



**Lake District
National Park**

3

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

Application number:	7/2025/3004
Application type:	Full Planning application
Applicant:	Mr Nigel Harrison
Location:	Maiden Castle, Watermillock, Penrith, CA11 0LT
Grid reference:	344642 524575
Proposal:	Proposed development of 3 holiday pods
Report prepared by:	Phil Nicholls, Area Planner
Report agreed by:	Kevin Richards, Planning Manager
Recommendation:	REFUSE

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 Planning permission is sought to site three pods to be used as holiday accommodation on land to the east of Maiden Castle, Watermillock.
- 2.2 The application is before committee because the recommendation of refusal is contrary to the views of Matterdale Parish Council.

3 Representations

- 3.1 Matterdale Parish Council are happy to support both this application and 7/2024/3085 as councillors were satisfied that the application would be ancillary to the farm business and are screened with suitable planting.
- 3.2 Local Highway Authority – No objections following receipt of additional information. Recommend conditions securing visibility splays and parking.
- 3.3 Lead Local Flood Authority – No objections.

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 04: Biodiversity and geodiversity
 - Policy 05: Protecting the spectacular landscape
 - Policy 06: Design and development
 - Policy 07: Historic environment
 - Policy 18: Sustainable tourism and holiday accommodation
 - Policy 19: Agricultural and land-based rural business diversification
- 4.3 Landscape Character Appraisal Supplementary Planning Document (SPD).
- 4.4 Matterdale Neighbourhood Plan
 - MNP7 – Holiday Parks
- 4.5 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.
- 4.6 There is no community plan in this area.

5 Main issues and assessment

5.1 The main issues in this assessment are:

- Principle
- Character and appearance of the area
- Highways
- Nutrient neutrality
- Biodiversity Net Gain

Principle of development

- 5.2 Policy 02, the spatial strategy, sets out the level and type of development that is appropriate for different places, and encourages more sustainable living and working patterns by reducing unnecessary travel and avoiding sporadic development in the open countryside. The application site is within the open countryside. Policy sets out that we will only support proposals for development in the open countryside where the application demonstrates:
- an essential need for a rural location; or
 - the location is necessary for the provision of public utilities and infrastructure; or
 - that it helps to sustain an existing business; or
 - it is necessary for and designed to support agricultural or forestry use; or
 - an appropriate extension, or reuse of an existing building.
- 5.3 Maiden Castle together with Bennet Head Farm are an existing agricultural business. Policies 18 (Sustainable tourism and holiday accommodation) and 19 (Agricultural and land-based rural business diversification) are therefore relevant to the application.
- 5.4 Policy 18 seeks to support proposals which deliver a high quality, sustainable tourism experience for the diverse range of visitors. Proposals for caravan and camping and any associated buildings and facilities will only be supported for short term holiday letting, and where:
- the proposed development area is located on, or immediately adjacent to existing sites, and is consistent with the landscape character; and
 - it improves screening, including landscape recovery, and where appropriate, reduces the massing and site density of the existing site to the benefit of the amenity of the staying visitors of the existing sites; and
 - the site has necessary infrastructure capacity, it does not introduce inappropriate levels of use to the location, and is well related to the existing road network.
- 5.5 Policy 19 offers support for proposals for agricultural and land based rural businesses to help sustain the rural economy and communities, and the character of the landscape and environment. To achieve this, we will support proposals that demonstrate sustainable practices and outcomes, and where they:
- sustain the long-term operation of the farm business; and
 - do not compromise the working of the farm business; and
 - are located within or well related to existing building groups; or
 - are a small-scale renewable or low carbon energy scheme.

- 5.6 The site is located within Matterdale which is covered by the Matterdale Neighbourhood Plan. Policy MNP7 (Holiday Parks) is relevant to the application. This outlines that:

New holiday parks and/or the physical extension to existing holiday parks will only be supported provided there is no unacceptable impact on the 'Special Qualities' of the Lake District National Park and of the settlement pattern of the Matterdale area, and no unacceptable harm will be caused to the visual amenities or character of the area. Where general landscaping and/or screen planting is required, planning obligations or planning conditions attached to any planning permission will ensure the requirement is in place and effective before any caravans may be sited.

