Lake District National Park

9

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

Application number:	**7/2024/5633**
Application type:	Full Planning application
Applicant:	Mr Ian & Mrs Jennie Denton
Location:	Howbeck, Grasmere, Ambleside, LA22 9RH
Grid reference:	333758 508003
Proposal:	Refurbishment and first floor extension to an existing dwelling, removal of an existing conservatory, a new detached annex within the garden and associated driveway improvements.
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 Lakes Parish Council.

2.2 The application site is Howbeck, a detached, multi-level house located to the northern edge of the Grasmere Conservation Area. It stands within large grounds to the front, with a long driveway that comes off the B5287 to the east. A public footpath (FP54020) runs to the north of the site.

2.3 Permission is sought for the refurbishment and first floor extension to an existing dwelling, removal of an existing conservatory, a new detached annex within the garden and associated driveway improvements.

3 Representations

3.1 Lakes Parish Council object to the application for the follow reasons:

- Inadequate public notification of the application
- Site is visible from surrounding fells and dominant in landscape, the proposal fails to harmonise with character and design of Conservation Area and result in landscape loss. The proposed extension does not adhere to the Lake District National Park (LDNP) Design Code and fails to integrate with the locality. Concern is expressed about the use of wood rather than traditional stone.
- Proposed structure would overlook towards neighbouring properties and dominate its location. It does not blend with the established vernacular architecture of Grasmere
- Lack of clarity regarding the size of the proposed annexe, whether it would result in a net gain in independent dwellings rather than an ancillary use, and whether it complies with local occupancy criteria.
- Annexe represents an over-intensification of the site
- Concern about access conflicts and increased usage pressure of shared driveway with neighbours.

3.2 Local Highway Authority – No objection. Within their original consultation letter, they requested further information about visibility splays. This was subsequently provided by the applicant.

3.3 Lead Local Flood Authority – No objection. They note that part of the site is located in flood zone 2, and a flood risk assessment has been prepared. They recommend that the LPA contact the Environment Agency and advise

that a condition is attached to any permission granted requiring details of surface water drainage system and a maintenance schedule.

3.4 Six letters of objection have been received, three of which are from the same household. They raise the following concerns:

- Scale of the extension and annexe will have a detrimental effect on the privacy of surrounding buildings, including Pippin Cottage and Broadgate Orchard.
- The proposed alterations and materials fail to integrate with the surrounding properties and style of the conservation area.
- The additional bedrooms and parking spaces will lead to additional traffic entering and exiting the property onto the B5287. There is concerns that the view from the entrance is not sufficient for the safe entry and exit of additional traffic.
- Concern about overlooking of the patio doors.
- The annexe appears to be a separate dwelling, not an annexe. It is not for local occupancy.
- The annexe is in an area which floods, with a bog garden that is home to newts.
- Inaccuracies within the proposal documentation.
- The extension and annexe would be visible from the road.
- Concern that Howbeck is a holiday let. The annexe would double the number of potential rooms, which is over commercialisation of a residential area. There would be increased noise and disruption from a high turnover of guests.
- Concern over right of access of the drive.

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

- 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

Procedural matter

5.1 One of the letters of representation received expresses concern that the site location plan is incorrect, as the boundary includes the access road which is in shared ownership. There is also concern that Pippin Cottage did not receive written notification of the plans. The applicant has signed certificate B stating that they are not the sole owner of all the land to which this application relates, and that they have given appropriate notice to all the other owners/agricultural tenants. In signing this certificate, the applicant is confirming that due process has been followed. Any matters of dispute regarding the shared driveway are therefore private civil matters between interested parties which are not relevant to the assessment set out below

5.2 The main issues in this assessment are:

- Principle of the development
- Character and appearance of the area
- Amenity of neighbours
- Trees
- Flood risk
- Protected species

Principle of the development

5.3 As an extension to the existing house, the proposals are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle.

5.4 Concern has been raised by both the parish council and representations that the annexe would result in the creation of a new dwelling, and whether a local occupancy clause is required. As ancillary accommodation for the dwelling on the site, the proposed detached annexe is considered acceptable in principle and consistent with the provisions of Policy 02. In the event that the ancillary accommodation is used as an independent unit this would be subject to separate planning control and I have included an informative to this affect.

