures and the development of new jetties on otherwise undeveloped stretches of shoreline is unlikely to be acceptable.

9.8 In this case however, the site is not on an undeveloped shoreline. Rather the jetty would stand against the backdrop of the Tanglewood house, its kitchen garden and the existing shoreline track. A boathouse with a further jetty stands on the lakeshore only a short distance to the north, whilst the boats used by neighbouring owners are clearly visible on the shore some hundred metres south of the proposed site. Against the backdrop of a large house and its grounds, a jetty would in my view be an acceptable addition and an element which could reasonably be expected. The applicant has also undertaken to introduce some planting to soften the visual boundaries of the existing lakeshore margins around the jetty site, to remove some of the existing rawness which results from the unbroken extent of hard material from the track to the lakeshore. Despite its size which is accepted as being slightly longer than normal for the above reasons, I am satisfied that in this instance a jetty is acceptable in visual terms.

9.9 I do not believe that the acceptance of a jetty as proposed is an acceptance of a proliferation of such developments along otherwise unspoilt lakeshore, rather I believe it would be a development seen in context of built development, and of a sort that in fact typifies the character of many Lakeland shores.

Would the proposed jetty adversely affect nature conservation interests in the area?

9.10 The development of a jetty inevitably involves in-lake works which, if undertaken in an insensitive manner could adversely affect the ecology of the lake. The applicant has submitted a method statement with the application. This statement describes the manner in which the works will be undertaken and includes important information regarding the construction of the jetty – for example the timber type to be used. As noted above, the applicant has also indicated a willingness to encourage vegetative growth along the hydroscere to remove some of the visual rawness which has resulted from the upgrading of the existing tracks. I am satisfied that the construction of the jetty will not, if undertaken in the correct manner, cause harm to the lake and I would recommend a number of conditions to ensure this is the case. Subject to such conditions however I am satisfied that the jetty is acceptable in respect to nature conservation interests.

10 THE PROPOSED BOAT STORE (also see APPENDIX E)

10.1 The proposed boat store would stand in the south-western corner of the walled garden. The boat store proposed is of a simple design and would use the existing kitchen garden wall as its rear. The proposed building would not be an insignificant structure, with a ridge height 4.5m high and a footprint 6m x 6m. The building would feature a local slate roof, with local slate stone walls.
A large timber door would provide access. The main issues with regard to the boat store are, in my view, whether the proposed building is of an appropriate scale and design for this lakeshore setting, whether the building would support an appropriate recreational use of the lake (as required by saved Policy NE7) and finally whether the proposed boat store would have impact upon wildlife in the area.

10.2 At the site visit members questioned the siting of the store. Ultimately this siting is the preference of the applicant and it must be assessed whether a building as proposed would cause harm in that location.

Is the proposed boat store an acceptable lake shore development in principle?

10.3 Saved Policy NE7 of the Lake District National Park Local Plan 1998 acknowledges the sensitivity to change of the lake edge and seeks to strictly control development around the lake margins. NE7 safeguards against schemes which would introduce inappropriate levels of use or which would adversely affect the recreational enjoyment of other lake users. It also requires that development cannot be reasonably located elsewhere and has a requirement for a location in close proximity to the lake.

10.4 In this instance I am satisfied that a boat store as proposed is an appropriate use in a location close to the lakeshore. There is a clear functional relationship between the proposed building and the recreational use of the lake. Whilst some neighbouring owners question the requirement for a store at all, there is clearly a preference for secure boat storage. At the time of my last site visit the applicant had had three boats stolen from the Tanglewood grounds, and clearly this risk could be reasonably addressed through the provision of a store. Furthermore, whilst many boats on Coniston are removed from the lake and stored at their owners' homes (which are often a significant distance from the lake, and even outside the National Park), as Tanglewood would be the permanent residence of the applicant, again it seems reasonable to provide some storage at the site.

10.5 With regard to the recreational enjoyment of other lakeshore users, a concern raised in the letter of objection, the land in recreational use immediately abuts the Tanglewood grounds and can already be readily overlooked. It is not a private secluded area in this respect. Whilst the Tanglewood property has been unoccupied for a number of years, the users of the area of adjacent land have, in many respects been able to use the area for their own benefit. As the Tanglewood estate comes back into use this will inevitably have an impact upon the character of the area (and the manner in which neighbours must enjoy the surroundings). The proposed store is, I believed a reasonable and acceptable aspect of this change. It will be for an identical recreational use to that already in place on the adjoining land to the south, will be well related to existing development in the walled garden, and will not in my view adversely impact upon that use.

Is the proposed boat store acceptable in terms of scale and design?
10.6 As noted above the proposed boat store is of a simple form and design, using local materials, seeking to relate well to the existing built form of the kitchen garden. The boat store would be a relatively large building, however it is of a size commensurate with the storage of a number of moderately sized boats and other paraphernalia. Set a little way back from the lakeshore, and with some screening from trees in the area, whilst the boat store may be visible from the lake, given the local materials proposed I do not believe it would be a prominent feature. As with elsewhere in this application I would recommend that conditions securing the use of local materials be attached to any permission to ensure a satisfactory standard of development.

**Will the proposed boat store cause harm to nature conservation interests in the area?**

10.7 Concerns have been raised in a letter of objection that the proposed boat store could have an adverse impact upon wildlife and nature conservation interests in the area. I have visited the application site with our Ecologist. There are ongoing issues associated with nature conservation in this area, with incremental lakeshore and hydrosere degradation occurring close to the application site. The degradation and deterioration in the quality of lakeshore habitat in this area is the product of recreational pressures. These pressures have been ongoing for many years, and certainly during the period when the Tanglewood estate was unoccupied. It seems that the unchecked use of the area by those individuals with recreational rights to this shoreline has caused harm.

10.8 It is the view of our Ecologist that the boat store would be unlikely to worsen this harm, and in fact the more active ownership of the Tanglewood estate may allow some gains in this area of the lake, if for example areas of the lakeshore which are within the applicant’s ownership but which lie outside the areas to which others have recreational rights (areas which apparently have been used unchecked in recent years) could be fenced off to allow recovery of the hydrosere. I am satisfied however that the boathouse, given its location a little way off the lakeshore will not result in greater harm to nature conservation interests on this area of lakeshore and that it will not, by virtue of its presence, result in any material increase in recreational pressure in this area above that which is ongoing.

11 THE PROPOSED GREENHOUSE (also see APPENDIX F)

11.1 The proposed greenhouse would be erected in the north-eastern corner of the kitchen garden. The greenhouse would have a footprint of 6.7m x 3m and would be constructed using the inside of the kitchen garden wall as its northern and eastern elevations. The greenhouse would be of a simple timber construction with a small rendered blockwork western elevation. A small proportion of the southern elevation would also be of rendered blockwork.

11.2 I am satisfied that the proposed greenhouse does not pose any issue of neighbour amenity. In my view the two issues to consider in respect to this building are whether it is acceptable in principle and whether the scale and design of the greenhouse is acceptable.
Is the proposed greenhouse acceptable in principle?

11.3 The proposed greenhouse would stand within the kitchen garden of the Tanglewood estate. At a property of this size, this is a location where one could reasonably expect to find a greenhouse, and (although the kitchen garden is currently in need of a significant amount of work following the clearing of rhododendrons in recent months) I would expect that originally such a structure would have stood in this part of the Brown Howe grounds. I am satisfied that a greenhouse would have a functional relationship with the main house and its grounds and would be closely integrated with that use. In principle then I am satisfied that the greenhouse would be an acceptable addition.

Is the proposed greenhouse of an acceptable scale and design?

11.4 The proposed greenhouse is a simple robust structure, and would be built as a lean-to off the kitchen garden wall. The scale is appropriate for a building of this type and the greenhouse would be relatively well hidden from public views by the existing kitchen garden wall. I am content that the size and design of the greenhouse is appropriate and that the building would not cause harm to this area. I would however recommend conditions securing the use of traditional wet-dash render on those parts of the wall to be rendered, and a with full glazing details provided prior to construction to ensure a satisfactory standard of finish.

12 THE PROPOSED SHED (also see APPENDIX G)

12.1 The proposed shed would be a simple, single storey timber structure with a mineral felt roof, set on an area of level ground adjacent to an existing access track. The footprint of the building would be 4m x 4m. Again I perceive two issues associated with this building, the first is that of principle in an open countryside location and the second is one of design and visual impact. I do not believe that the proposed shed will adversely affect the amenity of neighbouring dwellings given the separation between them (over 85m from a property from which it would be visible).

Is the proposed shed acceptable in principle?

12.2 At the Committee’s site inspection the question was raised as to whether the use of the building would be for garden storage or more recreational purposes. Either of these uses would have a demonstrable functional link with the use of Tanglewood and its grounds as a dwellinghouse. In my view the specific use of the building is not a consideration insofar as the building is to be used for domestically incidental purposes. In terms of principle I am satisfied that the proposed shed meets the requirements of saved Local Plan Policy NE1 and is acceptable.

Is the proposed shed acceptable in terms of design and visual amenity?

12.3 The proposed shed is a simple structure of simple construction, with timber panelled walls and a mineral felt roof. The structure would stand on a historic viewpoint in the grounds overlooking the lake. Whilst it is not uncommon to
see buildings upon viewpoints in the grounds of large houses, and in my view a structure upon this viewpoint could be acceptable, I have concerns about the structure proposed. The shed is a simple building, but one which, in comparison to the other components of the proposed scheme is of much poorer quality design and construction. On a potentially prominent viewpoint one would hope to see an interesting and attractive structure which offers interest in public views and reflects its wider context. In my view the proposed structure would not do this.

12.4 The proposed site is a historic viewpoint which, in addition to offering views out towards the lake, is also visible from it (despite being set in woodland). Whilst it may not be inappropriate to see a building of some form upon a viewpoint in the grounds of a large house, it seems reasonable to expect that on a site such as this, such buildings should be of the highest quality design and materials, with a demonstrable relationship to their context and setting. The anonymous design of the utilitarian structure proposed does not, in my view achieve this. Whilst such simple buildings as this may be acceptable in many locations, in this location it is unacceptable.

12.5 On a secondary point, the construction of the building and its proposed siting is such that there is a potential, if poorly maintained, for the appearance of the building to deteriorate rapidly and unacceptably, causing further harm. I believe this reinforces the unsuitability of the building, and that this aspect of the proposed scheme should be refused.

13 CONCLUSION

13.1 This application features a number of distinct and separable components. I am satisfied that each of the elements of this proposal is capable of being granted planning permission subject to appropriate conditions with the exception of the shed which, due to its anonymous design, lightweight construction and prominent position fails to reflect the character of its setting and has the potential to cause harm to the visual amenities of the area, particularly in the future.

Committee is recommended to:

SPLIT DECISION

General 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 submitted plans as amended by the plan (No: A102 Rev. D) received by the Local Planning Authority on 28 August 2009.
REASON: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development.

