Lake District National Park

7

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

Application number:	**7/2024/5550**
Application type:	Full Planning application
Applicant:	Mr & Mrs Brady
Location:	Bryers Cottage, Far Sawrey, Ambleside, LA22 0LW
Grid reference:	338635 494906
Proposal:	Erection of dwelling and associated infrastructure following demolition of existing dwelling.
Report prepared by:	Kelsey Blain, 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 This application is being reported to Committee as the recommendation to approve with conditions is contrary to the objections received from Windermere and Bowness Town Council and Claife Parish Council.

2.2 Bryers Cottage is a detached, stone and slate dwelling, believed to date from the late nineteenth century. The property occupies an elevated position on the western shores of Windermere and is accessed via a private drive to the east of the highway.

2.3 The dwelling previously sat within a wooded setting, however extensive tree felling has taken place to the east of the site. This land is now subject to restocking notice RN48/23-24, served by the Forestry Commission on 22 February 2024. Part of the application site is covered by this restocking notice. Correspondence from the Forestry Commission confirms that the restock area has now been replanted and the site has moved into its maintenance period of 10 years to allow the replanted woodland to establish.

2.4 This application seeks planning permission for the construction of a replacement dwelling and associated infrastructure following the demolition of the existing dwelling.

3 Representations

3.1 Claife Parish Council object to the application on the following grounds:

- Impact on the World Heritage Site landscape
  - The application site should not be considered in the context of villa landscapes.
  - The Heritage Statement underplays the contribution that the existing building makes to the World Heritage Site.
  - Sustainable development requires the retention and reuse of existing buildings, rather than demolition and rebuilding.
  - The scale and form of the development would be highly visible in the landscape and impact adversely on the scenic beauty of that part of the Lakeshore and on the character of the wider agro-pastoral wooded landscape that is a key attribute of the OUV of the WHS.
- The tidying up of the landscape could be achieved without the proposed development.
- The provision of a large dwelling to be lived in cannot be used as justification for the proposals when the existing house could be renovated and improved.

- Contrary to Local Plan Policy 24 as the scale, siting and design of the development does not maintain or enhance the character of the lakeshore.
- Contrary to NPPF policies on development within National Parks.
- Request condition requiring discharge of wastewater from the proposed treatment plant to a soakaway rather than to surface water.

3.2 Windermere and Bowness Town Council object to the application on the following grounds:

- Inappropriate design, scale and appearance of the building is out of keeping with the style of neighbouring properties on the western shore and the quiet sylvan setting.
- Loss of trees
  - Request a tree preservation order for any remaining trees on the site and those planted under the restocking notice.
  - The felling of the adjacent woodland has made the development more visible and obtrusive.
- Nature conservation and biodiversity
  - An EPSM Licence will be required but concerned that this will not take place.

3.3 The Local Highway Authority have advised that the proposals meet the recommendations within the Cumbria Development Design Guide and confirm that they have no objection to the proposal as it is considered that it will not have a material effect on existing highway conditions.

3.4 The Lead Local Flood Authority advises that the development is in Flood Zones 2 and 3 and so recommend that the applicant contact the Environment Agency. Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority to confirm if an Ordinary Watercourse Flood Defence Consent is required.

3.5 The Environment Agency have confirmed that they have no objection to the development as proposed. They have provided the following comments:

- The Environment Agency has reviewed the submitted FRA and is satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.
- The development must proceed in strict accordance with the FRA and mitigation measures identified. Any proposed changes to the approved FRA and/or the mitigation measures identified will require the submission of a revised FRA.
- There are aspects of the development proposals within the red line boundary and within 8m of the lake shore that will require further detailed design. The Environment Agency are satisfied that such matters can be dealt with through the separate regime of Flood Risk Activity Permitting (FRAP).
- The River Levens flows through Lake Windermere and is designated ‘main river’. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities

which will take place on or within 8 metres of a main river (16 metres if tidal).

- Advice to the applicant is provided in relation to signing up for flood warnings.
- The hierarchy of drainage options set out within PPG (Water supply, wastewater and water quality – considerations for planning applications, paragraphs 020) should be followed. Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. The granting of planning permission does not guarantee the granting of an Environmental Permit.
- Domestic effluent discharged from a treatment plant at 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

3.6 The Forestry Commission advised that as a non-ministerial government department they will provide no opinion either supporting or objecting to an application. The following comments have been provided:

- Confirm that the area covered by this planning application is subject to Restocking Notice RN48/23-24 served by the Forestry Commission on 27/03/2024. A copy of this notice is attached to the Forestry Commission's response.
- The presence of the Notice may not prevent the local authority from granting planning permission, but typically the carrying out of the granted development will conflict with the conditions of the Notice. Planning permission granted by the local planning authority for the same area as that covered by a Notice will not override the conditions of the Notice.
- If the Local Planning Authority is minded to grant planning permission on land where a Notice is in force, they may wish to consider removing the land subject to the Notice from any planning permission granted for a wider area.
- The presence of a Notice may be considered by the local planning authority to be a material consideration in decision making.
- Local planning authorities may also wish to consider land subject to a Notice to be woodland, or existing trees, as the presence of the Notice ensures that the land will be restocked with trees and maintained for a period of 10 years from the date of trees being planted.
- Restocking Notices served from 1st January 2023 are local land charges. This means that once they have been served, they will appear on the local land charges register. This register is routinely checked by conveyancers as part of the buying and selling of land. As such, the land being listed on the register will alert any prospective purchaser to any liabilities that they make be taking on should they purchase the land.