Character and appearance of the conservation area

5.5 Policy 06 states that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials.

5.6 This site is in Grasmere Conservation Area, and therefore any impacts on the character of the historic environment must be considered. Policy 07 states that development proposals will seek to conserve and enhance the character, authenticity, integrity, setting and views of the historic environment.

5.7 Howbeck is a large, detached dwelling constructed in the early 20th century with 1970s extensions. The original dwelling has Lakeland stone walls and a slate roof with three dormers, two large bay windows, and an elevated terrace on the front elevation. To the south, there is a mono-pitched conservatory extension with a combination of timber, corrugated plastic and

UPVC glazing, on a half stone wall. There is also a lower ground floor extension that wraps around the south and west elevations of the dwelling with a flat roof and a combination of stone and painted render walls.

5.8 The existing house is over 50 metres from the public road and is partially screened by large hedges and trees within and around the boundary of the site. The adjacent public footpath does not afford views to the site due to the dense vegetation and the slope of the land, aside from a small section where only the north elevation of the dwelling is visible.

5.9 The proposed two-storey extension would be positioned on the south elevation of the main dwelling, replacing the existing conservatory. It would have an asymmetrical pitched slate roof and be constructed of burnt timber cladding with some light oak timber cladding. It would have two large windows on the east elevation, a small glass balustrade, and a clerestory window on the south elevation. Patio doors are proposed below this extension on the south and east elevation. On the main dwelling, there are also some alterations proposed to windows, including the removal of the bay windows and the introduction of Juliet balconies on the south, east, and north elevations. The existing terrace would be reduced in size to accommodate a new tarmacked parking area.

5.10 Whilst the proposed extension would have a modern appearance, the main dwelling is an early 20th century building which already has modern extensions. The top ridge of the extension would come to the eaves height of the main dwelling and be offset from the centre to remain subservient. Similarly, the use of burnt timber cladding, although not traditional, would allow the extension to visually recede. Given it would be partially screened from public views by vegetation, I do not consider the proposed extension to have such an impact upon the conservation area as to warrant a refusal. Similarly, the proposed window alterations and Juliet balconies on the main dwelling would have limited public visibility and are considered to be acceptable.

5.11 The proposed annexe would be located in the front garden of Howbeck, to the northeast of the dwelling. It would be a single storey, detached building with an L-shaped footprint. When viewed within the context of the existing large dwelling and gardens I consider that the annexe would remain subservient and is of an acceptable scale. It would have a pitched slate roof with Lakeland stone walls to match the existing dwelling. The building would also feature sections of burnt timber cladding and light oak timber cladding; fascia’s, window frames and doors in a dark grey aluminium; and a brise soleil on the east elevation. Given that the dark burnt timber cladding and dark grey aluminium features reflect the proposed extension and would to ensure the building visually recedes, I consider the proposed materials acceptable.

5.12 Policy 20 gives support to proposals for renewable and low carbon energy installations where the development would be compatible with the existing landscape character. Solar panels are proposed on the south elevation of both the extension and the annexe, which would be partially visible from the road and are considered acceptable.

5.13 I am satisfied that overall the development proposed is acceptable and would preserve the character and appearance of the area and that as a consequence it satisfies the requirements of Local Plan Policies 01, 02, 05, 06, 07, the Design Code SPD and the NPPF.

Amenity of neighbours

5.14 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.