- 5.7 Maiden Castle Farm and Bennet Head Farm are both within the ownership of the applicant and farm over 300 acres of land, including 140 acres at Maiden Castle. The business has 30 Herdwick ewes and followers and the responsibility of a hefted flock of 160 Herdwick sheep and followers on a lease on Carrock Fell, Mosedale.
- 5.8 In principle the application finds policy support as a farm diversification scheme and broad support from tourism policies contained within the Local Plan and Matterdale Neighbourhood Plan, in particular Local Plan Policies 01, 02, 18 and 19 together with the MNDP policy MNP7.

Impact on the character and appearance of the area

- 5.9 The site is within an area of exceptionally high landscape and cultural heritage value designated as both a National Park and as the English Lake District World Heritage Site. The National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.
- 5.10 Policy 01 (National and international significance of the Lake District) states that the extraordinary harmony and beauty of the Lake District landscape and its Special Qualities, including the attributes of Outstanding Universal Value, will be conserved and enhanced.
- 5.11 Policy 02 (Spatial strategy) states that we will enable development that contributes towards achieving the four themes of the Vision, supports and maintains the vibrancy and sustainability of settlements distinctiveness and sense of place.
- 5.12 Policy 05 (Protecting the spectacular landscape) requires the highest level of protection for the landscape in assessing development proposals. This will be achieved by supporting development:
- That ensures the highest level of protection is given to the landscape, and
 - Where the type, design, scale and level of activity maintains local distinctiveness, sense of place, and where appropriate, tranquillity.

- 5.13 Policy 06 (Design and development) outlines that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials.
- 5.14 As outlined above Policy 18 of the Local Plan and Policy MNP7 of the Matterdale Neighbourhood Plan requires that development is consistent with landscape character and would have no unacceptable harm to the visual amenities or character of the area.
- 5.15 The Landscape Character Appraisal SPD is relevant and places the site within the High Fell Fringe Landscape Character Type and within the Great Mell and Little Mell Valleys Area of Distinctive Character. The SPD outlines that the area is characterised as a gentle rolling landscape covered by pastoral farmland with an openness and absence of large settlements and night time pollution.
- 5.16 The application field is an open and undeveloped agricultural field forming part of a patchwork of fields which define the surrounding landscape. A field gate leads into the field from the road, towards an informal track that extends along the northern field boundary.
- 5.17 The closest public vantage point of the site is from the road directly adjacent to the west of the site which affords views across the open undeveloped fields extending down to the lake to the south and into open countryside to the east and north. Wider views of the site would be possible from surrounding elevated positions, notably the footpath around Maiden Castle to the south.
- 5.18 The proposed development would introduce permanent development into the northwestern corner of the field in the form of three separate glamping pitches comprising a pair of connected shepherds huts and an area of paving/decking with outdoor furniture. Each pitch would be connected by stone paths to a new shared parking area to the west providing space for six cars.
- 5.19 The physical works would result in a significant change to the character of the application site. The pods themselves would have an unusual appearance being two interconnected shepherds huts resulting in an incongruous feature in the landscape. This would be exacerbated by the associated works, notably the hardstanding for the car park and parked cars themselves. The impacts would be limited to approximately a 600m of a stretch of the adjacent road and to distant views from nearby footpaths, however when seen the development would represent a harmful intervention into the landscape, one that would be at odds with the tranquil pastoral character of the area.
- 5.20 In addition to the physical development proposed the change in the use would introduce activity associated with a tourism use including the presence and movement of people and vehicles in the landscape. Currently the area is devoid of any notable tourism uses and the absence of any other significant development results in a tranquil area, representative of the characteristics defined in the Landscape Character Appraisal. Larger sites

such as Waterfoot and the Quiet Site are in the vicinity but are well contained and closer to the road and lakeshore. The activity associated with the use proposed, though small, would in my view harm the tranquil characteristics of the area.

- 5.21 The application has been accompanied by a detailed landscaping scheme that proposes new hedge and tree planting that seeks to screen the site in the medium to long term. The benefits of the landscaping are noted however harm would arise in the short to medium term as the landscaping would take time to establish.
- 5.22 In summary the proposed development of three holiday pods would introduce physical development and activity that would result in an adverse visual and landscape impact. In my view the impacts would have a moderate impact and would be relatively localised. Nonetheless the identified harm would be to a designated landscape of national importance and great weight should be afforded to its protection.