3.7 The Trees and Woodland Officer has advised that they have no objections to the proposals. The proposed planting is considered to be acceptable

subject to a condition requiring that any trees or plants which, within a period of five years thereafter, die, are removed or become seriously damaged or diseased, are replaced in the next planting season. Alongside the restocking approval from the Forestry Commission this should result in continuous future tree cover of this area.

3.8 We have three objections which can be summarised as follows:

- Contrary to Local Plan Policies 06, 24, 04 and 02.
  - Development should reuse existing buildings rather than constructing new ones.
  - No direct lake use function; failure to demonstrate that alternative non-lakeshore solutions are not feasible or viable; and scale, siting, and design do not enhance or maintain the character of the lake and its lakeshore location.
  - Previous tree felling at and adjacent to the site resulted in a loss of habitat.
  - The application is not small scale to meet local needs; does not reinforce the distinctive settlement pattern, and goes beyond the utilisation of previously developed land, buildings and domestic gardens.
- Contrary to NPPF as proposals do not conserve or enhance the landscape and scenic beauty of the National Park. NPPF states that the scale and extent of development within National Parks should be limited.
  - Major development should only be permitted in exceptional circumstances.
- Previous unauthorised tree felling at the site should not be used as justification for the proposed development and means the application should be treated with caution.
- Lack of justification for demolition of existing dwelling.
- Inaccuracies in the application.
  - Clarity on demolition of outbuildings.
  - Disagree on assessment of the heritage significance of the main house.
  - Poor state of repair is due to lack of maintenance by the landowners.
  - Misrepresentation of circumstances surrounding tree felling.
  - Disagree with statement that the site is located within the Coniston Valley [n.b. The site is noted as being located within the Coniston Valley within the World Heritage Site Nomination Document].
  - Disagree with assessment of the landscape.
  - Disagree with description of the visibility of the site.
  - Disagreement on interpretation of Policy 02.
- Harm to landscape views from the lake and eastern shore.
- Design of the replacement dwelling.
  - No architectural distinction.
  - Larger and overbearing. No modern dwelling of comparable size in the area.
  - More prominent with large windows facing the lake.
  - Out of keeping with the natural and largely wooded landscape of the western shore.

  - Developments of a similar design have already harmed the character of Windermere lakeshore, being too dominant in the landscape.
  - Proposed levels of fenestration are not appropriate and risk damage to birdlife.
  - Local stone should be retained at all costs.
- When considered in conjunction with proposals at the Pearsall building (7/2023/5255) the proposals represent overdevelopment of this ¼ mile section of shore.
- Discharge of water treatment plant into Windermere.

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 03: Development and flooding
- Policy 04: Biodiversity and geodiversity
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development
- Policy 07: Historic environment
- Policy 24: Lakeshore 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 are no policies within the Claife Community Plan which directly relate to the proposed development.

5 Main issues and assessment

5.1 The main issues in this assessment are:
- Principle
- Character and appearance of the area
- Impact on trees
- Protected species
- Pollution Control
- Flooding

Principle

5.2 The construction of a replacement dwelling is acceptable under Policy 02 as there would be no change of use at the site and no increase in the number of dwellings.

5.3 Policy 06 distinguishes between what development must do and what it should do. The policy indicates that development should achieve good energy efficiency and should reuse existing buildings rather than construct new ones. The policy does not however insist that development must achieve these outcomes and the principle of constructing replacement dwellings where appropriate is accepted. The supporting information states that overall, the existing building has a very poor thermal performance and is in a poor state of repair. The existing building is considered to make a modest contribution to the character and appearance of the area, however the individual significance of the property is not considered to be so great that its replacement with an appropriately designed scheme could not be considered acceptable. The submitted Construction Method Statement also states that slate and stone from the existing dwelling will be retained on site and used within the replacement dwelling.

5.4 Reference is made within the application and objections to felled woodland adjacent to the site. This area is not included within the red line of this application. It is not proposed to extend the existing domestic curtilage.

5.5 Policy 24 states that lakeshore development will only be permitted where:

- The development provides facilities or services that have a direct lake use function for recreation or water-based transport purposes; and
- The applicant demonstrates that alternative non-lakeshore solutions are not feasible or viable; and
- The scale, siting, and design of the development enhances or maintains the character of the lake and its lakeshore location, including undeveloped stretches of lakeshore; and
- The development does not have an adverse impact on lake navigation; and
- The development does not have an adverse impact on lake water quality.

5.6 The proposed development does not have a direct lake use function. However, there is an existing dwelling on site which will be replaced as a result of the proposed development. There will be no increase in housing and no change of use of the land. It would therefore be unreasonable to conclude that a replacement dwelling in this location would be unacceptable in principle.

5. The overarching aims of Policy 24 are to protect the landscape and character of lakes and lakeshores from inappropriate development. For the reasons outlined above, the construction of a replacement dwelling in this location is not considered to represent inappropriate development. The impact of the development on the character of the lake and lakeshore will be considered in the relevant section below.

5.8 I am satisfied that the proposed development meets the requirements of Local Plan Policies 02, 06 and 24 would be acceptable in principle.