5.15 Neighbouring the application site immediately to the south is Pippin Cottage, approximately 8 metres away. Howbeck occupies an elevated position, with a small, stepped boundary wall between the dwellings. The garden of Pippin Cottage is overlooked by Howbeck, and to a limited extent the front garden of Howbeck is overlooked by Pippin Cottage. Within the original application for Pippin Cottage (7/2021/5139), the delegated report notes that the overlooking "is to be expected from a development within the garden of an existing house, and those who occupy the new house will be aware of the extent of overlooking". Beyond Pippin Cottage to the south lies Broadgate Orchard housing development.

5.16 Within the originally submitted plans, there was a large, first floor Juliet balcony proposed on the south elevation of the extension. Due to overlooking concerns, this has since been amended to a smaller clerestory window, which I do not consider will result in harmful overlooking towards Pippin Cottage. The only additional overlooking from the extension would be from the ground floor patio doors and first floor Juliet balcony proposed on the south elevation. However, there are existing windows in similar locations that afford views towards Pippin Cottage. As such, I do not consider that the additional overlooking would be harmful.

5.17 The southern wall of the existing extension is 3 metres in height, with the lean-to roof height reaching 4.6 metres. The proposed extension would increase the height of the southern wall to 5.9 metres. This increase would have some overbearing impact upon Pippin Cottage, however I do not consider this sufficient to warrant a refusal.

5.18 The proposed annexe would have windows that look towards Pippin Cottage. However, the annexe is located in amenity garden space belonging to Howbeck, which currently affords views towards Pippin Cottage. Given the existing overlooking between the dwellings, I do not consider that the annexe would result in additional harmful overlooking. The annexe would be single storey and positioned approximately 30 metres from Pippin Cottage, limiting any overshadowing or overbearing effect.

5.19 I am satisfied that the development would not have an unacceptable impact on amenity due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts. A high standard of

amenity for existing and future users of the building and neighbours would be maintained.

5.20 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.

Trees

5.21 There is one tree, three groups, and one hedgerow identified on site. These are all classified as category C2, with the exception of the Wild Cherry tree (2T) which is category U. It is recommended that one tree (2T) and two groups of trees (3G and 4G) are felled, as they are growing within the footprint of either the proposed development or the construction buffer zone. One hedgerow (1H) is proposed to be pruned. To avoid potential harm to the remaining trees arising from development activities, an aboricultural report has been submitted which outlines appropriate construction methods to avoid impacts on the tree. I am satisfied that the works would not impact on the integrity of the trees.

Flood risk

5.22 The site mainly lies within Flood Zone 1, with the southeast section of the site lying in Flood Zone 2. A flood risk assessment and drainage strategy have been submitted, and I am satisfied that the development meets the requirements of Local Plan Policy 03 in respect of flood risk.

Highways and access

5.23 Some letters of representation express concern that there will be an increase in usage of the shared driveway and an increase in traffic onto the B5287. The proposals will increase the size of the dwelling through both an extension and an annexe. As a result, there may be some impact upon Pippin Cottage from the increased vehicle movements to and from the dwelling, causing increased usage in the shared driveway. However, additional vehicle movements of a number which would be likely to generated by the extensions and alterations are unlikely have an impact upon amenity. We have consulted with the Local Highway Authority who were satisfied with the visibility splays and have no objection to the proposed development. Upkeep of the shared private access is a matter for the applicant and their neighbours.

Protected species

5.24 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.

5.25 The Bat Dusk Emergence Surveys set out that a single Common Pipistrelle (Pipistrellus pipistrellus) emerged from the stonework to the southern gable of the building. It is considered that there is a day/transitional roost used by

a single opportunistic bat. The roost possesses a low conservation status. The proposed extension is likely to destroy the identified a day/transitional roost for a single Common Pipistrelle. Without appropriate mitigation, the proposed works have the potential to cause a permanent loss of this roost, and there is a risk of disturbance, killing, or injury to individual bats if they are present at the time of the works.