Conditions specific to the dwelling house extensions

3. Unless otherwise agreed in writing with the Local Planning Authority, the roof of the extensions to the main house known as Tanglewood hereby permitted, shall be covered in local green slates (that is slates which have been mined or quarried in the Lake District National Park), of truly random sizes and which 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 BE1 of the Lake District National Park Local Plan.

4. The stone facing to the external walls of the extensions to the house known as Tanglewood hereby permitted shall be natural local stone laid on its natural bed to match the appearance of the existing stone walls of Tanglewood.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE1 of the Lake District National Park Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows (above and beyond those hereby permitted) shall be inserted into the north-eastern elevation of the dwelling house known as Tanglewood, without application to, and the grant of permission by, the Local Planning Authority.

REASON: The unchecked insertion of new windows into the north-eastern elevation of Tanglewood could result in unacceptable overlooking, loss of privacy and impacts upon the amenity of neighbouring 3 Brown Howe.

6. The works to the dwelling house known as Tanglewood hereby permitted shall, unless otherwise agreed in writing with the Local Planning Authority, be undertaken strictly in accordance with the method and mitigation contained in the submitted Bat Survey (Report no. 81204/01.1) submitted with the application as amended by the further surveys undertaken in June 2009 (Report no. 81204/01.2).

REASON: To minimise the likelihood of disturbance and harm being caused to protected species known to be present at the site in accordance with Policy EM1 of the North-West of England Plan: Regional Spatial Strategy to 2021.

7. Prior to its installation, full technical details of the glazing to be fitted to the south-eastern elevation of the dwelling house known as Tanglewood which is hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure a satisfactory standard of development.

Conditions specific to the garage proposals

8. The stone facing to the external walls of the garage hereby granted permission shall be natural local stone laid on its natural bed to match the appearance of the existing stone walls of Tanglewood.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE1 of the Lake District National Park Local Plan.

9. The doors of the garage hereby permitted shall be constructed of vertically boarded timber and shall be painted 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: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development.

10. Following the substantial completion or first use of the garage hereby permitted (whichever is first) planting shall be undertaken in accordance with the details contained in the submitted planting scheme dated 18 August 2009.

Unless otherwise agreed in writing with the Local Planning Authority, all landscaping works shall be carried out not later than 12 months from the first use of the building(s) or the substantial completion of the development, whichever is the sooner. Any trees or plants which, within a period of 5 years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard the visual amenities of the area.

Conditions specific to the boat store

11. Unless otherwise agreed in writing with the Local Planning Authority, the roof of the boat store hereby permitted shall be covered in matching Westmorland Green Slates (that is slates which have been mined or quarried in the Lake District National Park), of random sizes and which 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 BE1 of the Lake District National Park Local Plan.

12. The stone facing to the external walls of the boat store hereby granted permission shall be natural local stone laid on its natural bed to match the appearance of the existing stone walls of Tanglewood.
REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE1 of the Lake District National Park Local Plan.

13. The doors of the boat store hereby permitted shall be constructed of vertically boarded timber and shall be painted 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: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development.

Conditions specific to the jetty

14. No surface treatment or paint-on type of wood preservative should be used on the jetty hereby permitted.

REASON: To prevent harm to the nature conservation interests of the area in accordance with saved Policy E35 of the Cumbria and Lake District Joint Structure Plan 2001-2016 and saved Policy NE7 of the Lake District National Park Local Plan.

15. Unless otherwise agreed in writing by the Local Planning Authority, all works on the jetty hereby permitted shall be undertaken strictly in accordance with the method statement submitted with the application.

REASON: To minimise the risk of harm being caused to the lake and its nature interests in accordance with Policy EM1 of the North-West of England Plan: Regional Spatial Strategy to 2021.

Conditions specific to the greenhouse

16. Prior to its installation, full details of the glazing frames of the greenhouse hereby permitted shall be submitted to and agreed in writing with the Local Planning Authority. The greenhouse window frames shall either be factory finished or painted within three months of the substantial completion of the building (or within 3 months of its first use, whichever is sooner), in a colour or finish which has first been agreed in writing with the Local Planning Authority.

REASON: For the avoidance of doubt and to safeguard the character and appearance of the area and to ensure a satisfactory standard of development.

17. The external faces of the rendered walls of the greenhouse hereby granted permission shall be completed with a finish of roughcast in which the final coat contains a preparation of fairly coarse aggregate thrown on as a wet mix and left rough.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policy BE1 of the Lake District National Park Local Plan.
Summary of Reasons for Approval

Having regard to the relevant development plan policies, in particular Policies DP7, RDF2 and EM1 of the North-West of England Plan: Regional Spatial Strategy to 2021, saved Policies NE1, NE7 and BE1 of the Lake District National Park Authority Local Plan and all other material planning considerations, the proposed extensions, garage, boat store, jetty and greenhouse are considered to be acceptable subject to the conditions imposed. It is considered that these developments will, whilst bringing changes to this sensitive lakeshore site, not result in significant or unacceptable harm to the character of the area, or the visual amenities of the area or the amenities of neighbours.

INFORMATIVES:

1 The advice of the Environment Agency's 'Pollution Prevention Guidance (PPG5) - Works in, near or liable to affect watercourses' should be referred to and followed, especially in relation to minimising silt pollution during in-lake works and preventing material from entering the watercourse when working in/near them. The applicant must be prepared to schedule rest periods to allow settling of the lake in the event of adverse weather conditions. Where wind direction will carry silt out into the bay, work must be suspended.

2 Under the Salmon & Freshwater Fisheries Act 1975, it is an offence to disturb spawn or spawning fish, or any bed, bank or shallow on which any spawn or spawning fish may be. Arctic Char are found in Coniston Water and are a UK BAP Priority Species.

3 Wherever possible naturally rot resistant or reclaimed timber should be used in the construction of the jetty. If timber treatment is required, pressure treated wood should be washed thoroughly and left to weather for a minimum of one month, then washed again. Such washing must be undertaken with care, contaminated water should be contained and safely disposed of so as to avoid any pollution of watercourses and/or groundwaters.

4 Coniston Water is designated a 'main river' and any works in, under, over or within 8m of a designated Main River require a Flood Defence Consent. If not already applied for we would suggest that the applicant applies for a Flood Defence Consent for the proposed new jetty.

Reason for Refusal: Shed

The proposed shed is of simple timber construction under a felt roof and would be situated on a prominent site overlooking Coniston Water. On a sensitive and prominent site such as this, there is a reasonable expectation as set out in Policy DP7 of the North West of England Plan Regional Spatial Strategy to 2021 for a high quality of design and materials, and for developments to demonstrably consider the character and qualities of their setting and wider context. The proposed design and materials of the shed would result in a building of utilitarian appearance and have little appreciation for, or relationship with the context of the
site or the wider area. As such the proposed building would cause unacceptable harm to the character and appearance of the area, particularly when seen from public views on Coniston Water and the opposite lakeshore. The proposed shed does not respect the character of the area and is therefore contrary to Policy NE1 of the Lake District National Park Local Plan. The basic construction of the building also increases the potential for the deterioration of the building over time, if poorly maintained, with further potential to cause harm to the character and appearance of the area.

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.
Site Layout Plan
Blawith and Subberthwaite Parish Council

Mr Ross Baxter, Chairman, Pict Hall, Blawith, Ulverston LA12 8EQ

Telephone: 01229 885255   Email: baxters@becks.eclipse.co.uk

Development Management

the District National Park Authority

Murley Moss

Oxenholme Road

Kendal

Cumbria

LA9 7RL

3rd August 2009

Renewed Planning Application at Tanglewood, Brown Howe – 7/2009/5322

Application No: 7/2009/5115

Location: Tanglewood, 4 Brown Howe, Water Yeat, Ulverston, LA12 8DW

Proposal: Alterations to house, new underground garage, new boat store, new jetty, new greenhouse, new shed

Observations: Blawith and Subberthwaite Parish Council recommends refusal of the above application and sets out its reasons below.

Dear Sir,

On Behalf of Blawith and Subberthwaite Parish Council I would like to thank you for sending us this renewed application. Regrettfully, we do not feel able to change our previous recommendation of refusal. We wish to reiterate our comments on the earlier version of this application (see below); while we welcome the applicants’ attempts to meet some of our concerns, we do not feel that the amendments proposed significantly address the points we raised before. In particular we feel that the pictorial view from the new window included in the new plan confirms our concern that this has the
potential to be intrusive for the neighbouring house. We note from Mr and Mrs Seed's supporting letter that the neighbouring house is not continually occupied, and would draw attention to the fact that this may limit the owner's opportunity to comment on the application formally.

We note that the applicants' letter suggests that they have reduced the size of the garage, but the measurements on the two sets of plans do not support this. We appreciate that in the new application the applicants have angled the garage slightly from the position originally proposed. The degree to which this would mitigate its visual intrusiveness from and across the lake would depend on the height of the bank behind which it might be partly hidden. The plan suggests that even after this amendment the majority of the garage front would be visible. Clearly the materials used for the garage door would also be a significant factor. However, the main issue with the garage is its location which necessitates the shoreline approach road, which in turn makes the garage front (and the glazed end of the house above) visible from and across the lake. Neither of these features being in keeping with the vernacular architecture of the surrounding area, their visibility is of increased significance.

Of the two new elements of the application, provided the walls to the north and east of the new greenhouse are the same height as the highest point of the greenhouse itself, we commend this aspect of the proposal as an appropriate and beneficial development.

The application gives no indication as to the height (or purpose) of the proposed timber shed, but the fact that, as the design statement points out, it is situated on an area that was "possibly once used as a viewpoint" suggests that there is a good chance that it will be visible from more than just "the immediate site", and thus add to the overall impact of the total development.

On the question of visibility, while we appreciate that the property is largely hidden among the trees, we did take the time to view it from the opposite shore, and it is clear that the opening in the lake shore where the proposed jetty is to be built, as well as being rendered especially noticeable by the stone used in the newly built shoreline wall, will also allow substantial views of the proposed development of the east end of the house and the proposed new garage, as well, of course, of the jetty itself. In relation to this, we notice that the jetty has grown from 40 ft to 60 ft in length since the first detailed plans for it were submitted on 20th April, and wish to re-enforce our concerns about the proliferation of jetties in the area and their effect on the character of the lake shore, both of which we highlighted in our previous response.

Finally we would like to repeat our support for the re-instatement of this property to a permanent residence, and the applicants' statement that they wish it to become their family home is very welcome. Indeed we would like to ask for whatever measures are possible to be put in place to ensure that it remains in local occupancy.

Yours faithfully,

Ross Baxter (Chairman, Blawith and Subberthwaite Parish Council.)
Copy of original response:-

Blawith and Subberthwaite Parish Council

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Cumbria
LA9 7RL

2 April 2009

Dear Sir/Madam

Application No: 7/2009/5115

Location: Tanglewood, 4 Brown Howe, Water Yeat, Ulverston, LA12 8DW

Proposal: Alterations to house, new underground garage, new boat store, new jetty

Observations: Blawith and Subberthwaite Parish Council recommends refusal of the above application and sets out its reasons below.