Impact on heritage assets

- 5.23 The Lake District is a World Heritage Site is a designated heritage asset. The site lies within the Ullswater Valley as described and defined in the Nomination Document. The case for Outstanding Universal Value for the Lake District is based on a combination of attributes the most relevant here are the extraordinary beauty and harmony.
- 5.24 The adverse landscape and visual effects identified above would also adversely impact on the extraordinary beauty and harmony attribute of the World Heritage Site. The identified landscape and visual harm and consequential impact on attributes of Outstanding Universal Value represents harm to a designated heritage asset. Having regard to the level of harm identified such harm would represent less than substantial harm for the purposes of the NPPF.
- 5.25 The NPPF advises that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits.

Public benefits

- 5.26 The proposals would provide public benefits in the form of additional tourism accommodation and would help to sustain the existing farm business.
- 5.27 However, in accordance with national policy I place great weight on conserving and enhancing landscape and scenic beauty of the National Park and accordingly place great weight on the identified harm. Whilst the public benefits are of weight, they are insufficient in my view to outweigh the level of harm identified and as a consequence the proposals are contrary to Policy 07 and the requirements of the NPPF.

Highways, access and parking

- 5.28 The proposed glamping site would utilise the existing field gate and informal access track in place but would upgrade the surfacing and proposes a new car park and extended tracks. The result of the use would be an intensification of the existing access with regular daily vehicular movements into and out of the site.
- 5.29 The Local Highway Authority has considered the application and following receipt of additional information consider the scheme to be acceptable. Adequate visibility splays are shown on the submitted plans, subject to maintaining the hedge line, which could be conditioned. Sufficient off-road parking is shown on site and would avoid any fly-parking on the roadside. Additional conditions securing the implementation of works to the access and parking area are proposed, subject to which I consider the proposal would have any acceptable impact on local highway conditions.

Nutrient Neutrality

- 5.30 The application site lies within the catchment of the River Eden Special Area of Conservation which as a Competent Authority under the Habitats Regulations we must carefully consider the nutrients impacts of any new plans and projects (including new development proposals) on habitats sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality.
- 5.31 In their advice letter Natural England outline that small discharges to ground i.e. less than 2m³ /day¹⁷ that are within the surface or groundwater catchment of a designated site will present a low risk that the phosphorus will have a significant effect on the designated site where the following conditions are met:
- a) The drainage field is more than 50m from the designated site boundary (or sensitive interest feature) and;
 - b) The drainage field is more than 40m from any surface water feature e.g. ditch, drain, watercourse, and;
 - c) The drainage field in an area with a slope no greater than 15%, and;
 - d) The drainage field is in an area where the high water table groundwater depth is at least 2m below the surface at all times and;
 - e) The drainage field will not be subject to significant flooding, e.g. it is not in flood zone 2 or 3 and;
 - f) There are no other known factors which would expedite the transport of phosphorus for example fissured geology, insufficient soil below the drainage pipes, known sewer flooding, soil/geology type and its ability for P sorption/mineralisation or presence of conditions would cause remobilisation phosphorus, presence of mineshafts, etc and;
 - g) To ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground.
- 5.32 The application has been accompanied by a drainage strategy which sets out that foul water would be discharged to a new package treatment plant underneath the new car park, after which water would be discharged to a drainage field at the bottom of the site. The drainage strategy outlines how

the proposed discharge to ground would meet each of the conditions set out above.

- 5.33 As the proposals would meet the small discharge to ground exemptions set out by Natural England it is possible to rule out a likely significant effect from the development on the relevant habitats site and as such the proposals are in accordance with Policies 01 and 04, the NPPF and the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain

- 5.34 The submitted information indicates a loss of an area of modified grassland measuring 1609sqm to bring forward the new development resulting in a loss of 0.644 habitat units. The applicant proposes on-site mitigation to compensate for this loss by providing 0.76 habitat units comprising the provision of neutral grassland, mixed native scrub and additional hedgerow planting. The calculations provided show the delivery of the required 10% BNG uplift. The Town and Country Planning Act will impose a condition on any permission granted securing such measures and requiring submission and approval of a biodiversity gain plan prior to any works commencing. I see no evidence to indicate approval would be unreasonable taking account of the condition imposed by the Act.

6 Conclusion

- 6.1 There is in principle policy support for farm diversification schemes such as this, where the development is consistent with landscape character and maintains local distinctiveness, sense of place and where appropriate, tranquillity.
- 6.2 It has been identified that the proposals would result in adverse landscape and visual effects, in particular from the roadside alongside the site and that this would in turn result in less than substantial harm to the World Heritage Site, a designated heritage asset. The identified harm is not outweighed by the public benefits of the proposals arising from support for the existing farm business and tourist economy.
- 6.3 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 03, 04, 05, 06, 07, 18 and 19) and other material considerations (including the provisions of the NPPF), the development is considered to be unacceptable for the reason outlined.