5.26 The survey outlines a methodology on how to mitigate adverse impacts on the local bat population including informing all contractors on site about the possible presence of bats. In addition, the applicants have outlined that a European Protected Species Low Impact (C21) Class Licence will be applied for prior to works and this will include additional surveys, setting out a programme of work and monitoring.

5.27 By Law the Local Planning Authority must meet three tests to comply with the legal protection afforded to European protected species of which bats are one. These tests have been undertaken and it has been concluded that the tests are met and that it is likely a licence will be granted. As such the development is considered of low risk in respect of protected species, satisfying the requirements of the NPPF and Local Plan Policy 04.

7 Conclusion

7.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 04, 05, 06, 07, 20, 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:
- Bat, Barn Owl and Nesting Bird Survey
- Heritage, Design, and Access Statement
- Pre-development Arboricultural Report
- Construction Method Statement
- Flood Risk Assessment ref. 24464
- Proposed Annex dwg no. PL.07
- Proposed Site Plan dwg no. PL.02
- Proposed Elevations dwg no. PL.06 rev B
- Proposed Main House Plans dwg no. PL.05 rev A
- Visibility Splay dwg no. PL.08
- 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 requesting amendments to the development to reduce overlooking.

INFORMATIVE

This accommodation has been approved as ancillary accommodation to the main house and must be used for this purpose only. The accommodation is part of a single planning unit together with the main house.

Using the accommodation separately from the main house would amount to a material change of use that requires planning permission. For example a separate use could include use as a holiday let or occupation as a self-contained house. If a material change of use takes place without planning permission the use will be unauthorised and at risk of formal action. If an enforcement notice needs to be issued it would be served on everyone with an interest in the land. This would include any mortgagee. In assessing whether to take further action we can consider whether intentional unauthorised development has taken place.

If you have questions about how you can use the approved accommodation please contact us.

INFORMATIVE:

Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017. It is an offence to deliberately capture, kill or disturb bats or to recklessly damage or destroy their breeding sites or resting places. The applicant/developer should remind the building contractors to be vigilant for bats during the building work. If at any time bats are found or suspected then, as a legal requirement, work must cease in that area and before proceeding advice should be sought from a suitably qualified ecologist. Alternatively advice may be found at the website of the Bat Conservation Trust https://www.bats.org.uk/our-work/national-bat-helpline.