We think is worth noting that this house has lain uninhabitable for many years and the site has, as a consequence, been little used. The immediate area has been well-concealed from Coniston Water by surrounding semi-natural woodland that is such an important part of the lake’s appearance. While we support the intention to bring this dwelling back into habitation (and a habitable state) we believe that the overall impact of parts this proposal would significantly damage visual amenity, by reason of design, scale and location, for lake users and for those on the facing side of the lake. In addition we feel that this proposed development will not conform with National Park saved policies NE7 Lakeshore development, NE8 Development adjacent to lakes and tarns, and NE12 Protection of woodland and trees.

House

We appreciate the retention of local stone for the major part of the building. While we consider the new windows and dormers are appropriate in design, scale and character, we are concerned that those on the rear NE elevation both overlook and are too close to the windows of the neighbouring property, Flat 3.

We believe that the volume and scale of the proposed glazed SE elevation facing the lake, together with its substantial extension towards the lake, is not in keeping with the rest of this significant building. The major part of this elevation can be viewed from the lake and the facing lakeshore. We believe this damages the natural appearance of the lakeshore and thus the visual amenity currently
enjoyed by lake users.

**Garage**

We note that the applicant has already re-constructed neglected tracks to facilitate new access to the proposed garage. This has resulted in roadways passing the lakeshore, clearly visible from the lake and the opposite shore. While there has plainly been a need to clear vegetation for access purposes the planned location, scale and design of the garage will exacerbate the damage to the visual amenity of the lake.

**Jetty**

We note that the applicant has already made lakeshore modifications by clearing semi-natural vegetation and by constructing new walls and steps of non-local stone at the proposed site of the new jetty. We are concerned about the visual impact of this newly exposed area. We are also concerned about the proliferation of jetties along this short but prominent section of lakeshore, the I—m they do to the character of the area together with the consequent growth in recreational activity.

**Boat store**

If this remains, as planned, partially concealed within the rebuilt wall of the former kitchen garden and screened by vegetation on the Inlet near the Silving Moss and Bleeu Brows Reserve we find this acceptable. It is well placed for the boat launching place close by and likely to have minimal impact on views from the lake.

Our lengthy response reflects the depth of our concern about the design of the proposed development together with the scale of its visual impact. While the previous development of the house was inappropriate in character, we do not consider that to be a suitable reason to permit this current proposal in its entirety. We hope you find our comments helpful.

Yours faithfully

J. Sargeant

Ross Baxter

Chairman
7/2009/5322 APPENDIX C: HOUSE & GARAGE PLANS

Original View

Proposed Scheme: Rendered Model Overview

Proposed SE End View

Proposed NE Side View
7/2009/5322 APPENDIX D: PROPOSED JETTY

Deck of jetty 6" above winter high water line

Depth of water at end of jetty is 24"

Shoreline

Existing shoreline wall

stone plinth

51 Jetty details from installer

1:100
7/2009/5322 APPENDIX F: GREEN HOUSE

72 Greenhouse Elevations and Plan
1:100

7/2009/5322 APPENDIX G: SHED DETAILS

92 Front View of Shed (NW) 1:100
90 Rear View of Shed (NW) 1:100
91 Side View of Shed (SW) 1:100
In 1972 two planning applications (ref. NL.1/4/9004 & NL.1/4/9030) were received by the and considered by the Special Planning Board at Tanglewood. These applications sought permission for works to the dwelling which would facilitate its conversion from a billiard room to a dwellinghouse. These included the addition of a number of dormer windows at the building, and alterations to the fenestration.

In 1991 the then owner (who had obtained planning permission for works some 19 years previous) sought to make further alterations at the property. It appears to have been the view of the officers at this time that the 1972 permission had been implemented, and substantially completed, as officers had correspondence with the then owner as to what works could, and could not be considered permitted development at the property.

In 1992 planning permission was granted for the erection of a new greenhouse within the walled garden of Tanglewood (to the same design as that proposed in this application) (ref. 7/1992/5646).

In 1993 planning permission was granted for the provision of a dormer window on the north-eastern elevation of Tanglewood (ref. 7/1993/5042). In this application submission the property is described as "a private dwelling with land", and in the officer's report the building is described as a large subdivided dwelling. The dormer window was identified as providing additional light and headroom into a first floor dressing room.

In 2008 an officer of the Authority met the applicant and architect on site prior to the commencement of works and clearance. Although the Authority holds no photographs from this meeting, the officer's file notes again describe Tanglewood as "one of four dwellings converted from the former large dwelling at Brown Howe".

Please note this is not an exhaustive history and other pre-1974 applications may exist.
Application no: 7/2009/5427
Applicant: Mr & Mrs Robinson
Date of Application: 6 August 2009
Type of Application: Full

Location: Coniston Lodge Hotel, Station Road, Coniston, LA21 8HH
Grid Reference: 330098 497479  See Plan

Proposal: Conversion of six en-suite double bedrooms into two number two bedroom managed apartments (resubmission)

District Council: Not consulted
Parish Council: Approve – see report and appendix
Highway Authority: Not consulted

**RECOMMENDATION:** REFUSE for the following reasons

**REPORT:**

1  BACKGROUND AND PROPOSAL

1.1 I am reporting this application to Committee for the following reasons:
   - My recommendation is contrary to the view of Coniston Parish Council
   - The application has also generated public interest with letters of support
   - This proposal is the same as a previous proposal determined by Committee in July this year
   - The application also represents a departure from the Development Plan.

Location

1.2 The site lies some 150m south west of the main centre of Coniston on a mainly residential street which leads up to Old Furness Road and access to the fells. Coniston Lodge Hotel is a property in two parts but linked together. The western building forms the living accommodation for the owners and functions as the dining room, lounge and reception area for the hotel. The eastern building is a purpose built accommodation block on the first floor with undercroft parking on the ground floor. There are 6 en-suite bedrooms. There are landscaped gardens around the property as a whole.

Planning History

1.3 Planning permission was granted in 1987 to extend the original dwelling to form a private hotel and the 6 bedroom accommodation block was erected
as a result. The hotel has operated ever since by the applicants. As a private hotel it was not open to non residents for meals or bar to restrict noise and activity to nearby residents. An application for conversion of the bedroom accommodation into 2 x 2 bedroom apartments providing self contained holiday letting apartments was made earlier this year and was refused by Committee in July this year for the following reasons:

1 The proposed development would result in loss of important tourism and serviced accommodation and would therefore be contrary to Policy EM16 of the Cumbria and Lake District Joint Structure Plan 2001-2016 which seeks to safeguard this type of accommodation.

2 The proposed development of two self contained holiday units would be contrary to Policy H20 of the Cumbria and Lake District Joint Structure Plan 2001-2016 as implemented through the Supplementary Policy Document on housing need which requires all new housing development to contribute to the housing needs of the locality and Policy H2 of the Lake District National Park Local Plan which requires accommodation to meet local need.

Proposal

1.4 The proposal is to convert the 6 en-suite bedrooms into 2 x 2 bedroom apartments providing self contained holiday letting apartments. Each apartment would have bathroom, bedrooms, living area and kitchen. Access to the apartments would be via the existing entrance. The applicants have indicated that they would no longer offer dining and bar facilities and therefore these areas would revert back to private use for the owners. The apartments would therefore be independent of the owners accommodation on a day to day basis but services (power, water, linen etc) would be linked to the owner’s accommodation. The undercroft parking area would remain for use by users of the apartments.

1.5 The applicants have provided some supporting information with the application as to why they require the proposed changes to their business. This supporting information extends to 22 pages, 13 pages of which are written supporting information. I have attached as APPENDIX 1 the main text of that supporting information. I have also summarised below:

- To bring the business in line with development trends in the tourism industry for self catering type facilities.
- To modernise in line with guests expectations.
- To rationalise day to day workload to provide income in retirement
- To remain in their family home where they have lived all their lives and contribute to community life.
- They have considered subletting the rooms to other businesses but because of the issue of the common areas it is impractical.
- Subletting to other businesses would result in very low occupancy rates and income not likely to cover costs.
- Difficult to maintain standards.
- Security and privacy would be reduced.
As a result of this development 12 bed spaces would be lost, a reduction of 3.6% of serviced accommodation (21 premises with 335 bed spaces of which 184 were classified as hotel bed spaces). Therefore Coniston Lodge cannot be classed as Main Hotel or Important serviced accommodation.

The market value of the guest accommodation would be £400,00. Discussions with Eden Housing Association indicate demolition and rebuilding with 2 x 3 bedroom houses would not provide the market value identified and therefore no opportunity for this type of development.

The applicants suggest that the recent affordable housing approvals (4 in Coniston, 8 in Torver) and 16 awaiting final approvals are likely to meet the majority of the demand. *(The need in the survey was for 66 dwellings).*

1.6 The difference between this application and the previous application is in the degree of supporting information supplied with the application, not the detail of the proposal.

2 REPRESENTATIONS

2.1 Coniston Parish Council support the proposal and their lengthy response is attached as APPENDIX 2 to this report.

2.2 We have received 22 letters of support for the proposal from members of the public. The comments made are summarised as follows:

- Support the change of use from guest accommodation to letting apartments for tourists
- We have known Mr and Mrs Robinson all our lives. Mr and Mrs Robinson (the applicants) were born in the village, worked here and supported village life and they want to retire. This will support their retirement
- This will not take any housing away from the local community
- They are well respected members of the community contributing to charitable events and mountain rescue and return to Coniston of Bluebird Donald Campbell boat. Such respected and stalwart members of the community should have their application considered positively
- The village would suffer if they were forced to sell and leave
- They have both run successful hotels and restaurants in the village.

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)
- W6 (Principles of Tourism development)

The relevant extended Cumbria & Lake District Joint Structure Plan 2001-2016 Policies are:
- H20 (Housing in the Lake District National Park)
• EM16 (Tourism)

The relevant saved Lake District National Park Local Plan Policies are:
• H2 (Housing in larger settlements)

Also relevant to the determination of this proposal is the Good Practice Guide on Planning for Tourism.

3.2 There are two main issues to consider in the determination of this application:

• Would the proposal satisfy Policy EM16 of the Structure Plan that seeks to safeguard serviced accommodation and if not are there any material considerations to indicate that the application could be approved contrary to this policy?

• Does the proposed development accord with Policy H20 of the Structure Plan and H2 of the Local Plan (housing policies) and if not are there any material considerations to indicate that the application could be approved contrary to this policy?

Would the proposal satisfy Policy EM16 of the Structure Plan and if not are there any material considerations to indicate that the application could be approved contrary to this policy?

3.3 Policy EM16 of the Structure Plan indicates changes of use or conversions which result in the loss of important tourism accommodation will not be permitted unless they are demonstrated to be unviable. The policy also states that tourism development within the National Park will only be permitted where it would not result in loss of serviced accommodation to other tourism uses.

3.4 The Coniston Lodge is important tourism accommodation because:

• it contributes to the role and attractiveness of Coniston as a tourist centre
• it is significant as part of a range of tourist accommodation options in Coniston

In my view the proposal would result in the loss of important tourism accommodation.