<u>Character and appearance of the area</u>

5.9 The site lies within Area 49: Lower Windermere, Lowland Valley M as identified within the Landscape Character Assessment and prior to the felling at the site displayed many of the defining characteristics of the area, particularly the ‘almost continuous swathe of predominantly broadleaved woodland’ which has a ‘dense green understory, which often comes alive in spring with swathes of bluebells and contributes subtle textures and seasonal colour changes. This results in a relatively strong sense of enclosure and denotes an intimate-scale landscape with occasional glimpse views across Lake Windermere to the east.’ It is noted that the western shore of the lake has a ‘predominantly strong sense of tranquillity. The tranquillity is due to the perceived naturalness of the landscape and the relative absence of dwellings and settlements and slow-moving boats.’

5.10 The wider site contributes to the Special Qualities of the Lake District National Park, particularly in relation to a world class cultural landscape, extensive semi-natural woodlands and opportunities for quiet enjoyment. The site also displays attributes of the English Lake District World Heritage Site’s Outstanding Universal Value relation to extraordinary beauty and harmony of the physical, natural and cultural landscape.

5.11 The existing property is of a traditional character, form and appearance, incorporating vernacular features including the use of local materials and cylindrical chimney stacks, making a modest contribution to the character and appearance of the surrounding area. However, it is acknowledged that the building has been subject to several alterations over the years and that its contribution to the character and appearance of the area primarily derives from the visual relationship between the vernacular materials used on the house and the surrounding woodland. The building itself is not considered to make a clear contribution to landscape character, the Special Qualities of the National Park or the Outstanding Universal Value of the World Heritage Site.

5.12 Following pre-application advice this application proposes to demolish the existing two bedroom dwelling and construct a replacement four bedroom dwelling. A detailed landscaping plan has also been included within the proposals along with the installation of a new package sewage treatment plant.

5.13 The proposed dwelling is significantly larger than the existing and incorporates more contemporary features including first floor balconies and large glazed elements. However, the footprint of the development would extend no further south than the outbuilding that formerly sat on the site, resulting in a similar level of built development on the site. Furthermore, the gabled form of the development and use of vernacular materials are considered to reinforce local distinctiveness and help tie the development into the surrounding landscape. The large expanses of glazing would be well recessed and have primarily been used in the building’s south and west elevation, facing away from the lake. The proposals are considered to reflect the requirements of the Design Code SPD, reflecting the local vernacular architecture and using local materials.

5.14 The development is screened from view from the highway to the west of the site. The main public views of the development would be from the lake and at a distance from the eastern lakeshore, where it would be seen in the context of the surrounding woodland and other large villa-style dwellings, such as Fellborough to the south.

5.15 The requirements of restocking notice RN48/23-24 have already been complied with and a detailed landscaping plan has been submitted in support of the application, informed by pre-application advice and guidance from the Trees and Woodland Officer. Due to the topography of the site, the scheme consists of a terraced garden with native planting chosen to tie into the surrounding woodland and reflect the characteristics identified within the landscape character assessment. Lawned garden areas are surrounded by dense understory planting and native trees, with slate faced retaining walls to match the existing. Hardstanding consisting of parking to the west of the site and an upper and mid-level terrace would be largely screened by the proposed planting, including formal hedging.

5.16 The benefits of the landscaping scheme and woodland restocking will take time to establish, however the restocking notice will ensure that the planting is maintained for the next ten years, after which time the Forestry Act will protect the trees from clear felling. Should the trees die or become damaged within this period, the ten-year maintenance requirement will restart. The standard landscaping condition will ensure that all trees and plants included within the proposed landscaping scheme are maintained for the next five years. As such, I am satisfied that the proposals will conserve and enhance the character of the area.

5.17 Given the landscape sensitivities of the site, I consider it appropriate to remove domestic permitted development rights from the dwelling and its curtilage to safeguard the character and appearance of the area from inappropriate development, particularly along the lakeshore.

5.15 I am satisfied that the development 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 Lake District Design Code and the NPPF.

Impact on trees

5.18 The majority of the land subject to restocking notice RN48/23-24 lies outside of the red line boundary for this application. As highlighted by the Forestry Commission, planning permission granted by the local planning authority for the same area as that covered by a Notice will not override the conditions of the Notice.

5.19 The Authority has been supplied with confirmation that the area has been restocked in accordance with the notice and is now subject to the ten year maintenance condition. The site management plan submitted in support of this application demonstrates that tree protection measures will be installed to protect these trees during the construction of the development. The

proposed tree protection measures will also be installed around retained trees within the application site.

5.20 It is proposed to fell one low category tree to facilitate the development. This is considered to be mitigated by the significant replanting proposed within the landscaping plan.

5.21 Windermere and Bowness Town Council have requested that a Tree Preservation Order be served on the remaining and replanted trees. The Trees and Woodland Officer has advised that at this moment in time, one of the two requirements to create a TPO is not met. The site meets the test of amenity value due to its very prominent position, however there is a lack of expediency to create a TPO as the restocked woodland is protected by the conditions imposed by the Forestry Commission's restocking notice. By the time the trees are no longer covered by this condition, they will be protected from clear felling by the Forestry Act. Likewise, the remaining mature woodland is protected from clear felling by the Forestry Act.

5.22 Appropriate tree protection measures have been outlined within the arboricultural report and Site Management Plan and I am satisfied that the proposed development is acceptable in relation to its impact on trees.

Protected species and nature conservation

5.23 Under Article 12 of the EC Habitats Directive and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 we have had regard to the requirements of the Habitats Directive. The applicant commissioned a bat survey which was submitted with the application. Low numbers of common bat species were recorded foraging over the site and a single bat roost used by a small number of Daubenton's (*Myotis)* bats was recorded in the house. A Protected Species Mitigation Licence (PSML) for bats will be required prior to works being carried out.