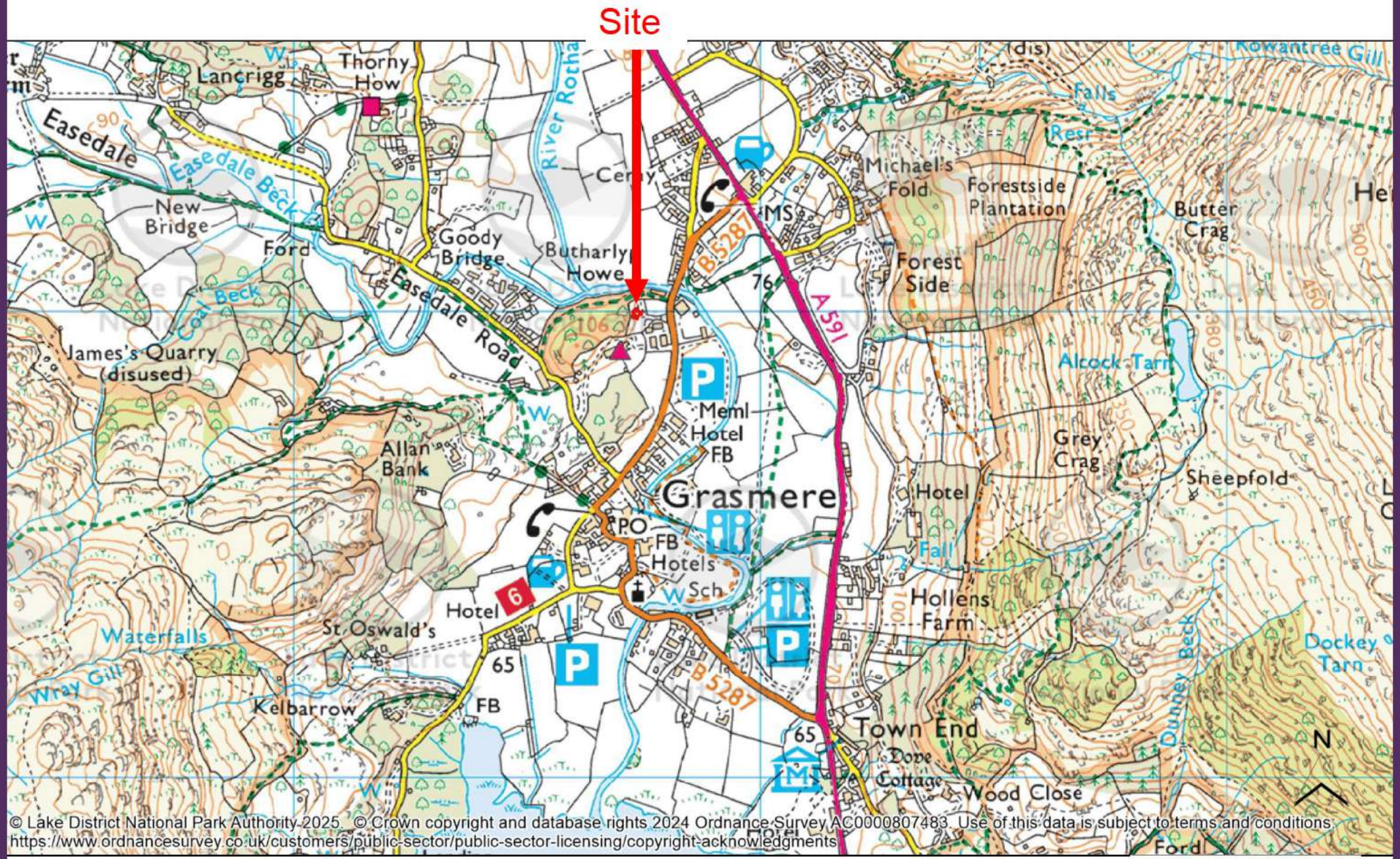
Background papers

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.

7/2024/5633

Howbeck, Grasmere, Ambleside, LA22 9RH

Refurbishment and first floor extension to an existing dwelling, removal of an existing conservatory, a new detached annex with the garden and associated driveway improvements.