3.5 The applicants in their supporting information indicate the number of bed spaces in Coniston (335) and that Coniston Lodge proposal would reduce this by 3.6%. The area they have included in their survey includes the parish of Coniston not just the village. They conclude that Coniston Lodge is not important tourism accommodation.

3.6 The survey of the serviced accommodation indicates 21 properties plus the application site. Of these, 3 provided a similar number of bedrooms as the application site. If you conclude that this property due to its size did not provide important tourism accommodation and could be lost and applied that
argument to the other 3 units of similar provision then 14% of such serviced accommodation could be lost. The size of the property may be small in hotel/guest house terms but that reflects the general type of accommodation in this area. Loss of this and similar sized properties to holiday apartments would represent a noticeable loss in serviced accommodation reducing the range of accommodation.

3.7 The applicant has provided information from Cumbria Tourism self catering accommodation occupancy 2008 publication regarding the amount of self catering accommodation in Cumbria and occupancy rates for self catering holiday accommodation as a whole. The information indicates flats and apartments achieved the highest occupancy rates and more of such accommodation can be provided.

3.8 APPENDIX 1 contains information from the applicant about the business. It appears that the current operator is successful and I am not persuaded that the information amounts to evidence that the Coniston Lodge is unviable as required by Policy EM16.

3.9 Although the proposal is housing it is proposed to be occupied by holiday visitors which is a form of tourist use and it is clear that the conversion would result in a loss of serviced accommodation, which is safeguarded by Policy EM16.

3.10 I understand that the applicants want to retire and this proposal would provide them with an income with less involvement than the current guest bedrooms. I am aware of the 22 letters of support for the applicants. The majority of those letters indicate the personal circumstances and the fact that the applicants are long standing respected members of the community and therefore should be granted permission on the basis of this standing in the community. Planning permission goes with the land who ever owns it and the personal circumstances of an applicants are rarely of sufficient weight to warrant overturning established policy and a departure from the development plan. Policy has to be applied without favour to whether someone is local or otherwise. I am not persuaded that the personal circumstances of the applicant are sufficient to outweigh policy.

Does the proposed development accord with Policy H20 of the Structure Plan and H2 of the Local Plan and if not are there any material considerations to indicate that the application could be approved contrary to this policy?

3.11 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 on Demonstrating Housing Need. Policy H2 of the Local Plan indicates that housing development within larger settlements will only be permitted where all of a series of criteria are satisfied including that the development is designed to meet the housing needs of the locality and a planning obligation is secured to ensure that occupancy of the dwelling is confined to local persons in perpetuity. All planning applications
must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.12 The proposal is for two self contained holiday units and although providing holiday tourism accommodation, it is still a form of housing development, and therefore the proposal must be considered against Policy H20. As a matter of law, self contained holiday accommodation is a self-contained dwellinghouse. The accommodation provides facilities required for day-to-day private domestic existence. It is entirely self-contained with kitchen, washing and sleeping facilities. This legal status as a house is not altered by the imposition of occupancy restrictions or by the collective management of the unit as some form of tourism accommodation business. The holiday dwellings are clearly not designed to meet the housing needs of the locality as it is specifically for holiday accommodation, and so on this basis would be contrary to Policies H20 and H2.

3.13 There is an outstanding need in Coniston for housing to meet local needs and this building could provide such accommodation. The applicant indicates that due to existing permissions and pending decisions in the Coniston and Torver area of the order of 28 dwelling this would be likely to meet the majority of the demand for such housing. The Coniston housing needs survey 2006 indicated a need for 66 households. Some of those who completed that survey may have left but likewise others may now be in need. The existing and pending approvals would not meet the majority of the outstanding need. More affordable housing is required. A change of use to self catering holiday unit would be a lost opportunity to provide local housing in a village where there is a high identified need.

3.14 I note the comments in the supporting documentation regarding the difference in market value of the land and what a housing association would be prepared to pay for it given their budgeting restraints and that this would not meet their market value.

3.15 Coniston has a very high percentage of second homes and homes in holiday lets which at the 2001 census was 43% but this has increased and now stands at about 52% (information from Parish Council survey). Whilst the market could accommodate more holiday apartments there is no overall shortage of self catering holiday lets in Coniston to warrant setting aside policy.

3.16 In my opinion there are no material considerations which warrant approval of this proposal contrary to this policy.

Other Issues

Residential amenity

3.17 The proposal for change of use from 6 hotel letting bedrooms to 2 x 2 bedroomed self catering holiday units would have no material change in terms of the impact on neighbouring properties from noise or disturbance.

Highway Safety
3.18 The proposed self catering parking provision remains the same for less number of bedrooms and therefore the development would have no adverse impact on parking provision or on road parking.

4 CONCLUSION

4.1 This proposal is contrary to tourism and housing policy and I do not consider that there are sound planning reasons to set aside these policies.

Committee is recommended to:

REFUSE for the following reasons

1. The proposed development would result in loss of important tourism and serviced accommodation and would therefore be contrary to Policy EM16 of the Cumbria and Lake District Joint Structure Plan 2001-2016 which seeks to safeguard this type of accommodation.

2. The proposed development of two self contained holiday units would be contrary to Policy H20 of the Cumbria and Lake District Joint Structure Plan 2001-2016 as implemented through the Supplementary Policy Document on housing need which requires all new housing development to contribute to the housing needs of the locality and Policy H2 of the Lake District National Park Local Plan which requires accommodation to meet local need.

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.
Coniston Lodge, Station Road, Coniston
Supporting Statement
4th August 2009

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6. Summary
1. Location

Coniston Lodge is positioned just outside the commercial centre of Coniston in a residential area on the south side of Station Road. Coniston Lodge was originally built in the garden of Sunny Brow and the properties surrounding it are individual houses, the majority being used for tourism purposes.

2. Background

The applicants for this proposal Mr and Mrs A Robinson were born, brought up, raised a family and spent all their working lives in Coniston and would like to retire there. Mr Robinson is 64 and his wife 59 years old. (Appendix I: Statement by Mr A Robinson plus two letters of support.)

Mr Robinson’s mother had Sunny Brow built for her in 1960 and in 1987 the applicants gained planning permission to extend Sunny Brow Cottage to form a private hotel. Its use is restricted under Planning Condition 6 which states “The building hereby permitted shall be used only as a private hotel and bar facilities shall only be available to hotel residents and to non-resident customers of the dining room.” This restriction was put in place to restrict possible traffic and noise which could be objectionable to nearby residents, particularly in the evenings.

The project was completed and Coniston Lodge was opened in August 1989 and since then has traded continuously to date run by the applicants, only closing for one month each year.

3. Proposal

This application seeks permission to convert the six en-suite bedrooms at first floor into two managed apartments for holiday letting. This is achieved by minor internal alterations to the dividing walls with no changes to the external fabric as illustrated by drawing no. CLH-100.

The reasons for the changes are as follows:

a. To bring the business in line with development trends in the Tourism Industry which is favouring self-catering type facilities.

b. To modernise the suites in terms of design to keep in line with guests’ expectations and requirements.

c. To rationalise their day to day workload and create a business they can run to provide income in retirement.

d. To remain in their family home in the village they have lived all their lives where they have brought up a family and contributed to community life.

The other alternative, which is to sell up and move to somewhere smaller and live off the remaining capital, is unrealistic due to today’s economic situation. At this stage in Mr and Mrs Robinson’s life, the start of a new business venture is also an unrealistic prospect.
Other alternatives have also been examined such as subletting the rooms to other businesses or using more staff to service the existing accommodation but this would be totally impractical on several points:

1. The establishment when run as a guest house has too many common areas e.g. there is a common kitchen.
2. Another establishment would only sublet the rooms when deemed totally necessary and only if they also have the capacity to seat the additional customers in their restaurant areas. This option is fraught with difficulties and if achieved would result in very low levels of occupancy and income and is unlikely to cover the costs of keeping the building open and in readiness to accept guests.
3. Without daily input from Mr and Mrs Robinson (something they wish to move away from when they retire) it would be difficult to maintain the high quality standards which has historically differentiated this business.
4. Security and privacy would be reduced.

4. Design and Access

In terms of design, as the alterations are only internal, there is no impact on the surroundings in a cosmetic sense, but due to the reduction in bedspace from six double rooms to four, and there will be a reduction in the number of guests. Guests will also tend to stay for a week rather than a couple of days which will also reduce the vehicle movements. In addition, Coniston Lodge will no longer offer dining or bar facilities which mean that the original planning issue relating to traffic and noise will be largely removed from this residential area.

The location of the property close to the centre of Coniston means guests will have a choice of several pubs and restaurants in easy walking distance, benefiting local trade.

In terms of access to and within the individual apartments, little will change. They are both located on first floor level and without the installation of a lift, which would be uneconomic, there is little that can be done to improve the existing situation. At the moment all requirements for fire and safety are complied with and the property holds a fire certificate.

5. Planning Policy

We acknowledge that this application is contrary to Policy H20 of the Structure Plan and H5 of the Local Plan in that it does not propose to provide residential units for local occupancy or affordable purchase/rent.

Coniston Lodge is an established enterprise and has been trading for twenty years. Policy EM16 of the Structure Plan permits tourism development where it does not contravene the statutory purposes of the National Park and where it does not result in the loss of important tourism accommodation, which this doesn't.
Policy EM16: Tourism states “in the Lake District National Park changes of use or conversions which result in the loss of important tourism accommodation or public amenities will not be permitted unless they are demonstrated to be viable.” In point 3.31 it states "Any change of use, or conversion from one form of holiday accommodation to another, or to a different use altogether is to be welcomed only if it is of benefit to maintaining the balance of accommodation provided. The loss of a hotel to another use, particularly if it is a main one in the locality will be resisted."

When Coniston Lodge received approval in 1987 for its six ensuite rooms it was classified as a “Private Hotel”, since then both hotel categorisation and amenities offered by Coniston Lodge have changed (they are no longer licensed and do not offer dinner) which means it can now only be categorised as a Guest House. (Appendix II National Quality Assessment Scheme – Hotels.)

Research has also been undertaken to quantify serviced accommodation within the Coniston area (Appendix III). Twenty one premises were found with 335 bedspaces, of which six were classified as hotels with 184 bedspaces. By converting Coniston Lodge into two, two-bed managed apartments, then 12 bedspaces would be lost i.e. a reduction in serviced accommodation of 3.6%. In reality, across all accommodation (self-catering and serviced accommodation combined) the net loss of bedspaces is just 4 or 1.2% of serviced accommodation. From this Coniston Lodge cannot be considered as a “Main Hotel” or "Important tourist accommodation”.

This business is a small player within the fabric of Coniston and is purely trying to re-position itself within the tourist industry due to personal circumstances and a changing market. It removes two double bedspaces, but as a consequence will relieve pressure on residential units by adding two holiday letting units.

To quote a similar recently approved application “The loss of the guest house and its replacement with two holiday letting units would not materially conflict with policy as it would not adversely affect public amenity, it would not have employment consequences and the balance of different types of holiday accommodation in the area would not be significantly altered.” (Application 7/2008/3084).