RECOMMENDATION: REFUSE

Conditions/Reasons

- 1 The site is within an area of exceptionally high landscape value given its location in a National Park and World Heritage Site. The highest level of protection is given to the spectacular landscape of the National Park by development plan policies and the National Planning Policy Framework

states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.

The development and associated activity would have an adverse visual and landscape impact that would harm the undeveloped pastoral character and appearance of the area and adversely impact on the extraordinary beauty attribute of the English Lake District World Heritage Site. The type, design and scale of development would fail to maintain local distinctiveness and sense of place and would not reinforce the importance of local character.

The benefits of the proposal including the provision of additional holiday accommodation and support for the farming business do not outweigh the identified harm. The proposed development is contrary to the requirements of the following Lake District National Park Local Plan 2020-2035 policies: 01 (National and international significance of the Lake District), 02 (Spatial strategy), 05 (Protecting the spectacular landscape), 06 (Design and development) and 07 (Historic environment), and 18 (Sustainable tourism and holiday accommodation) and 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 were unable to identify solutions to the problems arising in relation to dealing with the application.

Background papers

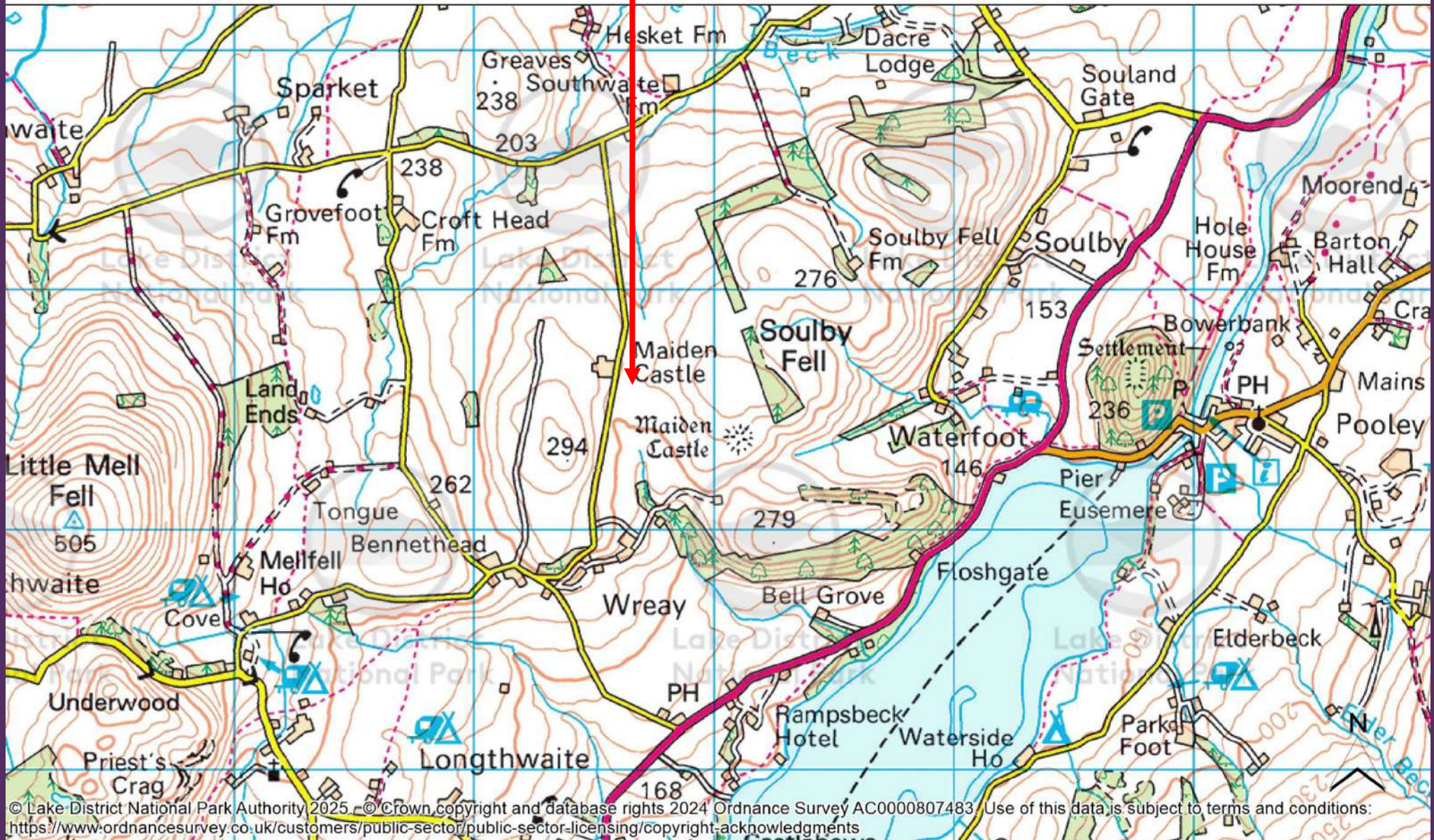
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2025/3004