5.24 Our associated assessment concludes that there is every likelihood that the proposal meets the tests required to issue a PSML, and that the proposal is considered of low risk in respect of maintaining the population status of protected species, satisfying the requirements of the NPPF and Local Plan Policy 04.

5.25 An ecological assessment has also been submitted in support of this application and concluded that the plant species assemblages recorded at the site are all common in the local area and are considered to be of low ecological value as they comprise a garden. It is considered that the proposed sympathetically landscaped open space would offer habitat of equal or greater ecological value.

5.26 I am satisfied that subject to the development being completed in accordance with the Construction Method Statement, included within the Design and Access Statement, the proposals are acceptable in relation to nature conservation interests and comply with the requirements of Policy 04.

Pollution Control

5.27 The existing dwelling is served by a septic tank. The location of a drainage field is unknown and it is presumed that the effluent discharges to the lake. There is no mains drainage within a reasonable distance of the application site and therefore connecting to the main is not an option.

5.28 It is proposed to install a new treatment plant, suitable for the equivalent of 12 persons to exceed the capacity of the proposed dwelling. Information submitted in support of this application confirms that the proposals will comply with Environment Agency Regulations for consent to discharge to surface water and the plant will be maintained in accordance with the General Binding Rules.

5.29 It is a well-established principle of the planning system that it should operate on the basis that related regulatory controls should not be duplicated. The NPPF states that planning decisions should assume that these regimes will operate effectively.

5.30 In this case it is reasonable to conclude that the discharge from the treatment plant will be satisfactorily regulated by the pollution control regime.

Flooding

5.3 Part of the garden is located within Flood Risk Zones 2 and 3 and as such a Flood Risk Assessment has been submitted in support of this application. The proposed dwelling is located outside of the flood zone, on an existing area of hardstanding. Rainwater harvesting is proposed to reduce the volume of water going to ground. The proposed landscaping scheme also indicates the use of planting to protect and strengthen the ground along the lakeshore.

5.32 The Environment Agency has confirmed that the development would be safe from flooding and would not exacerbate flood risk elsewhere provided the proposed flood risk mitigation measures are implemented.

5.3 I am satisfied the development is acceptable in relation to flood risk and satisfies the requirements of Local Plan Policy 03 and the NPPF.

Other matters

5.34 While information relating to the provision of Biodiversity Net Gain (BNG) has been submitted in support of this application, the development is exempt from providing BNG as the proposals are for a self-build build dwelling. It should be noted that every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, except for in exempt circumstances. Should the development no longer meet this exemption, then the BNG condition would apply.

5.35 The requirements of Policy 20 (Renewable and low carbon energy) would be met through the provision of solar panels and an air source heat pump on the site and secured by condition.

6 Conclusion

6.1 The proposed development would be acceptable in principle and is considered to be of an appropriate design and scale, that reflects the character and appearance of the area. All other matters are considered to be acceptable.

6.2 Having regard to the provisions of the development plant, in particular Lake District National Park Local Plan Policies (01, 02, 03, 04, 05, 06, 07, 20 and 24) 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 received by the Local Planning Authority:

Drawing no. 23 D - Location Plan
Drawing no. 33 A - Site Management Plan received 22 January 2025
Landscape Plan of Domestic Area received 22 January 2025
Landscape Masterplan received 22 January 2025
Drawing no. 26 - Proposed Floor and Roof Plans
Drawing no. 27 - Proposed Elevations
Drawing no. 28 - Proposed Site Elevation and Section
Drawing no. 29 B - Proposed Site Plan
Drawing no. 2308_BC102 - Landscape Illustrative Sections
Flood Risk Assessment
Non-Mains Drainage Statement
Preliminary Ecological Assessment

REASON: For the avoidance of doubt.

3 The development hereby permitted shall not be undertaken other than strictly in accordance with the mitigation and compensation strategy detailed in sections 9 and 10 of the submitted Bat Survey (Report ref. 8974).

REASON: To minimise the risk of unacceptable harm or disturbance to

protected species accordance with Policy 04 of the Lake District National Park Local Plan 2020-2035.

4 The development hereby permitted shall not be undertaken other than strictly in accordance with the measures detailed in section 4: Construction Method Statement of the submitted Design and Access Statement.

REASON: In order to minimise the risk of pollution or disturbance in accordance with Policies 04 and 06 of the Lake District National Park Local Plan 2020-2035 and the provisions of the National Planning Policy Framework.

5 Prior to the commencement of the development hereby permitted, tree protection measures shall be put in place in accordance with the approved details, as shown on Drawing no. 33 A - Site Management Plan and detailed within the Arboricultural Impact Assessment. All tree protection measures shall be retained for the duration of the works.

REASON: To minimise the risk of damage to nearby trees, protection measures need to be in place before works starts on site and maintained during the construction period in accordance with Policies 04, 05 and 06 of the Lake District National Park Local Plan 2020-2035.

6 Not later than 12 months from the substantial completion of the development, landscaping of the site shall be undertaken in accordance with the details shown on Landscape Plan of Domestic Area received 22 January 2025. Details of the specific tree species, understory planting and paving shall first have been submitted to and approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of five 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.

The planting shall thereafter be maintained in accordance with a management plan which has first been submitted to and approved in writing by the Local Planning Authority, or such management plan as the Local Planning Authority may from time to time approve thereafter. The first management scheme shall be submitted to the Local Planning Authority not later than 6 months from the substantial completion of the development.