This application, like Application 7/2008/3084, retains Coniston Lodge as a tourism business and has been supported by Cumbria Tourism (Appendix IV: letter dated 20th April 2009)

Figures provided by Cumbria Tourism within their Self-Catering Accommodation Occupancy Report 2008 (Appendix V) shows that there is a need for quality self-catering accommodation within the Coniston area:

1. South Lakeland has the highest occupancy rates for the county at 64% and at peak times reaches 90%.
2. Flats and apartments achieved the highest occupancy rates of all properties at 65% across the county.
3. Properties with 3-4 bedspaces achieved the highest occupancy rates at 61%.

This proposal seeks to develop a business in line with today’s visitor requirements while providing sustainable employment and returns to the owners. Although there would be a minor reduction in the number of bed spaces, longer stays would be likely to result in similar occupancy rates. In terms of employment, little would change as the applicants undertake the majority of the work as it stands. This proposal in terms of the balance of different types of holiday accommodation in the area would make no significant difference.

It would also be the subject of debate that if affordable housing was the subject of this application whether it would comply with policy EM16 as it would result in the loss of tourist accommodation?

Another consideration when looking at this application is whether by converting the accommodation section of Coniston Lodge to self-catering, this would be a lost opportunity for affordable housing. Valuations have been obtained from Michael C.L. Hodgson of Kendal (Appendix VI) giving a total valuation of Coniston Lodge of approx £750,000: £400,000 for the guest accommodation and £350-375,000 for the residential. A site meeting with Eden Housing Association in July 2009 looked at various options from the conversions to two x two bed flats through to demolition and the re-build of 2 x3 bed houses. Due to the restrictions imposed by the government with regard to budgeting for affordable housing, none of the options could provide a site value anywhere near that obtained from Michael Hodgson. Therefore realistically there is no opportunity for this type of development, even though it is well located in a residential road in easy walking distance to the village.

In addition, since the last Housing Needs Survey was undertaken in Coniston, many of the 60 people who signed up are now not resident in Cumbria and much progress has already been made in the provision of accommodation. 12 units have now been granted planning permission and 16 are awaiting approval and when constructed are likely to meet the majority of the demand. These consist of:


All these are new build and will provide a far more attractive solution to any that could be provided at Coniston Lodge. In these times of uncertain economic stability it would be prudent to establish the true demand for these properties before increasing supply.
6. Summary

i. Coniston Lodge is a successful guest house run for 20 years by the applicants and now requires minor internal alterations to provide managed apartments in line with today's tourist requirements. This will secure its future.

ii. Coniston Lodge is located in a residential road within easy walking distance of the village centre where there are a range of tourist facilities.

iii. Mr and Mrs A Robinson have lived in Coniston all their lives and would like to remain in the village where they have brought up their own family, established a successful business and dedicated much of their spare time to the local community.

iv. Current Planning Policies encourage new housing for the retention of local people which should also encompass changes in family circumstances and the adaptation of existing family homes/businesses to suit the changing needs of the occupants.

v. This proposal involves no changes or additions to the external fabric of the building, but will result in changes to the internal structure making it more energy efficient to run.

vi. The proposal reduces the bedspace capacity and will reduce traffic and noise helping it integrate better within its residential setting.

vii. The section of the property to be converted does not present an opportunity for affordable housing.

viii. With several Planning Permissions granted for local housing, there will soon be a potentially adequate supply to fulfil local needs.

ix. In today's economic downturn with a stagnating property market, low interest rates and diminishing pension funds, the option of selling the property and the business and living off the capital is a highly risky one and unlikely to provide a income which could sustain the Robinson's throughout their retirement years.

In conclusion, why should not a couple reaching retirement age who have been resident for all their lives in Coniston be allowed to take this opportunity to make a small adjustment to their business to enable them to reduce their working hours and remain in their family home whilst being able to still generate a small income to sustain them throughout their retirement years.

The planning process is trying to support local communities; retaining local residents and their families through the provision of local housing and the encouragement of new business ventures. Without key figures in the community, these small villages quickly lose their spirit and passion and vital services and amenities cease or close. The Robinsons give much of their time voluntarily to the community and Coniston would be a poorer place without them.
Planning Application Statement.

My wife Elizabeth, and I, have lived and worked in the village for almost our entire lives. My wife was born in the village, and my family moved back to the village when I was only a few weeks old in 1944. Since 1972 we have run our own businesses together. Firstly the Wine Shop & Restaurant in Lake Road, and since 1989 Coniston Lodge. During all this time we feel we have played our part in contributing to the fabric of our village community. There are letters accompanying our application which support this position. The accommodation at Coniston Lodge and its reputation is entirely down to the hard work and dedication of ourselves over the last twenty years. We have consistently attained the highest accolades from the main tourist organisation during this time. In 1992 we were awarded the RAC’s Small Hotel & Guesthouse of the year award for the North of England division.

I have been a member of the Coniston Mountain Rescue Team since January 1963, the team leader for the last 2 years, and the deputy team leader for the previous 23 years. It is my earnest wish to continue this association for as long as possible, and put at the teams disposal the vast amount of experience I have acquired in Search and Rescue in the Coniston area. I have also been a member of Coniston Cricket Club since I left school, and was the treasurer for approximately 25 years, a position I gave up only last December.

Like all responsible people, we set funds aside when we could, and latterly on a regular basis, to provide a private pension income to allow us to have a comfortable lifestyle in retirement. Even six or seven years ago it still seemed that our funds would provide a reasonable income, if not quite as much as we had anticipated when we first started our investment. However I don’t think I will need to convince any of you, that during the last two years or so, Private Pension Funds have been devastated by the Banking Crisis and collapse of the Worlds major economies. Consequently the yearly income we had expected from our investments is now less than 50% of what we would have expected only a few years ago. Part of any
Self employed persons retirement income planning will often include a portion of the sum they sell their business for. Under the present circumstances, even if we could find a buyer with available funds, we would never be able to sell for the real valuation, and with interest rates and investment returns at almost zero, this too would realise only a fraction of what we had planned on. [We have friends nearby who have been trying to sell a similar business, in size and style, without any success for three years.]

So we are left with the question. Do we retire as planned, but live a frugal life into old age. Or do we put retirement on hold and carry on working past retirement age. We would very much like to do the latter. But at the age of 65 & 60 years respectively, we realise that we could not continue at the same physical pace as before. We have already had to make some changes to our business in the previous 18 months, in that we have had to discontinue providing evening meals to our guests, as Mrs Robinson is suffering from a medical condition which means she tires easily, and standing for long periods of time cause her great discomfort. A minor change in the existing commercial use of the building from Bed & Breakfast/Guest Accommodation to Serviced self catering apartments would seem a sensible option that would allow us to continue to live in the home where we brought up our family, and at the same time provide a viable income to supplement our reduced pension income. A number of our long standing regular guests to Coniston Lodge have already expressed a preference in returning to us if we are able to obtain permission for change of use. The apartments, each providing 2x2 double bed spaces would be serviced on each change over, ie, towels & linen would be changed, all rooms, kitchens & bathrooms will be cleaned just as if they were hotel rooms. The only difference from the present system will be that the guests will provide their own breakfast and the rooms will not need to be serviced every day. And we will only be losing 4 bed spaces. Under the guidelines now employed by the English Tourist Council & The AA, we can no longer be classed as an ‘Hotel’, as we do not provide a daily Meals & Bar service. Interestingly this means that under the restrictions laid down by the Planning Inspector giving us permission to develop Coniston Lodge in 1988, had these been in force at the time, we would never have been classed as Hotel Serviced Accommodation. It will be our aim to continue to provide the same high standards of comfort and
cleanliness that have been the hallmarks of Coniston Lodge over the past twenty years in our new apartments. This will meet the aims of Cumbria Tourism as set out in the letter of support from Richard Greenwood, the Development Director at Cumbria Tourism.

As we will be living on the premises we will be in a position to provide local knowledge about activities and services in the district to our guests, and provide instant assistance in case of emergency, whether this was a medical emergency, or practical help with minor emergencies, eg plumbing etc.
To whom it may concern.

Parkgate Cottage
Carnoustie, KA21 8AT.
April 12th 2009.

Mr and Mrs A. Robinson - Carnoustie Lodge

My wife and I have known the Robinson family for nearly 40 years. As a husband and wife team, we have seen them develop their own business, with their own distinctive style, both courteous and honest in all their dealings.

They have contributed throughout the years to the life of the village and its community. They have given, and continue to give much to its various activities, including the Mountain Rescue Team and in forest racing for Carnoustie Sausages.

The village is their life, as it was for their parents and grandparents, above all, it is their home.

We do not hesitate to endorse their good standing in the community, which has been reinforced by many years of their hard work. They are a small, professional, complete individual, in all that they undertake.

Margaret G. Robinson
Atkinson Ground  
East of Lake  
Coniston  
Cumbria  
LA21 8AE

14th April 2009

To whom it may concern

Anthony and Elizabeth Robinson were both born and brought up in Coniston. They have spent all their lives working in the village and have raised a family here. Their two grown up children would like to be able to come back to their childhood home in Coniston.

I have lived in Coniston for over 30 years and first met Anthony and Elizabeth when I joined the Coniston Mountain Rescue team, and Anthony was the Deputy Leader. He remained in this position for 23 years, before becoming Team Leader. I went on to serve under him as Treasurer for approximately 20 years, and saw at first hand the time he gave (often at the expense of his own business) to the team and the members of the public who asked for assistance.

He is currently still the Team Leader for the Coniston Mountain Rescue Team (incidentally this was the first team to be formed in the Lake District) and currently they get about 40 callouts each year. The Rescue Base is about 250 yards from Sunny Brow, which in itself is very important. On receipt of a police call, Anthony is able to be the first at the base to prepare for the call out. The close proximity to the Rescue Base has in my opinion saved lives over the years, at a time when every minute is precious. Anthony’s work with the MRT is only made possible by Elizabeth’s commitment to stepping into his role as well as her own, when he is called out on these emergencies.

Over the years he has given outstanding service in the village, as Captain and Treasurer of the Coniston Cricket Club for many years, as well as his business ventures. He ran a wine shop and restaurant for 15 years, before opening Coniston Lodge 20 years ago.

He has been involved in much fund raising for local organisations eg Play School group, Mountain Rescue, Coniston Cricket Club and Cancer Research.

Unless he is able to retire and maintain a living here, the people of Coniston and visitors to the area will be the poorer.

Yours faithfully

[Signature]

Colin Reilly
20th April 2009

The Chief Planning Officer  
Lake District National Park Authority,  
Murley Moss  
Oxenholme Road  
Kendal  
Cumbria  
LA9 7RL

Dear Sir

CONISTON LODGE: APPLICATION FOR CHANGE OF USE TO SELF CATERING ACCOMMODATION

The owners of Coniston Lodge in Coniston have asked me to write in support of their application to change the use of six en-suite bedrooms to two self catering apartments. Whilst this will result in the further reduction in serviced accommodation in Coniston I understand their wish to reduce the workload involved in running the guest house and would prefer to see the building converted to high quality self catering apartments rather than see its loss to the visitor market entirely.