Maiden Castle, Watermillock, CA11 0LT

Proposed development of 3 holiday pods

Site



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Lake District
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Site



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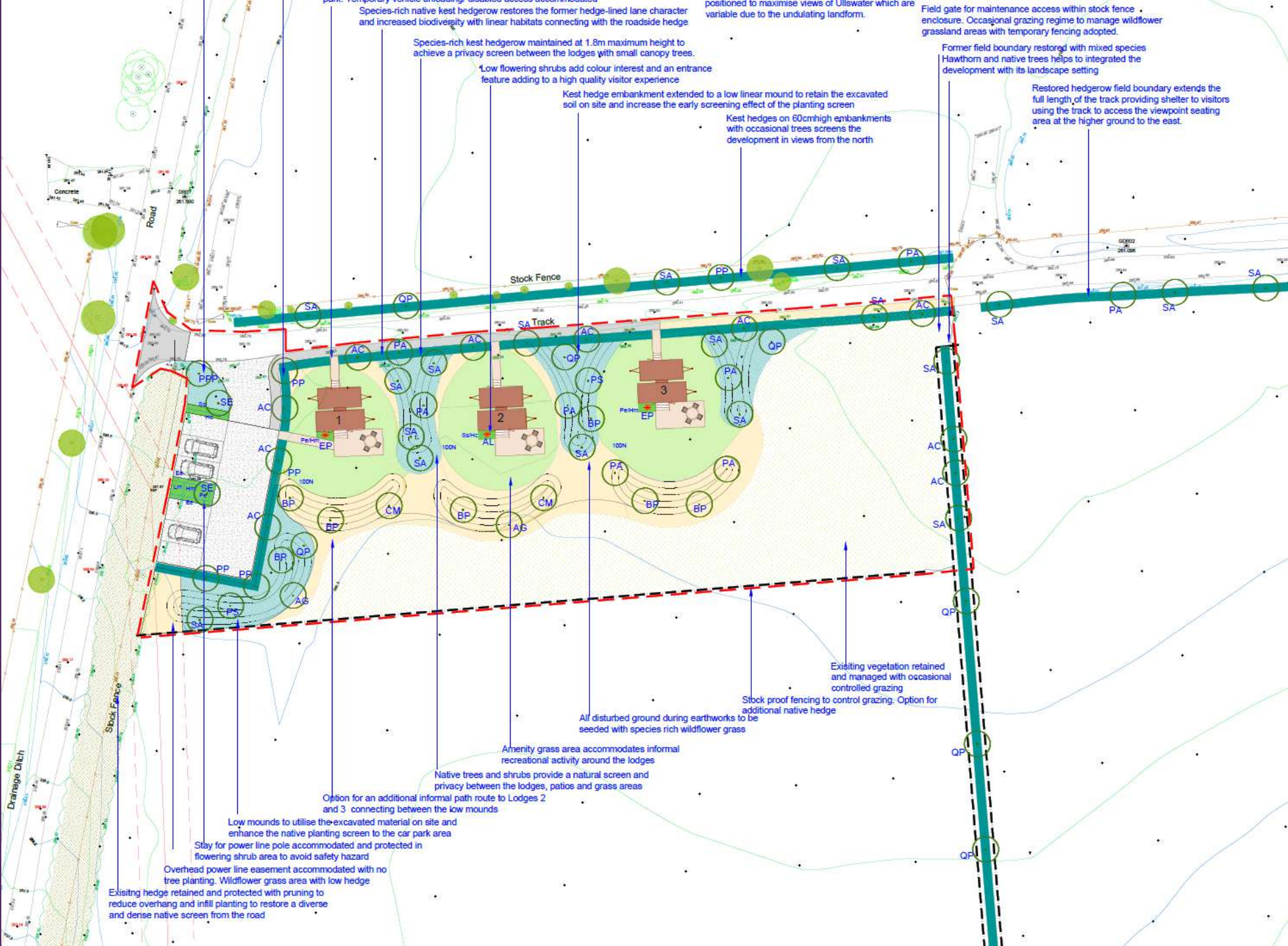
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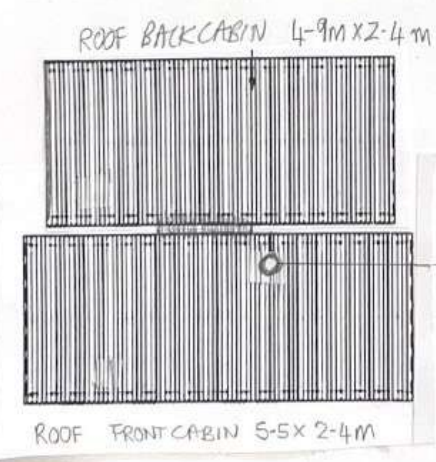
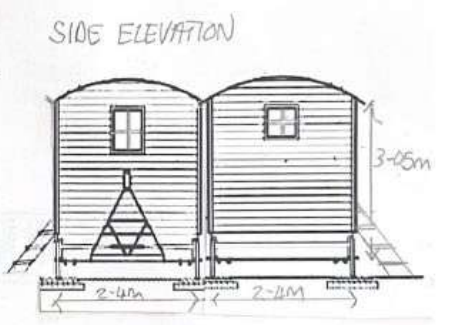
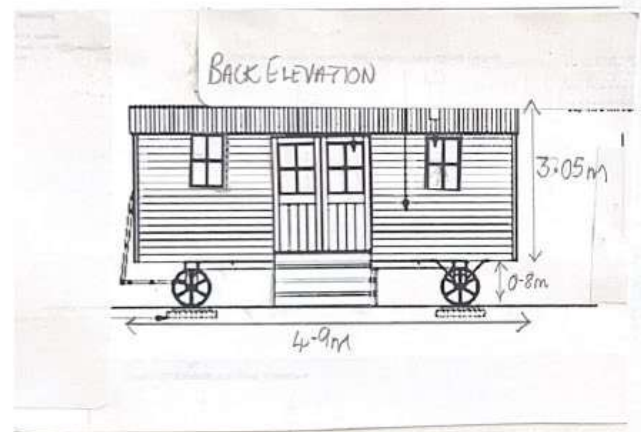
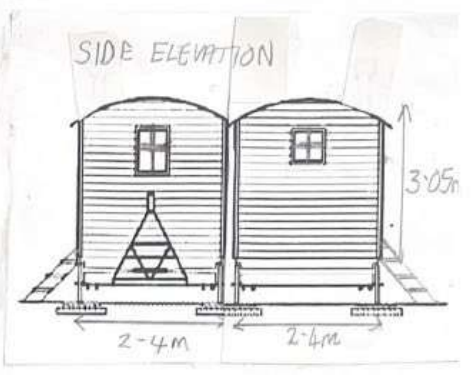
