



**Lake District  
National Park**

**1**

**Report from the Head of Development Management to the  
Development Control Committee**

Application number:	<b>7/2024/2193</b>
Application type:	Full Planning application
Applicant:	Mr Ian Burkinshaw
Location:	1 Arbor Gardens, Portinscale Village, Portinscale, Cumbria, CA12 5FE
Grid reference:	325248 523154
Proposal:	Construction of garden store / shed adjacent to existing dwelling within land boundary.
Report prepared by:	Abigail Holt, Planner
Report agreed by:	Kevin Richards, Planning Manager
Recommendation:	APPROVE with conditions

**1 About this report**

- 1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.
- 1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning Policy Framework) and Government planning guidance (the National Planning Practice Guidance).
- 1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan, representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case

planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.

- 1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

## **2 Background and proposals**

- 2.1 The application is being reported to Committee because the recommendation of approval is contrary to the objection from Above Derwent Parish Council.
- 2.2 The application site is 1 Arbor Gardens, a two-storey detached dwelling located in Portinscale. It forms part of a small housing development of 3 no three-bedroom dwellings which gained planning permission in 2019 (7/2019/2020, 2181, & 2312).
- 2.3 Permission is sought for the construction of a garden store / shed adjacent to existing dwelling within land boundary.

## **3 Representations**

- 3.1 Above Derwent Parish Council object to the application due to the height of the shed affecting the street scene.

## **4 Development plan policies and other relevant guidance**

- 4.1 The relevant Development Plan comprises:
  - The Lake District National Park Local Plan 2020-2035
- 4.2 The following Lake District National Park Local Plan policies are relevant to this application:
  - Policy 01: National and international significance of the Lake District
  - Policy 02: Spatial strategy
  - Policy 05: Protecting the spectacular landscape
  - Policy 06: Design and development
  - Design Code Supplementary Planning Document
- 4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.
- 4.4 There is no community plan in this area.

## **5 Main issues and assessment**

- 5.1 As a detached garden store/shed that serves an existing house, the proposals are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle. The main issues in this assessment are:
  - Character and appearance of the area

- Amenity of neighbours

Character and appearance of the area

- 5.2 Policy 06 states that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials.
- 5.3 1 Arbor Gardens is a relatively simple and modern detached dwelling, constructed of white painted rendered walls and a slate roof. It has a rear garden that wraps around the east elevation, and a timber fence with lattice fencing on top forms a boundary wall. This boundary fencing has a total height of 1.8 metres and borders the road (Regional Route 71) along the east of the site. Due to the slight slope of the land, the dwelling sits in a higher position than the road, and the fence sits atop a small stone wall with a low-level beech hedge.
- 5.4 The proposed shed would be situated to the east of the main dwelling. It would have a footprint of 2.5 metres by 5.25 metres, with an asymmetrical pitched roof that has an eaves height of 2.1 metres and a ridge height of 2.8 metres. The building would be constructed of high-quality cedar cladding, with flush fixed rooflights along the east elevation and a door on the north elevation.
- 5.5 Due to the visibility of the proposed shed from the road, there is some concern that it would negatively impact upon the street scene. Currently, the east elevation of the main dwelling forms a principal elevation, having a relatively simple and attractive appearance from the street. In order to minimise the impact of the proposed shed and provide some screening, it would be positioned behind the existing fence with the fence line being moved in line with the shed. As such, the proposed shed would only be partially visible through the latticed fencing and would protrude above the fence by 1 metre. Whilst this would have a slight impact upon the street scene, the positioning of the shed on higher ground than the pavement immediately adjacent reduces its visibility. Moreover, the top ridge of the roof is asymmetrically positioned away from the roadside to reduce its prominence, with flush rooflights that minimise their appearance. Overall, the building would clearly be seen within the domestic context of the main dwelling, and I do not consider the impact upon the street scene to be sufficient to warrant a refusal.
- 5.6 I am therefore satisfied that the development proposed is acceptable in terms of its impact on the character and appearance of the area and that it satisfies the requirements of Local Plan Policies 01, 02, 05, 06, the Design Code SPD and the NPPF.

Amenity of neighbours

- 5.7 Policy 06 states that development must not have an unacceptable impact on the amenity of adjoining residents and users of the proposed development, due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts.