The market for self catering accommodation in Cumbria remains relatively buoyant - particularly in the Lake District National Park where in 2008 occupancy rates averaged just over 60% during the year. This was similar to 2007 and shows a gradual increase in occupancy rates despite an increase in the number of units on the market over a five year period. I am therefore confident that the market for self catering accommodation in the area can be sustained in the future. Providing that the conversion takes place to a good standard, that the apartments are well marketed and flexibly let I anticipate that the business will be successful.

If you require further information do not hesitate to contact me.

Yours faithfully

Richard Greenwood  
Development Director

cc: Anthony and Elizabeth Robinson, Coniston Lodge
Jane Murray

From: Charles Sargeant [charles.sargeant@virgin.net]
Sent: 14 September 2009 08:29
To: Planning
Subject: Coniston PC observations on PlanApp 7/2009/5427

Development Management Support Team
LDNPA
Murley Moss
Oxenholme Road
Kendal
LA9 7RL

14 September 2009

On behalf of CPC, in compliance with its Standing Orders – Delegation of Powers, I submit the following response:

Location: Coniston Lodge Hotel, Station Road, Coniston LA21 8HH
Observations: RESOLVED: to support the application.

Thus, Coniston Parish Council's position has not changed.

It acknowledges that on 19th May 2009 it wrote:
Planning Application: 7/2009/5179
Location: Coniston Lodge Hotel, Station Road, Coniston LA21 8HH
Observations: RESOLVED: to support the application.
[Cllr Anne Hall declared an interest and did not participate: she considered that if at a later date she was in a position (as a District Councillor on a LDNPA committee) to express an opinion it would be better done in that context.]
Councillors considered that the conversion was essentially internal with no likely visual impact on the environment; they judged the conversion to be a positive compromise in terms of the owners remaining in the building and being able to manage it, and that would benefit not only the family and its business but also the community in which the family has been and continues to be so important.

And subsequently on 1st June 2009 it submitted: Councillors are aware that the Coniston Lodge application contravenes Policy H20 and as such you should, in theory, refuse the
application. However we strongly recommend that, in this instance, you continue to work with the applicants to find a solution to the problem, in particular bearing in mind the comments we made in our first submission, even though this may delay a decision.

Coniston Parish Council is disappointed that its observations carried such little weight with the Planning Authority. It surmises that those observations were not objective and impartial in adequately address planning issues but were rather subjective and partisan (the Robinsons are great people, are from the village, have worked for the benefit of visitors all their life, have supported the Coniston Mountain Rescue Team for a long time, etc., etc.). And, it notes the particulars of the decision of the Lake District National Park Authority in pursuance of their powers under the Town and Country Planning Act, 1990, as local planning authority, in refusing permission for the development. However, CPC believes that an in depth consideration of Policies EM16, H2 and H20 will allow the Authority to support the application.

Coniston Parish Council considers that to apply policies such as EM16 of the Cumbria and Lake District Joint Structure Plan 2001-2016 without compassion is to miss the spirit of the policy in order to implement its letter. It looks to other decisions made on planning applications from its parish and finds that the authority has been able to be flexible regarding its policies in the past and hopes it will be so now.

Put this into the context of the decline of full-time residency in the village of Coniston with the galloping increase of second homes and holiday-lets, the loss of tourism caused by this application is insignificant. On the contrary, the success of this application would mean that at least one more local family is guaranteed a future home in the property that has never belonged to anyone else.

The reference to Policy EM16 is arbitrary and tentative and seems to be a desperate attempt to fit a reason to a pre-determined antagonism to the application.

There is an emphatic prejudice against local need in relation to Tourism in this policy that was never intended to impede the living of a family, so important to the community in which it lives.

The reliance of the planners on this policy reflects a dogmaticism that foregrounds idealism and degrades the essence of community. Coniston Lodge is not a new tourism facility but is a home as well as a business, specially built for this dual purpose.

Reference to Policy H20 in the Refusal also suggests an autocratic bias because, in this instance, the application is only partially related to tourism development, and therefore the change of use can be permitted because:
1. It will not conflict with the special qualities of the National Park or diminish opportunities for quiet enjoyment,
2. it will not introduce inappropriate activities or levels of use, or otherwise be of a nature and scale detrimental to the character and quality of the environment, and
3. It will not result in a significant loss of serviced accommodation and of touring caravan pitches to other tourist uses.

There seems to be a fear of precedence evident in the refusal when, Coniston Parish Council hoped, the application should have been judged primarily on its merits. Reference
to Policy H2 is more applicable to a property such as The Sun Hotel than the Coniston Lodge and for the Authority to have considered the two applications in tandem was unfair to the Lodge, that doesn't have either the historical background or the architectural qualities of The Sun. Because Coniston Lodge is not a listed building, it cannot be claimed that the proposal will adversely affect its architectural or historic character and it has no internal or external features of special architectural or historic interest. The location of Coniston Lodge and the subtlety of the proposed internal changes cannot be deemed to impact on its setting. It is a functional building with little of special interest (the architectural and historic quality is low, the character and coherence of the building is merely satisfactory and the contribution it makes to the special interest of the area has never been stated). To consider the character and hierarchy of spaces and townscape quality; the prevailing (or former) uses within the area and their historic patronage, and the influence of these on the plan form and building types; and the relationship of the built environment to landscape or open countryside does not provide sufficient evidence to use Policy H2 to refuse this application.

On the other hand, this application certainly has merits. Agreeing that Policy H2 was created at an economically healthier time than the one we are in, the application is a realistic attempt to adjust a business to suit a recession and a very practical move to sustain a home and business as the owners age. The owners are to be complimented on an imaginative proposal that would allow them to sustain a business and to retain it for their children to inherit, thus maintaining local occupancy.

Coniston Lodge has been Mr and Mrs Robinson’s business and family home for the last 19 years and it is this dual function that makes this application worthy of special consideration without fear of setting a precedent.

They have successfully managed the Guest Accommodation / Bed & Breakfast business to 5 Star, Gold Award Standard for all that time, and in 1993 Coniston Lodge was judged the best small hotel in the North of England by the RAC - but to maintain these standards requires very hard work and long hours for just two people.

They have both lived in Coniston all their lives and have now reached retirement age: Mrs Robinson is 60 this year, and Mr Robinson 65. Continuing with the business in its present Guest Accommodation form is no longer going to be possible, as the physical commitment required on a daily basis is becoming too demanding, and the business will not support employing extra help.

Mr and Mrs Robinson would therefore like to convert the present six bedroom guest accommodation area into two self contained flats for holiday theme. Mr and Mrs Robinson would, in effect, be simply changing it from one form of holiday accommodation to another, which would be easier for them to run, but still provide them with an income, and which would allow them to continue to live in their family home.

From what has already been said, permanent, local occupancy is not an issue. Mr and Mrs Robinson have always been committed to the community and currently he is President of the Coniston Mountain Rescue Team, an involvement that is likely to continue as long as he lives in the village. Mr and Mrs Robinson’s son has expressed a wish to relocate back to his home village when a position becomes available within his company and Coniston Lodge would provide him and his family with a home and a source of income on a permanent
basis.

So, might a compromise be possible to meet everyone’s requirements? If the applicants could put occupational restrictions (such as a permanent occupation clause) on Coniston Lodge house and provide guarantees to retain the business in perpetuity, would the planning regulations be sufficiently addressed?

Coniston Parish Council hopes that the Lake District National Park Authority will demonstrate that it has the ethical fortitude to declare that one property in a single community is deserving of special consideration to grant it planning permission.

Yours sincerely,

C Sargeant.

Charles Sargeant, Proper Officer, Coniston Parish Council,
Haws Bank House, Haws Bank, Coniston, Cumbria LA21 8AP
Tel. 015394 41991 Email: coniston.pc@virgin.net
Further details of planning applications can be viewed on line at the Lake District National Park Authority website - www.lake-district.gov.uk by following the points below:-

Step 1: At the “Home page” select “Planning”

Step 2: Select “Planning Application Search”

Step 3: Select “Planning Application Search Tool”

Step 4: At the bottom of the “Licence Agreement – Search” page left click to accept the terms of the agreement

Step 5: Enter the planning reference number (or information of your choice in the fields shown – see Search Help notes) and left click on the “Search” button

Step 6: Search results will be shown – Left click on the reference number to view application details

Step 7: To view documents – Left click on “Forms, Plans & Decision Details” and select the document required from the “File Name” list shown
DEVELOPMENT CONTROL COMMITTEE – WEDNESDAY 7 OCTOBER 2009

PLANNING APPLICATIONS APPROVED BY THE HEAD OF DEVELOPMENT MANAGEMENT ACTING UNDER DELEGATED AUTHORITY

If Members wish to raise an issue with any of the following items please contact the Head of Development Management before Committee

ALLERDALE

7/2009/2076  Full
Castle Hill Cottage, Bassenthwaite, Keswick, CA12 4RL

7/2009/2126  Full
Rear of Fayreholme, Blencathra Street, Keswick, Cumbria, CA12 4HS
Renew 30ft pole with 11m wooden pole - approx 9m above ground and 2m below ground

7/2009/2135  Full
Fitz Park, Station Road, Keswick, Cumbria, CA12 4NF
Multi Use games area (replacement of old shale area), replacement tennis courts, floodlighting

7/2009/2141  Full
Field near Seathwaite Village, Keswick, Cumbria
Replacement septic tank and new reed bed

7/2009/2150  Full
Anchorage Guest House, 14 Ambleside Road, Keswick, CA12 4DL
Demolition and replacement of outbuilding to form owners accommodation (resubmission)

7/2009/2156  Full
14, The Hawthorns, Keswick, CA12 4LL
Two storey extension to dwelling

7/2009/2157  Full
Yew Tree View, High Lorton, Cockermouth, CA13 9UJ
Proposed domestic garage

7/2009/2160  Full
Ravens Creek, Newlands, Keswick, CA12 5TS
Construction of garden studio and attached domestic garage

7/2009/2161  Full
Kinniside, Portinscale, Keswick, CA12 5RW
Garage with rendered blockwork finish and slate roof

7/2009/2162  Full
Ash Block, Hewetson Court, Main Street, Keswick, Cumbria, CA12 5DW
Erection of gate at side entrance

Created: 26 September 2009

Page 1 of delegated approvals
7/2009/2163 Full
**Orchard House, Skiddaw View Farm, Cockermouth, Cumbria, CA13 9SA**
Two storey rear and single storey side extensions to provide additional required living space

7/2009/2164 Full
**Christian Outdoor Pursuit Trust, Bassenfell Manor, Bassenthwaite, Keswick, CA12 4RL**
Erection of boiler house, woodchip store and flue (part underground)

7/2009/2165 Full
**The Bond Museum, Southey Hill, Keswick, Cumbria, CA12 5NR**
Extension to D1 museum building

7/2009/2169 Full
**Keswick School, Vicarage Hill, Keswick, CA12 5QB**
Proposed luminarium glazed enclosure

7/2009/2170 Full
**1, Brackenrigg Drive, Keswick, CA12 4JJ**
Extension to dwelling