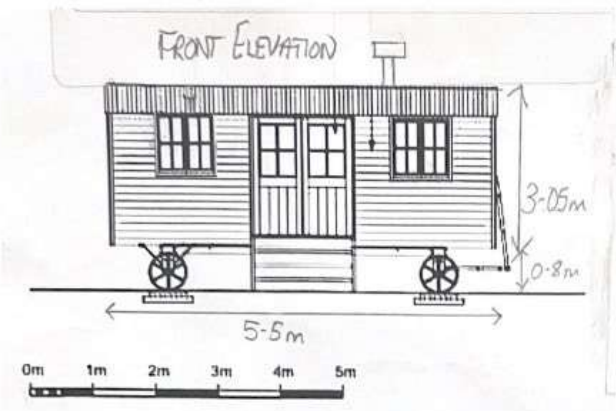
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LEGEND

-  Site boundary
-  Existing tree
-  Existing hedge
-  Existing native flora
-  Proposed stock fence
-  Proposed hedge
-  Proposed tree
-  Specimen shrub
-  Power line easement
-  Mounding
-  Proposed grass
-  Proposed shrubs
-  Wild flower grass
-  Proposed native planting
-  Proposed tarmac road
-  Proposed tarmac footpaths (timber edges)
-  Proposed gravel filled geogrid
-  Proposed paving/ decking