REASON: To safeguard the visual amenities of the area in accordance with Policies 05 and 06 of the Lake District National Park Local Plan 2020-2035.

7 Details of all external lighting shall be submitted to, and agreed in writing by, the Local Planning Authority prior to installation. The submitted details shall include the location, design and lumens of the proposed lighting. Such lighting shall be maintained in accordance with the approved details thereafter.

REASON: In order to minimise the effects of external lighting upon the special qualities of the Lake District National Park, including the tranquillity and intrinsically dark landscape of the open countryside in accordance with Plan Policies 01 (national and international significance of the Lake District), 05 (protecting the spectacular landscape) and 06 (design and development) of the Lake District National Park Local Plan 2020-2035.

8 A sample panel of stonework to be used on the building shall be constructed for inspection and approval by an Officer of the Local Planning Authority prior to the application of the stone to the building. The external walls of the building shall thereafter be constructed in such a manner as to match the approved panel.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with the provisions of Policies 05 and 06 of the Lake District National Park Local Plan 2020-2035.

9 The roof of the building hereby permitted shall be covered and maintained in local green slates which have been mined or quarried in Cumbria. Such slates shall be riven not sawn, 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 Policies 01 and 06 of the Lake District National Park Local Plan 2020-2035.

10 Prior to their installation into the development hereby permitted, details of the following shall be submitted to the Local Planning Authority for approval:
i) Scaled sectional drawings of the proposed windows and doors, including width of frames, materials, finish and method of opening.
ii) Details of the proposed lintels and headers above the windows, including design, material and size.
iii) Details of the proposed rainwater goods, including material and colour.
iv) Detailed, scaled drawings of the chimney stacks, including their finish.

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

REASON: To ensure a satisfactory standard of appearance of the development in accordance with Policies 05 and 06 of the Lake District National Park Local Plan 2020-2035 and the provisions of the National Planning Policy Framework.

11 Prior to the first use of the development hereby permitted, the approved details consisting of solar panels and an air source heat pump, as detailed within the approved Energy Statement and Drawing no. 26, with respect to the provision of renewable/low carbon energy shall be implemented and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of increasing the proportion of energy

generated through renewable and low carbon sources in accordance with Policy 20 of the Lake District National Park Local Plan 2020-2035.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no material external alterations or extensions shall be carried out to the dwellinghouse, nor shall any building, enclosure, structure, domestic fuel oil container, pool or hardstanding be constructed within the curtilage of the dwellinghouse, without application to, and the grant of permission by, the Local Planning Authority.

REASON: The Local Planning Authority considers that such development should be subject to formal control in order to safeguard the character and appearance of the area in accordance with the provisions of Policies 05, 06 and 24 of the Lake District National Park Local Plan 2020-2035 and the provisions of the National Planning Policy Framework.

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 providing pre-application advice.