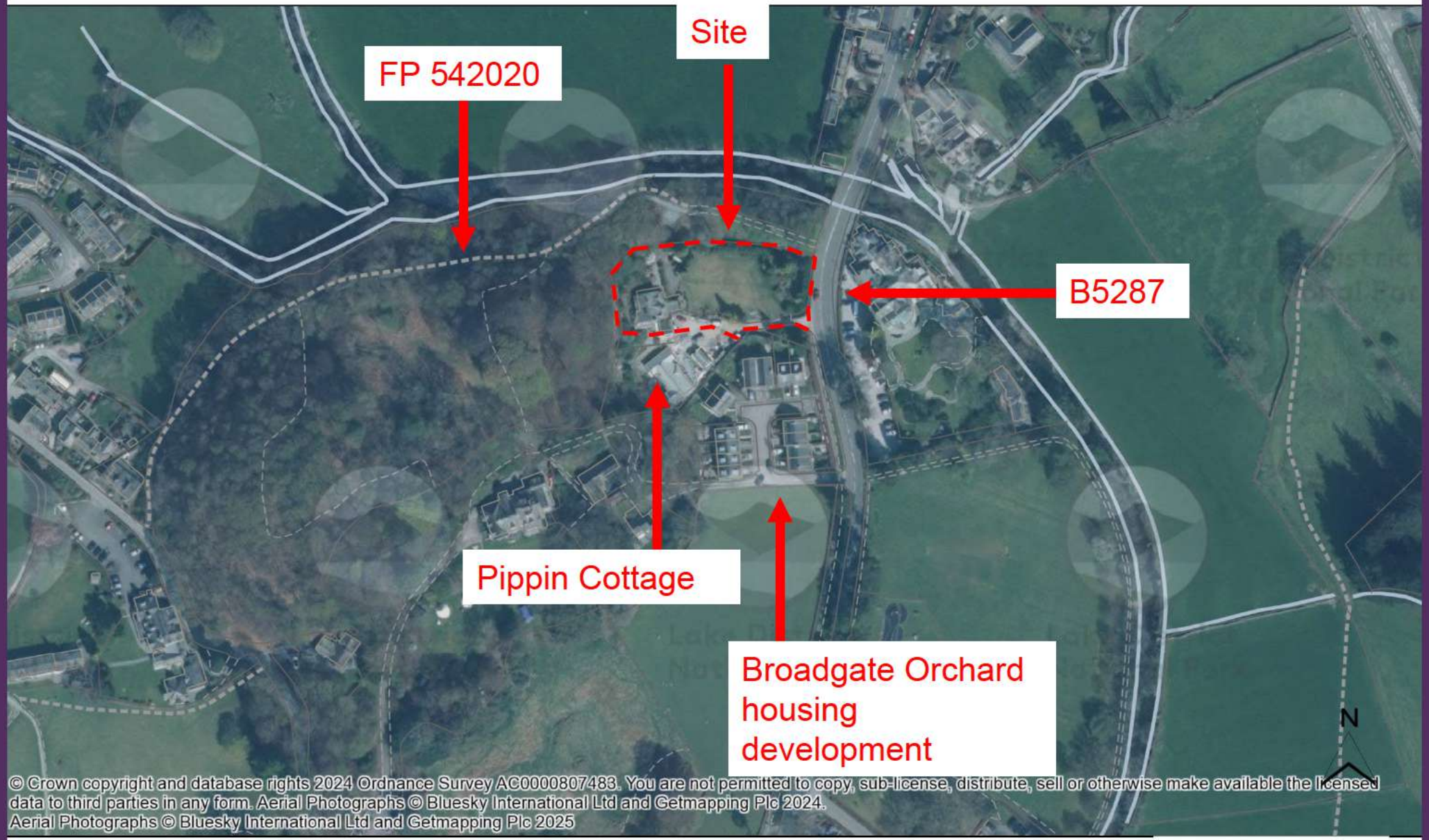


© Lake District National Park Authority 2025. © Crown copyright and database rights 2024 Ordnance Survey AC0000807483. Use of this data is subject to terms and conditions: https://www.ordnancesurvey.co.uk/customers/public-sector/public-sector-licensing/copyright-acknowledgments

Produced by Abigail Holt for Development Control Committee planning presentation only.

You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Lake District National Park Authority



© Crown copyright and database rights 2024 Ordnance Survey AC0000807483. You are not permitted to copy, sub-license, distribute, sell or otherwise make available the licensed data to third parties in any form. Aerial Photographs © Bluesky International Ltd and Getmapping Plc 2024.
Aerial Photographs © Bluesky International Ltd and Getmapping Plc 2025

Produced by Abigail Holt for Development Control Committee planning presentation only.