- 5.8 The only dwellings that neighbour the application site are 2 and 3 Arbor Gardens, which are semi-detached and situated immediately to the west of the site. As such, the positioning of the proposed shed to the east of 1 Arbor Gardens would have no impact upon neighbouring amenity.
- 5.9 I am satisfied that the development would not have an unacceptable impact on amenity and a high standard of amenity for existing and future users of the building and neighbours would be maintained.
- 5.10 The development is acceptable in terms of its impact on amenity and satisfies the requirements of Local Plan Policy 06, the Design Code SPD and the NPPF.

## **6 Conclusion**

- 6.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 05, 06, the Design Code SPD and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable, subject to the conditions recommended

**RECOMMENDATION: APPROVE with conditions**

### **Conditions/Reasons**

- 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 development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:
- Design and Access Statement
  - Existing and Proposed Site Plans dwg no. 24006-RFA-00-ZZ-DR- A-0900
  - Existing and Proposed Plans and Elevations dwg no. 24006-RFA-00-ZZ-DR- A-1000
  - Existing and Proposed Elevations dwg no. 24006-RFA-00-ZZ-DR A-1001
  - Site Location Plan
- REASON: For the avoidance of doubt.

### **NPPF decision notice requirements**

Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 35(2) statement.

The Local Planning Authority have worked with the applicant in a positive and proactive manner by seeking solutions to problems arising in relation to dealing with the application by advising on alternative positioning and materials to minimise the impact on the street scene.

### **Background papers**

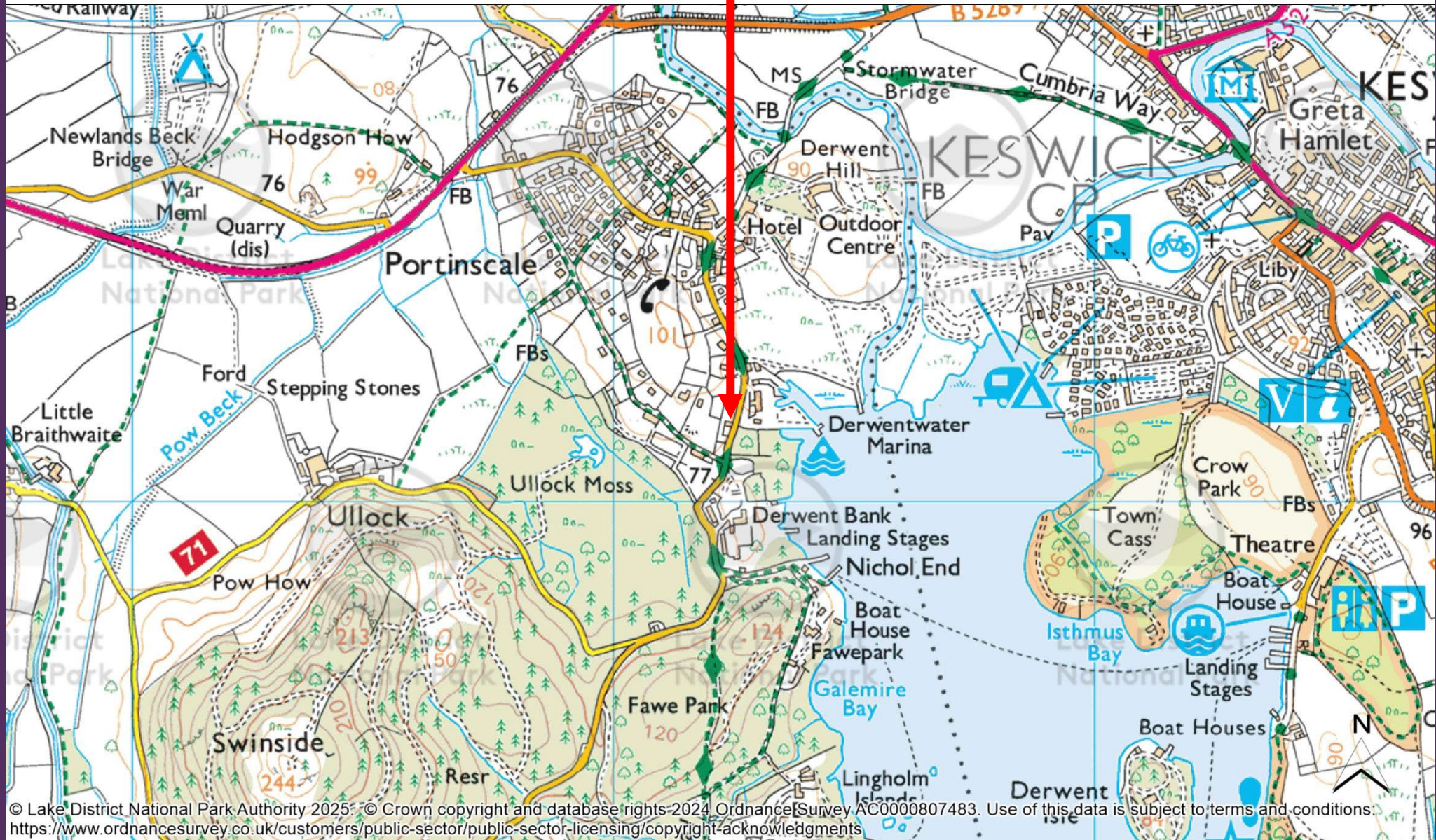
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2024/2193