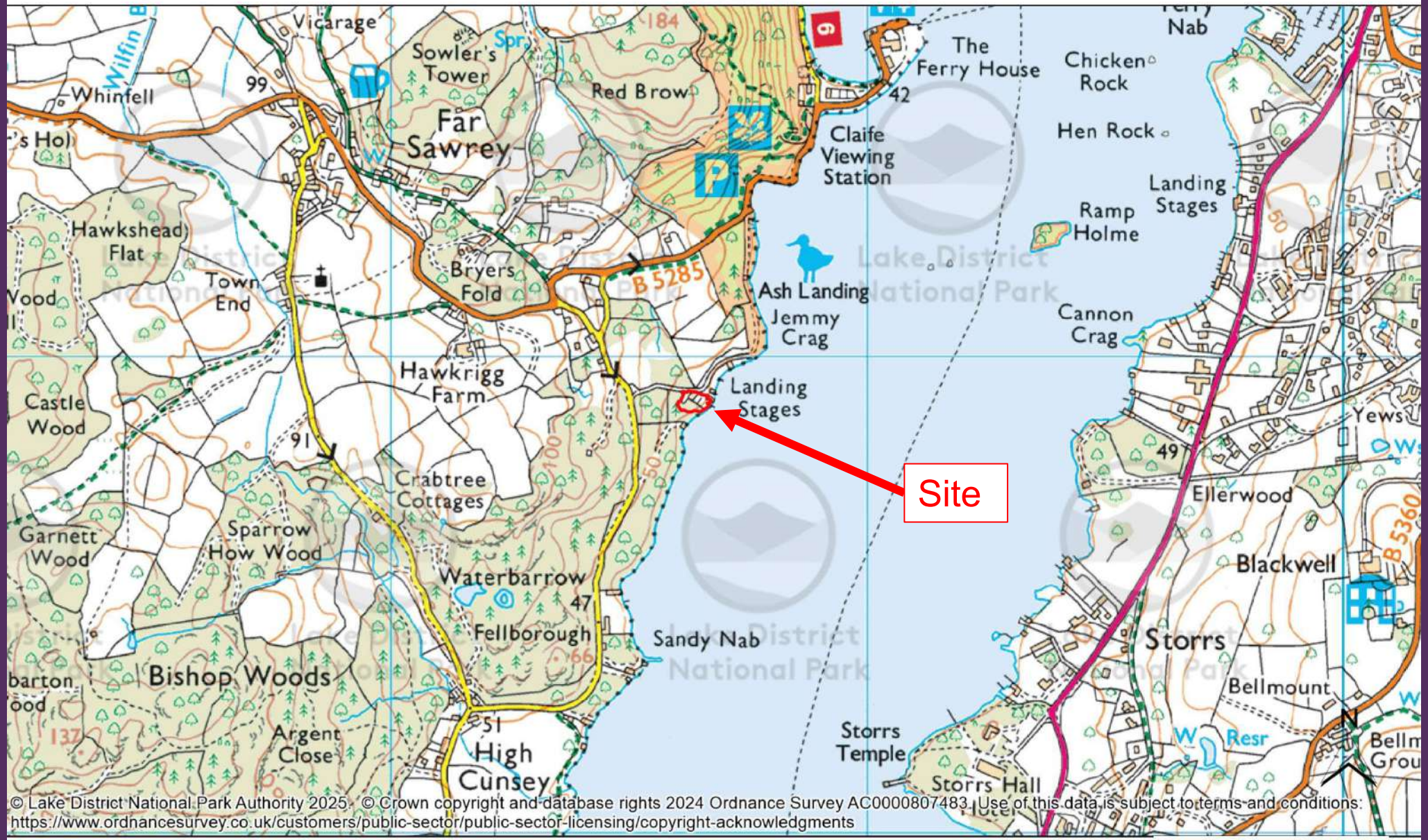
Background papers

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.

7/2024/5550

Bryers Cottage, Far Sawrey, Ambleside, LA22 0LW

Erection of dwelling and associated infrastructure following demolition of existing dwelling



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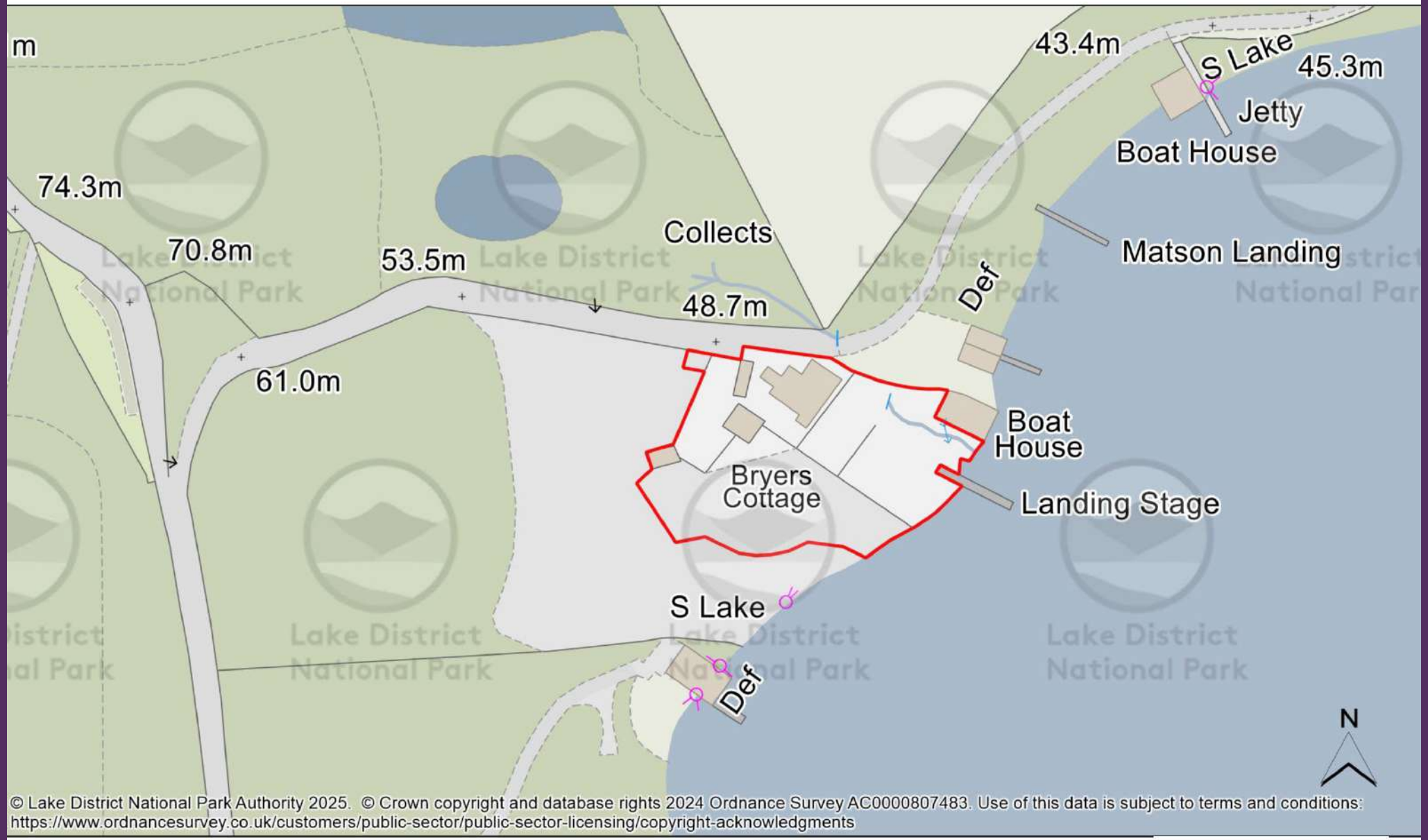

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Lake District
National Park Authority