You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Lake District
National Park Authority

Existing site plan

Proposed site plan

Existing Elevations

SOUTH ELEVATION

EAST ELEVATION

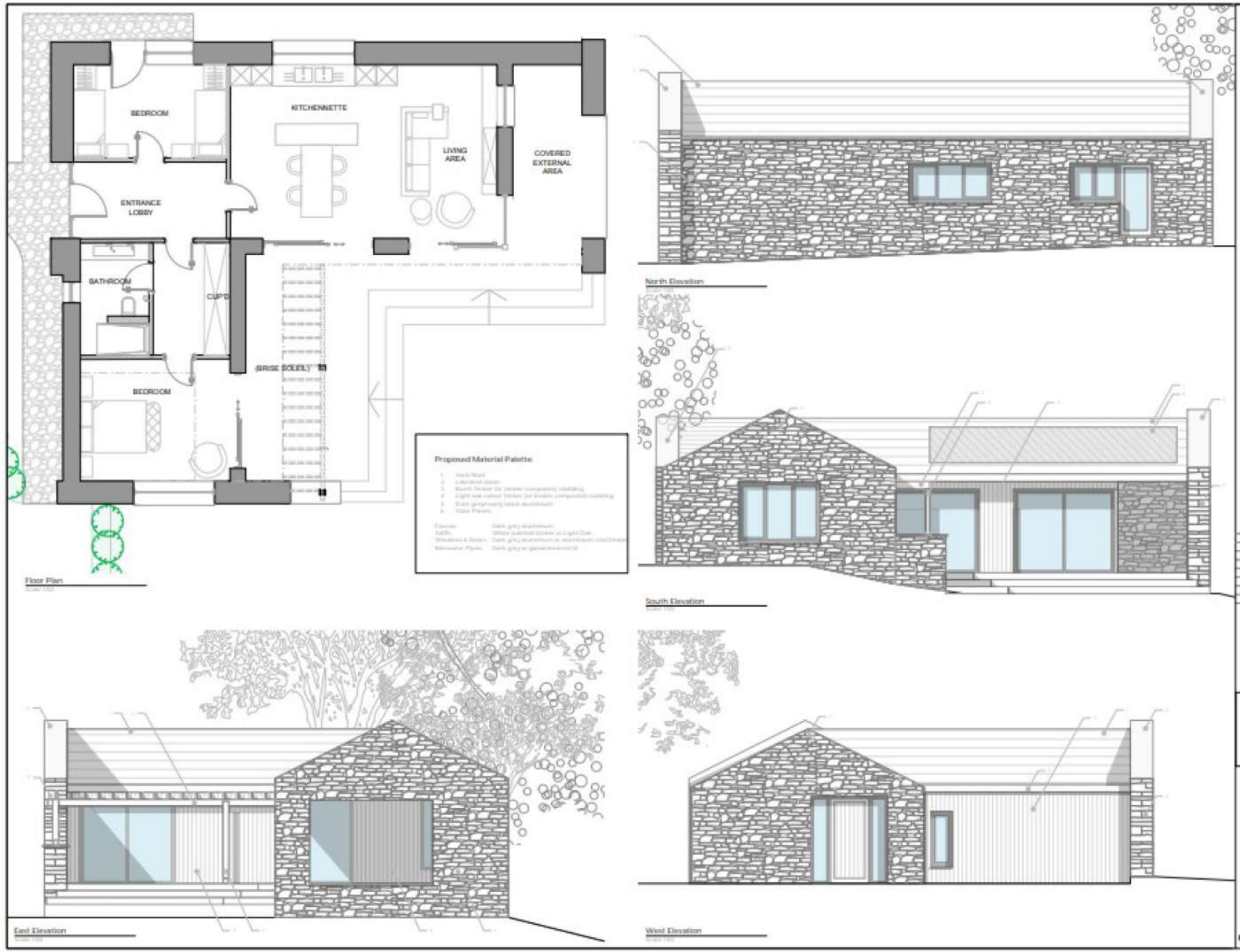
NORTH ELEVATION

WEST ELEVATION

Existing Material Palette

Proposed Elevations - refurbishments and extension