1 Arbor Gardens, Portinscale Village, Cumbria,  
CA12 5FE

Construction of garden store/shed adjacent to  
existing dwelling within land boundary

Site



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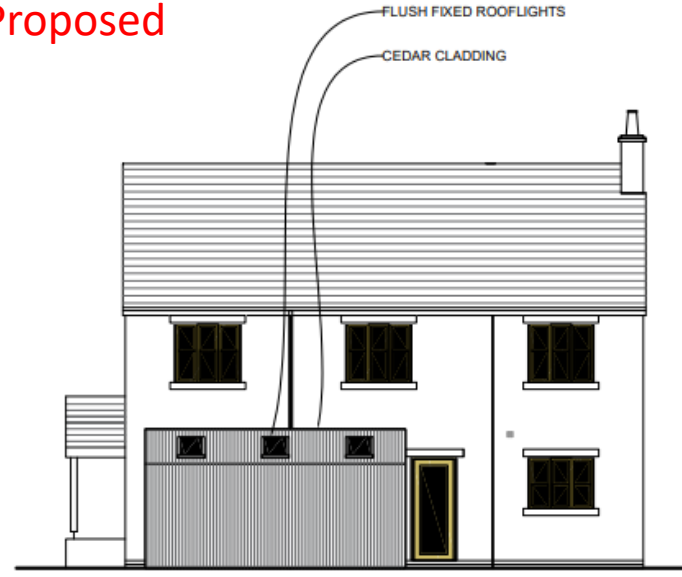


Existing



EAST ( LAKE ) ELEVATION EXISTING

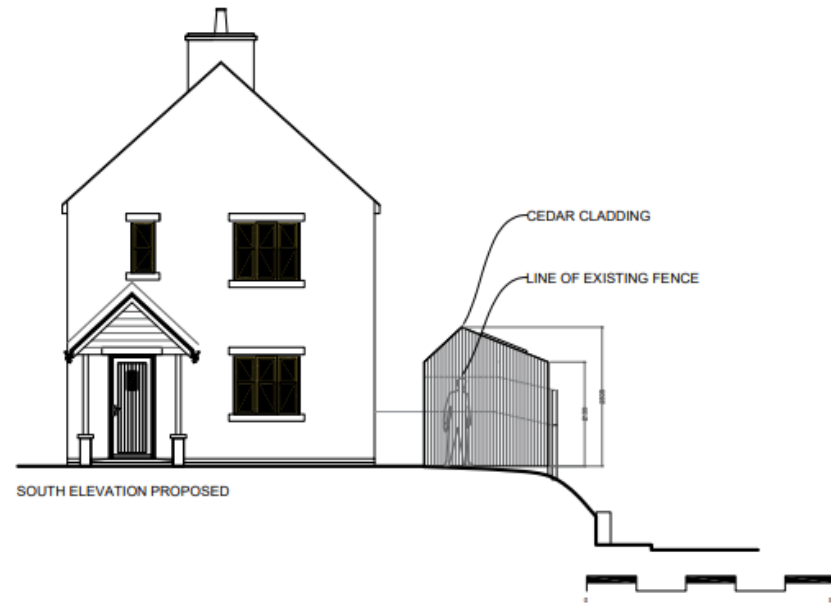
Proposed



EAST ( LAKE ) ELEVATION PROPOSED



SOUTH ELEVATION EXISTING



SOUTH ELEVATION PROPOSED

Project: 2008

Revision:  
No. Color Description

Concept Design

Date:

Scale:

Scale: 1/8"

GARDEN STORE  
EXISTING AND PROPOSED  
ELEVATIONS

Drawing No. 2008-09-02-0208

**A-1001**  
Sheet Size: A2

Site



Site





Positioning of proposed shed