7/2009/2171 Full
**Fellview Primary School, Caldbeck, Wigton, CA7 8HF**
Construction of single storey extension to existing primary school to provide children's centre

7/2009/2174 Full
**6, The Plosh, Borrowdale Road, Keswick, CA12 5DE**
Replace 2 single glazed Victorian style windows with wooden double glazed Georgian style windows on front elevation

7/2009/2177 Full
**Rigg Beck, Newlands, Keswick, CA12 5TS**
New replacement house (adjustments to approved scheme 7/2009/2006)

7/2009/2181 Full
**1 Stable Cottages, Threlkeld, Keswick, CA12 4TX**
Extension over garage area

7/2009/2182 Advertisement
**Blacks Outdoor Leisure, 53-61, Main Street, Keswick, CA12 5DS**
Illuminated fascia and projecting signs

7/2009/2184 Full
**Holm Farm, Blindcrake, Cockermouth, CA13 0QP**
Alteration of existing agricultural building to form a smaller general purpose agricultural barn and construction of a new small storage barn

C/2009/0005 Confirmation of Conditions
**The Old Laundry, Shorley Lane, Keswick, Cumbria**
Confirmation of conditions on planning application 7/2002/2278
EDEN

7/2009/3051 Full
Barn conversion, Low Longthwaite, Watermillock, Penrith, Cumbria, CA11 0LR
Demolish existing outbuilding and construct new garage

7/2009/3052 Full
Woodbank, Watermillock, Penrith, CA11 0JP
First floor extension to existing dwelling and rebuilding porch

7/2009/3053 Full
Ivy Cottage, Mellfell View, Penruddock, Penrith, CA11 0QZ
Conversion of an existing barn to create additional living accommodation for Ivy Cottage

7/2009/3054 Listed Building
Ivy Cottage, Mellfell View, Penruddock, Penrith, CA11 0QZ
Conversion of an existing barn to create additional living accommodation for Ivy Cottage

7/2009/3057 Full
Leeming Farm, Watermillock, Penrith, CA11 0JJ
Siting of portable office building for a period of 3 years

7/2009/3059 Full
Field opposite All Saints Church, Watermillock, Penrith, Cumbria
New field access

7/2009/3066 Full
Patterdale C Of E School, Patterdale, Penrith, CA11 0NL
Erect a wooden shelter/pagoda in a tarmac outside play area

7/2009/3067 Full
Evycott Farm, Berrier, Penrith, CA11 0XD
Proposed roof over existing midden

7/2009/3068 Full
Keswick Golf Club, Threlkeld, Keswick, CA12 4SX
Replace two existing wooden windows in the lounge bar in pvcu. Remove three windows in the dining room and replace with an inline patio door in pvcu

7/2009/3069 Full
Vaugh Steel, Bampton, Penrith, Cumbria, CA10 2QL
Alterations to farmhouse and conversion of barn and byre to form part of main dwelling. New garage and installation of renewable energy equipment. Improvements and alterations to access track

7/2009/3070 Full
Nord Vue, Penruddock, Penrith, CA11 0RD
Change of use of agricultural land to domestic curtilage
7/2009/3072 Full
Leeming Farm, Leeming Farm, Watermillock, Penrith, CA11 0JJ
Conversion of redundant outbuildings to create accommodation for an Activity Training Centre (revised design & conditions from extant permission 7/2007/3004)

7/2009/3074 Full
Repeater building, Shap Summit, Shap, Cumbria
Conversion/change of use of former BT repeater building into camping barn

7/2009/3076 Full
St Andrews Parish Church, Dacre, Penrith, Cumbria
Works in relation to providing a pumped foul water drainage connection track to main public sewer

COPELAND

7/2009/4061 Notification of Intention (Agricultural)
Bengarth, Wasdale, Seascale, CA20 1ET
New agricultural building

SOUTH LAKES

7/2008/5596 Full
Warriner Yeat, Crook, Kendal, LA8 8LH
Change of use of existing workshop and dilapidated stores to class B1 office/workshop

7/2009/5049 Full
Aldersyde, Lowick Green, Ulverston, LA12 8DY
Demolition of existing house and erection of replacement house

7/2009/5079 Full
Land adjacent to Inglenook, Backbarrow, Ulverston, LA12 8PZ
Proposed halt on the Lakeside & Haverthwaite Railway

7/2009/5175 Full
The Coppice, Plantation Bridge, Kendal, LA8 9JA
Regularisation of previously approved application 7/2007/5666

7/2009/5180 Full
Laneside, Underbarrow, Kendal, LA8 8HJ
Demolition of existing single garage and conservatory, single storey extensions to provide master bedroom with en-suite, utility room and garden room

7/2009/5261 Full
New Dungeon Ghyl Hotel, Great Langdale, Ambleside, LA22 9JX
Extension to existing restaurant/dining room

7/2009/5269 Full
Craghill Cottage, Skelwith Bridge, Ambleside, Cumbria, LA22 9NW
Extension to existing dwelling
7/2009/5277  Advertisement
Old Conservative Club, Church Street, Ambleside, LA22 0BT
non illuminated 2 fascia signs, 1 projecting sign and 4 other signs

7/2009/5278  Full
1, Ferney Green Drive, Bowness-on-windermere, Windermere, LA23 3HS
Proposed part two storey/single storey front extension and single storey rear extension

7/2009/5279  Full
5, Thornhill, Windermere, LA23 2DX
Two storey and single storey extensions

7/2009/5280  Full
Lowfold, Lake Road, Ambleside, LA22 0DN
Replace four sliding wooden double doors with mahogany effect steel overhead sectional doors

7/2009/5283  Full
Offices above Doi Inthanon Restaurant, Market Place, Ambleside, Cumbria, LA22 9BJ
Change of first floor office to extension to restaurant

7/2009/5288  Amend/Delete Condition
Heaning Barn Cottages, The Heaning, Windermere, Cumbria, LA23 1JW
Variation of condition no 6 of planning permission 7/89/5419 to allow permanent occupation of four properties currently as holiday units

7/2009/5290  Full
Thrang End, Chapel Stile, Ambleside, LA22 9JJ
First and ground floor extensions and alterations

7/2009/5292  Full
Green Head, Kendal, LA8 9JL
New summerhouse

7/2009/5294  Full
Carver United Reformed Church, Windermere, Cumbria, LA23 2DB
New link building between Church and Hall

7/2009/5296  Full
Helm Close, Bowness On Windermere, Cumbria, LA23 3AZ
Alterations within development including 4 no. new covered bin stores, demolition of 1 no. existing shed, 1 no. new shed providing 6 storage units, 2 no. new stone walls and 1 no. extension of an existing stone wall and traffic calming works

7/2009/5303  Listed Building
The Spinnery, Troutbeck, Windermere, LA23 1PF
Proposed alterations and improvements to the existing outbuilding
7/2009/5304 Full
Land off Holbeck Lane, Troutbeck
Loose boxes - proposed renewal of application 7/2004/5304 for a further 10 years

7/2009/5306 Amend/Delete Condition
Newstead, New Road, Windermere, LA23 2EE
Variation of condition 8 of application 7/2009/5071 to allow alternative finished floor levels other than those identified within the flood risk assessment received on 12 March 2009

7/2009/5309 Full
Great Langdale Campsite, Great Langdale, Ambleside, LA22 9JU
New sewage treatment plant and alteration to the drainage layout

7/2009/5312 Full
Reagill, Brantfell Road, Bowness-on-windermere, Windermere, LA23 3AE
Alterations and extensions and remodelling of existing house (Design improvements to permitted scheme 7/2007/5431)

7/2009/5313 Full
2, Highfield, Gawthaite, Ulverston, LA12 8ET
Alterations and extension to dwelling, demolition of stone sheds, erection of new garage and extension of garden curtilage

7/2009/5314 Full
The Loft, Oldfield Road, Windermere, Cumbria, LA23 2BY
Change of use of existing ground floor bathroom & tile showroom to domestic store to be combined with first floor loft 2 bedroom apartment

7/2009/5316 Full
Lane Head, Coniston, LA21 8AA
New detached single storey amenity block (2 no. externally accessed WC's)

7/2009/5317 Notification of Intention (Telecoms)
B5343, Opposite Thranq Lodge, Chapel Stile, Ambleside, Cumbria, LA22 9JL
One 9 metre wood pole buried 1.4 metres into ground and with 7.6 metres above ground

7/2009/5318 Full
Windermere Transmitting Station, Claife Heights, Near High Wray, Ambleside, Cumbria, LA22 0JE
To add one 1.8mm satellite dish to the existing tower at 16m bearing 174drg also 2 no. Dipole antennas at 19m bearing 90drg on an existing Broadcast Tower

7/2009/5319 Full
Vicarage Lane, Hawkshead, Cumbria
Retention of camera, solar panel and kiosk

7/2009/5321 Advertisement
The Kiosk, Lake Road, Bowness On Windermere, Cumbria, LA23 3BJ
Two internally illuminated signs and one externally illuminated poster sign

Created 25 September 2009
7/2009/5323  Full  
Cleabarrow, Windermere, LA23 3ND  
Loft conversion including glazed hip and lantern room

7/2009/5325  Full  
Land at Hawkshead Hill, Hawkshead, Ambleside  
Replace existing building to improve animal welfare and handling facilities

7/2009/5326  Full  
Barn One, Pool Foot Barns, Haverthwaite, Ulverston, Cumbria, LA12 8AA  
Changing a small area of agricultural land into a formal lawned garden

7/2009/5327  Full  
Barneys Newsbox, Broadgate, Grasmere, Ambleside, Cumbria, LA22 9TA  
Extensions and alterations to existing newsagents and shop premises to provide further retail, display and storage space

7/2009/5328  Full  
Greenfold, Crosthwaite, Kendal, LA8 8BS  
Proposed garden room with disabled access (revised)

7/2009/5329  Full  
Low Fold Cottage, Grasmere, Ambleside, LA22 9QJ  
Installation of calor gas tank to supply Low Fold Cottage, using existing walling and planting as a screen

7/2009/5330  Full  
Little Ees Wyke, Near Sawrey, Ambleside, LA22 0JZ  
Detached garage and alterations to outbuilding

7/2009/5331  Full  
Water Park, Nibthwaite, Ulverston, LA12 8DQ  
Building to house teaching and changing facilities (resubmission)

7/2009/5334  Full  
The Reading Room, Bouth, Ulverston, Cumbria, LA12 8JB  
Replacement of 5 wood and glass windows with 5 double glazed white upvc framed windows

7/2009/5335  Full  
Vicarage Cottage, Witherslack, Grange-over-sands, LA11 6RS  
Proposed stone outbuilding and greenhouse

7/2009/5337  Full  
D H Willacy & Sons, Rawsons Farm, Levens, Kendal, LA8 8EU  
Change of use of agricultural building and yard to mixed use of agricultural and builders store (retrospective)

7/2009/5341  Full  
Appletrewhaite Cottage, Longmire Road, Windermere, LA23 1NX  
Conversion of existing garage to ancillary accommodation
7/2009/5342 Full
Langrigge Howe, Langrigge Drive, Bowness-on-windermere, Windermere, LA23 3AQ
Detached garage with dayroom above