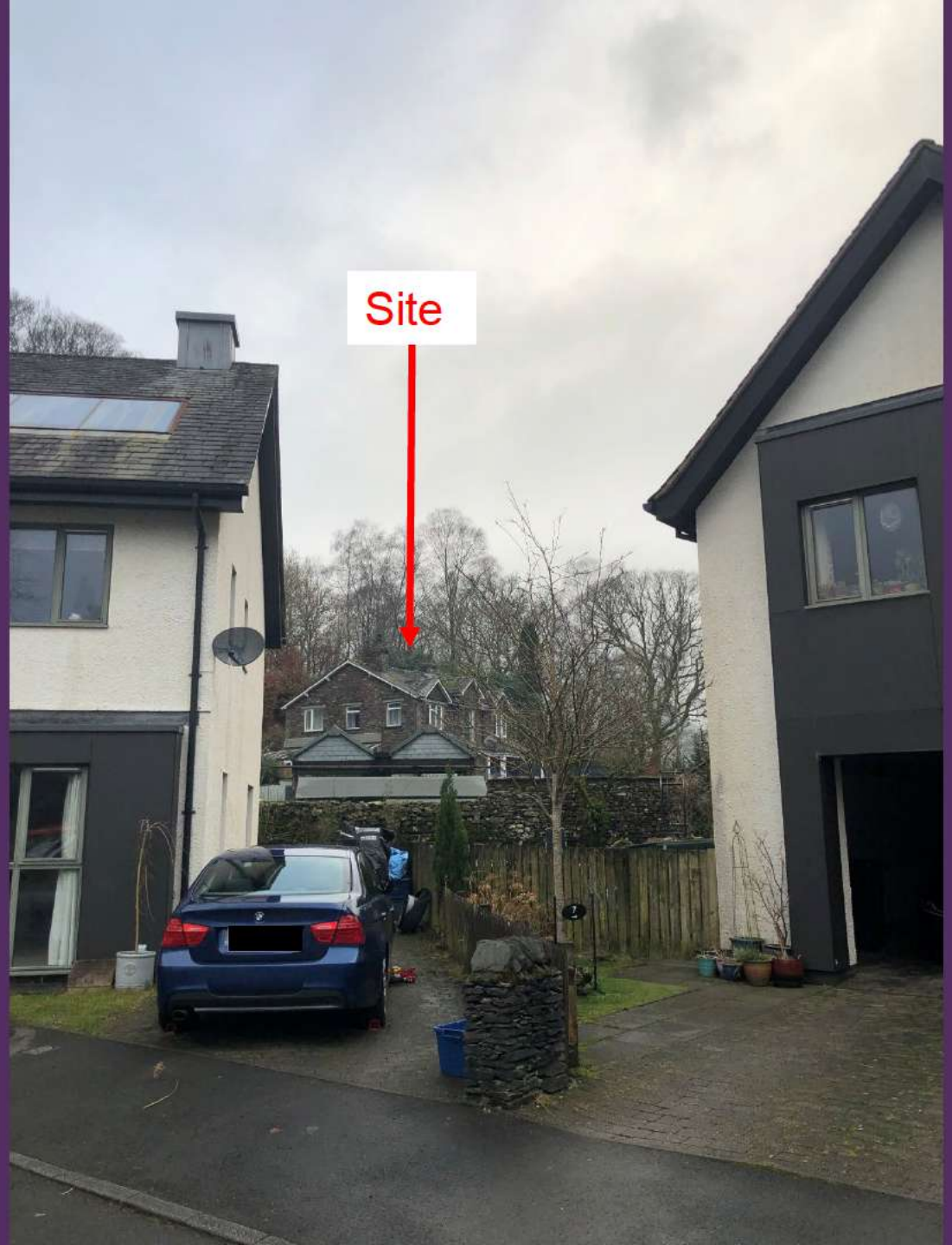
Proposed Annexe



View from road

View from public footpath

View from Broadgate Orchard housing development



WA22 FPN

Location of proposed extension

View from side elevation of proposed extension

View from front elevation of proposed extension

Position of proposed annexe

Road