Application Site

Proposed Site Plan

Proposed Elevations

East Elevation
Scale 1:100

West Elevation
Scale 1:100

South Elevation
Scale 1:100

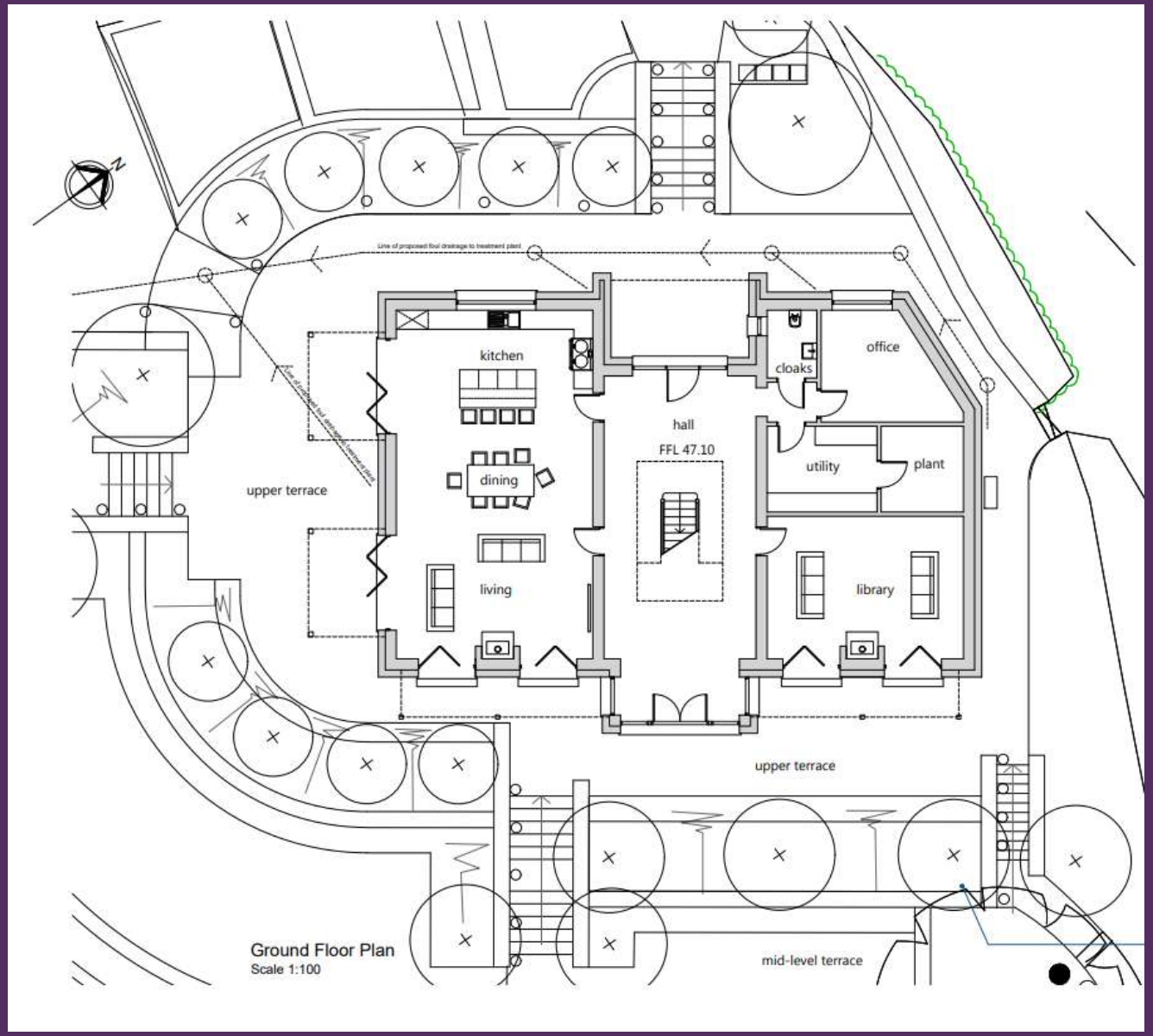
North Elevation
Scale 1:100

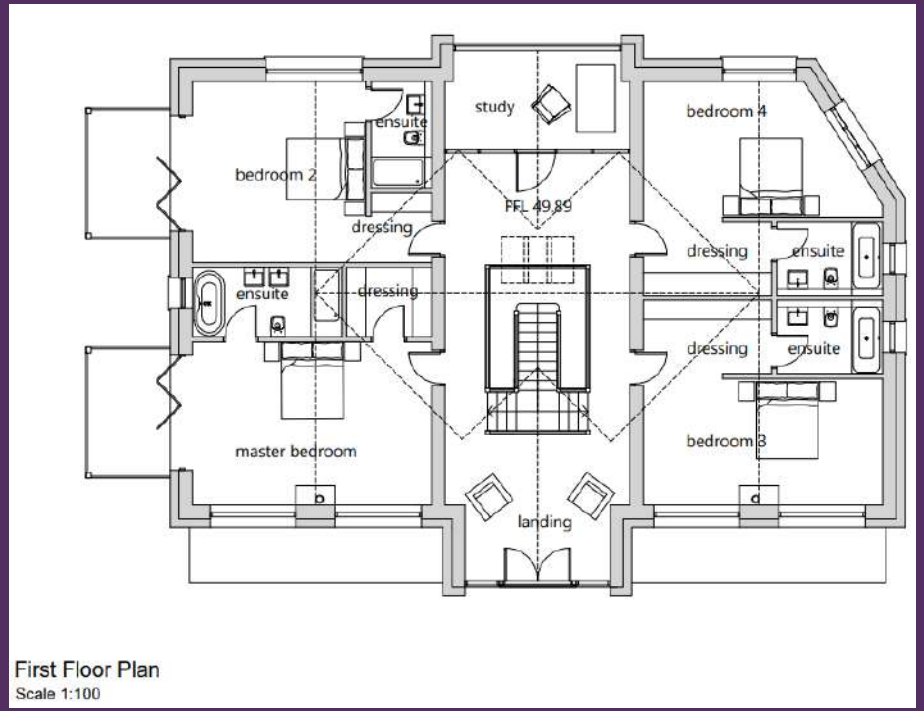
REPLACEMENT DWELLING
Bryars Cottage
Far Sawrey