7/2009/5343 Full
Langrigge Howe, Langrigge Drive, Bowness-on-windermere, Windermere, LA23 3AQ
Extension to ground floor

7/2009/5344 Full
Kitchen Garden, Wansfell Holme, Ambleside, Cumbria, LA23 1LS
Construction of garden store and workshop. Renovation of 4 existing greenhouses

7/2009/5345 Full
Spooner Landing, Newby Bridge Road, Windermere, Cumbria, LA23 3LL
Amendments to the approved scheme 7/2009/5059 for a replacement dwelling and detached double garage

7/2009/5346 Full
Raymond Priestley Centre, Torver, Coniston, Cumbria, LA21 8AX
Siting of a yurt in the grounds of the Raymond Priestley Centre

7/2009/5348 Listed Building
Whitestock Hall, Rusland, Ulverston, LA12 8LB
Extension, internal and external alterations

7/2009/5351 Notification of Intention (Telecoms)
Lane to Foxfield Farm, Foxfield Farm, Cartmel Fell, Grange-over-sands, LA11 6NX
Replacement of 2 existing poles

7/2009/5352 Full
Ratherheath Lane Caravan Park, Barn Farm, Bonningate, Kendal, LA8 8JU
Amend condition 7 of 7/2003/5540 and condition 6 of 7/2007/5299 to permit not more than 12 tents, 4 touring caravans and 18 static caravans on site

7/2009/5354 Full
Broughton Bank, Cartmel, Grange-over-sands, LA11 7SH
Conversion of domestic outbuilding to form annexed residential accommodation

7/2009/5362 Full
Godmund Hall, Burneside, Kendal, LA8 9AD
Proposed garden room extension to existing house, garden area lowered, Westmorland window reinstated

7/2009/5363 Listed Building
Godmund Hall, Burneside, Kendal, LA8 9AD
Proposed garden room extension to existing house, garden area lowered, Westmorland window reinstated
7/2009/5364 Full
Bowfell, Middle Entrance Drive, Bowness-on-Windermere, Windermere, LA23 3JY
Extension of house to create additional living accommodation and indoor swimming pool; demolition of existing garage and erection of new garage; creation of new private access drive

7/2009/5365 Full
Latham House Barn, The Square, Broughton-in-Furness, LA20 6HZ
Change of use and conversion of redundant building to form annex to Latham House

7/2009/5366 Listed Building
Latham House Barn, The Square, Broughton-in-Furness, LA20 6HZ
Internal and external works including alterations and new openings in the external elevations, roof lights and alterations to internal walls and stairs

7/2009/5368 Notification of Intention (Telecoms)
near 54/56 Droomer Drive, Windermere, LA23 2LR
11m wooden pole approx 9.15m above ground (replacement pole)

7/2009/5369 Notification of Intention (Telecoms)
Opposite The Spinney, Cornbirwaite Road, Windermere, LA23 1DJ
Replace wooden pole

7/2009/5370 Notification of Intention (Telecoms)
Outside 37, Oakhwaite Road, Windermere, LA23 2BD
Wooden pole

7/2009/5371 Notification of Intention (Telecoms)
outside Roe Deer Lodge, Finsthwaite, Ulverston, LA12 8BJ
11m wooden pole approx 9m above ground and 12m wooden pole approx 10m above ground

7/2009/5373 Full
Spring Cottage, Windermere, LA23 1JQ
Front porch

7/2009/5374 Full
Water Park, Nibthwaite, Ulverston, LA12 8DQ
Sailing equipment store

7/2009/5378 Advertisement
Village Store, Lake Road, Bowness-on-Windermere, LA23 3BT
1 x externally illuminated fascia sign and 2 x replacement panels to existing hanging sign

7/2009/5379 Full
2 Broadleys Cottages, Newby Bridge Road, Windermere, LA23 3LL
Install an underground LPG tank beneath the lawn at the front of the property

7/2009/5380 Notification of Intention (Telecoms)
s/o Telephone Kiosk, Nr Adam Bridge, On A593, Coniston, Cumbria, LA21 8AP
Wooden pole

7/2009/5381 Notification of Intention (Telecoms)
Opposite Moor View, Birks Road, Windermere, LA23 3PG
Wooden Pole

7/2009/5382 Notification of Intention (Telecoms)
Outside Moss Howe Farm, Church Road, Witherslack, Cumbria, LA11 6RS
Pole

7/2009/5383 Notification of Intention (Telecoms)
Bowness Road, Cartmel Fell, Grange-over-sands
Pole

7/2009/5384 Notification of Intention (Telecoms)
Bowness Road, Cartmel Fell, Grange-over-sands
Pole

7/2009/5385 Notification of Intention (Telecoms)
Opposite Low Brow Edge, Backbarrow, Ulverston, Cumbria, LA12 8QX
Pole

7/2009/5386 Notification of Intention (Telecoms)
Bowness Road, Cartmel Fell, Grange-over-sands
Replace wooden pole with 10m wooden pole, approx 8m above ground and 2m below ground

7/2009/5388 Notification of Intention (Telecoms)
near Moss Howe Farm, Witherslack, Grange-over-sands, LA11 6SA
Replace 7m wooden pole with a 9m wooden pole, approx 7.3m above ground and 1.7m below ground

7/2009/5389 Notification of Intention (Telecoms)
near Moss Howe Farm, Witherslack, Grange-over-sands, LA11 6SA
Replace 7m wooden pole with 10m wooden pole (approx 8.2m above ground and 1.8m below ground)

7/2009/5391 Notification of Intention (Telecoms)
Bowness Road, Cartmel Fell, Grange-over-sands
Replace wooden pole with 9m wooden pole (approx 7m above ground)

7/2009/5392 Notification of Intention (Telecoms)
Summer Hill, Birks Road, Windermere, LA23 3PG
2 replacement wooden poles (approx 11m above ground and 9m below ground)

7/2009/5393 Notification of Intention (Telecoms)
Bowness Road, Cartmel Fell, Grange-over-sands
Replace pole with 9m wooden pole (7m above ground)

7/2009/5395 Notification of Intention (Telecoms)
Opposite entrance to Moss Howe, Church Road, Witherslack, Cumbria
Wooden pole
7/2009/5396 Notification of Intention (Telecoms)
near Moss Howe Farm, Witherslack, Grange-over-sands, LA11 6SA
Replacement 10m wooden pole (approx 8.2m above ground)

7/2009/5397 Notification of Intention (Telecoms)
Opposite Beyond Fields, High Wray, Ambleside, Cumbria, LA22 0JQ
Erect new 10 metre wooden pole approx 8 metres above ground; Replace 9 metre wooden pole approx 7.2 metres above ground with 13 metre wooden pole approx 10 metres above ground

7/2009/5398 Notification of Intention (Telecoms)
r/o 4, Brow Edge, Backbarrow, Ulverston, LA12 8QX
Replacement 11m wooden pole (approx 9m above ground and 2m below)

7/2009/5399 Notification of Intention (Telecoms)
Opposite entrance to Moss Howe, Church Road, Witherslack, Cumbria
Replace 7m wooden pole with 10m wooden pole

7/2009/5400 Notification of Intention (Telecoms)
O/S Summer Hill, Birks Road, Windermere, Cumbria
Replacement wooden pole

7/2009/5401 Notification of Intention (Telecoms)
Road between Rankthorns Plantation & Burblethwaite Hall, Bowness Road, Cartmel Fell, Grange-over-sands, Cumbria, LA11 6NT
Replace 24 foot wooden pole approx 5.5m above ground with 9m wooden pole approx 7.3m above ground, 1.7m below ground

7/2009/5403 Advertisement
Crag House, Crag Brow, Bowness On Windermere, Cumbria, LA23 3BX
3 new fascia signs and 1 projecting sign to shop unit

7/2009/5405 Full
5, Forest Cottage, Townson Ground, Coniston, Cumbria, LA21 8AA
Two storey extension

7/2009/5406 Full
Cleabarrow, Windermere, LA23 3ND
Removal of existing stable/field shelter and replacement with new stable and field shelter and enlarging field gate for access

7/2009/5408 Full
The Swan Hotel, Newby Bridge, Cumbria, LA12 8NB
Building of a shed and greenhouse and chicken house

7/2009/5410 Advertisement
Blacks, 11, Market Cross, Ambleside, LA22 9BT
1 x non illuminated fascia and 1 x hanging sign

7/2009/5412 Full
1, Dixon Wood Close, Lindale, Grange-over-sands, LA11 6LN
Loft windows in side gables of bungalow

7/2009/5414  Full
1. Movers Lane, Waterhead, Ambleside, LA22 0DU
Extension to garage to form new garage and store

7/2009/5433  Notification of Intention (Agricultural)
Parcel no. 41967456, Matson Ground, Windermere, Cumbria
Shed for storage and maintenance of forestry equipment

T/2009/0047  TPO application
Woodland to south of access track to, Cragg Howe, Lyth, Near Kendal, Cumbria
Thinning of trees within woodland W1 as per management plan for the purpose of
the long term maintenance and enhancement of the woodland as native ash-yew
woodland and to facilitate the creation of informal paths and well-hidden log
stacks and storage areas

T/2009/0054  Tree Work in Conservation Area
Littlebeck, Fair View Road, Ambleside, Cumbria
Remove 2 small conifers and 1 small acer

T/2009/0064  TPO application
Fell Foot House, Newby Bridge, Ulverston, LA12 8NL
T2 - Prune out low hanging branches which extend over drive up to 5.5m
PLANNING APPLICATIONS REFUSED BY THE HEAD OF DEVELOPMENT MANAGEMENT ACTING UNDER DELEGATED AUTHORITY

ALLERDALE

7/2009/2119 Advertisement
Bassenthwaite Lakeside Lodges, Bassenthwaite, Keswick, CA12 4QZ
Sign

EDEN

7/2009/3071 Full
Soulands Gate Farm, Soulby, Penrith, CA11 0JF
Agricultural building for general/implement and hay storage

COPELAND

7/2009/4062 Full
Field 0001, Ennerdale Bridge, Cumbria
Proposed agricultural building

7/2009/4052 Full
High House Annex, High House, Irton, Holmrock, CA19 1UL
Change of use from workshop to ancillary domestic accommodation in association with High House, including external alterations (retrospective)

7/2009/4009 Full
Land adjacent Lower Saltcoats Farm, Saltcoats, Holmrock, CA19 1YY
Change of use to land to accommodate 5 holiday lodges

7/2009/4054 Full
Old Mill, Gosforth, Seascale, CA20 1BT
Conservatory on rear elevation

7/2009/4060 Certificate of Lawful Use (Existing)
Shepherds Cottage, Seaton Hall, Bootle, LA19 5XS
Use of building as a dwelling

SOUTH LAKES

7/2009/5394 Notification of Intention (Telecoms)
Opposite 2 Fold Gate Cottage, Hawkshead, Ambleside, LA22 0QE
Erect new 10m wooden pole