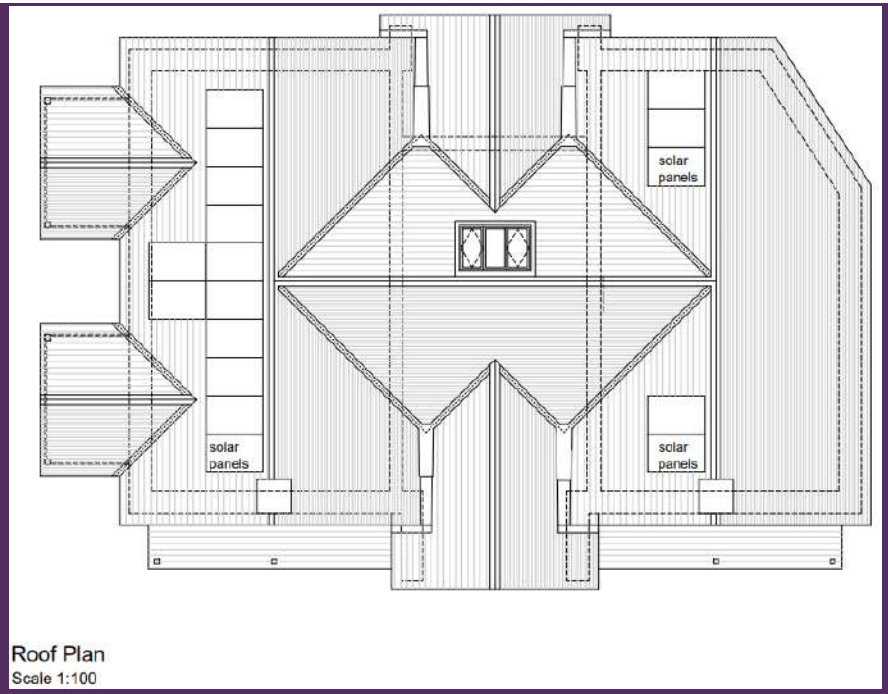
Mr and Mrs Brady

Final Proposals
Elevations

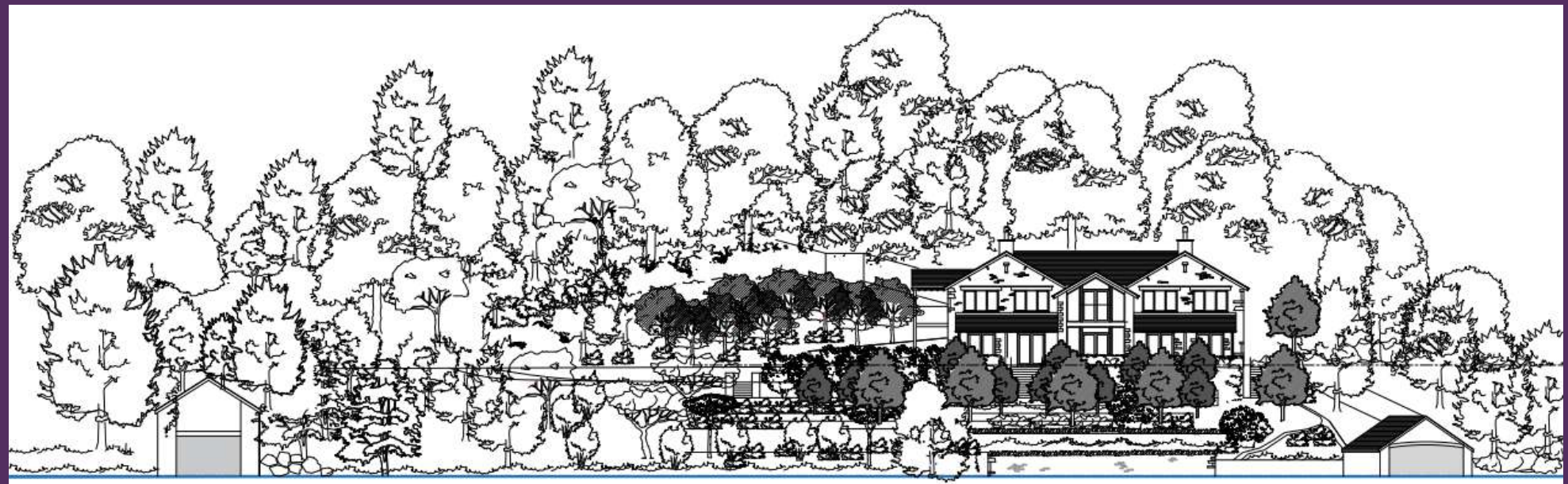
Proposed Plans







Proposed Site Elevation and Section



East Elevation of Site from Lake Level
Scale 1:100

Section A-A through Site
Scale 1:100

Proposed Landscaping Scheme

CGI of Site following completion of house, replanting and landscaping scheme

CGI of site following a period of approximately five years from initial planting

CGI of site in wider context