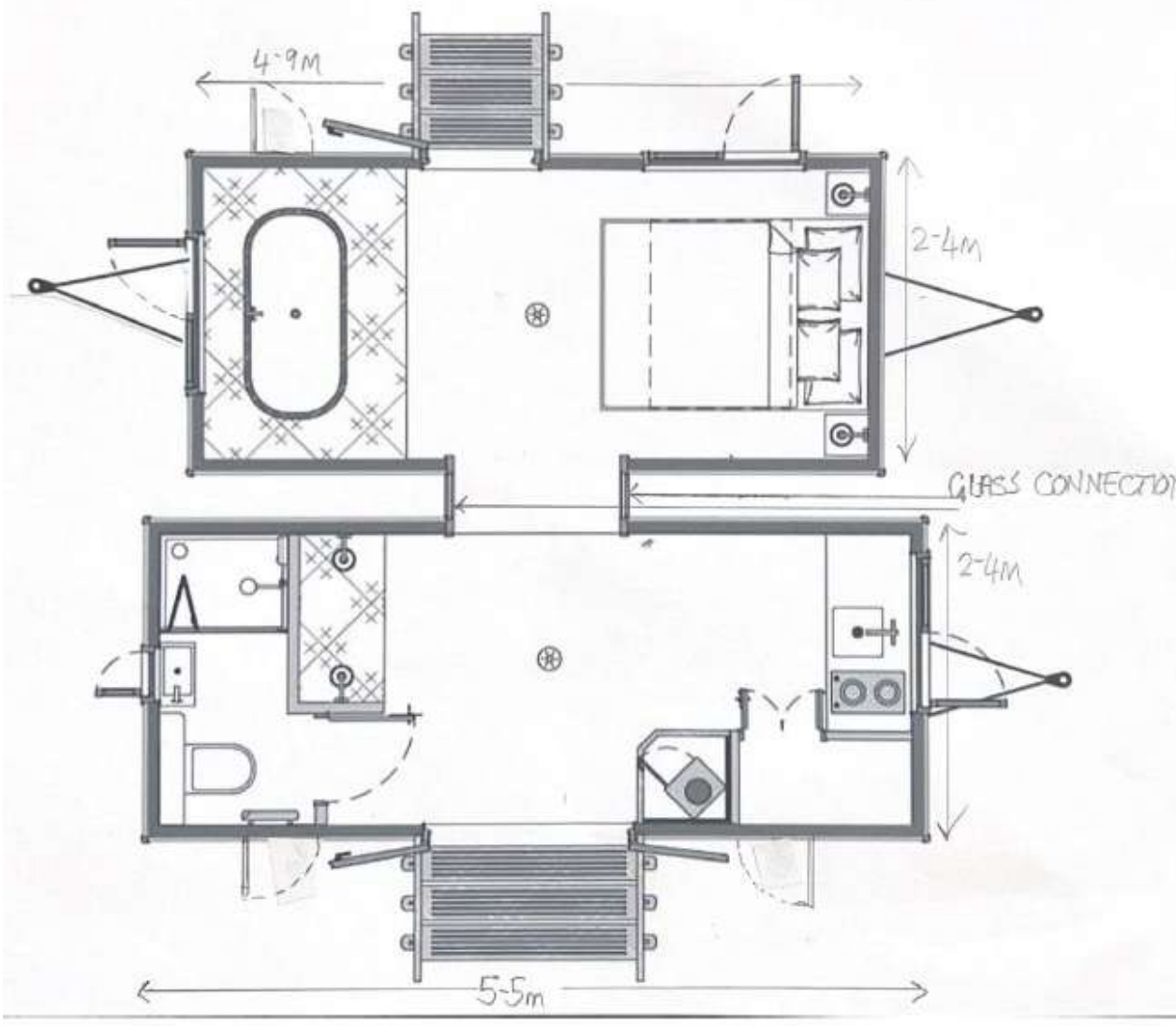


CORRUGATE ROOF

CHIMNEY SPACE FOR WOOD BURNER

STEEL CHASSIS X 2
1600mm wide x 5.5 x 4.9

22" DIAMETER STEEL WHEELS WITH STEERING CHASSIS & DRAWBAR



Views from the road



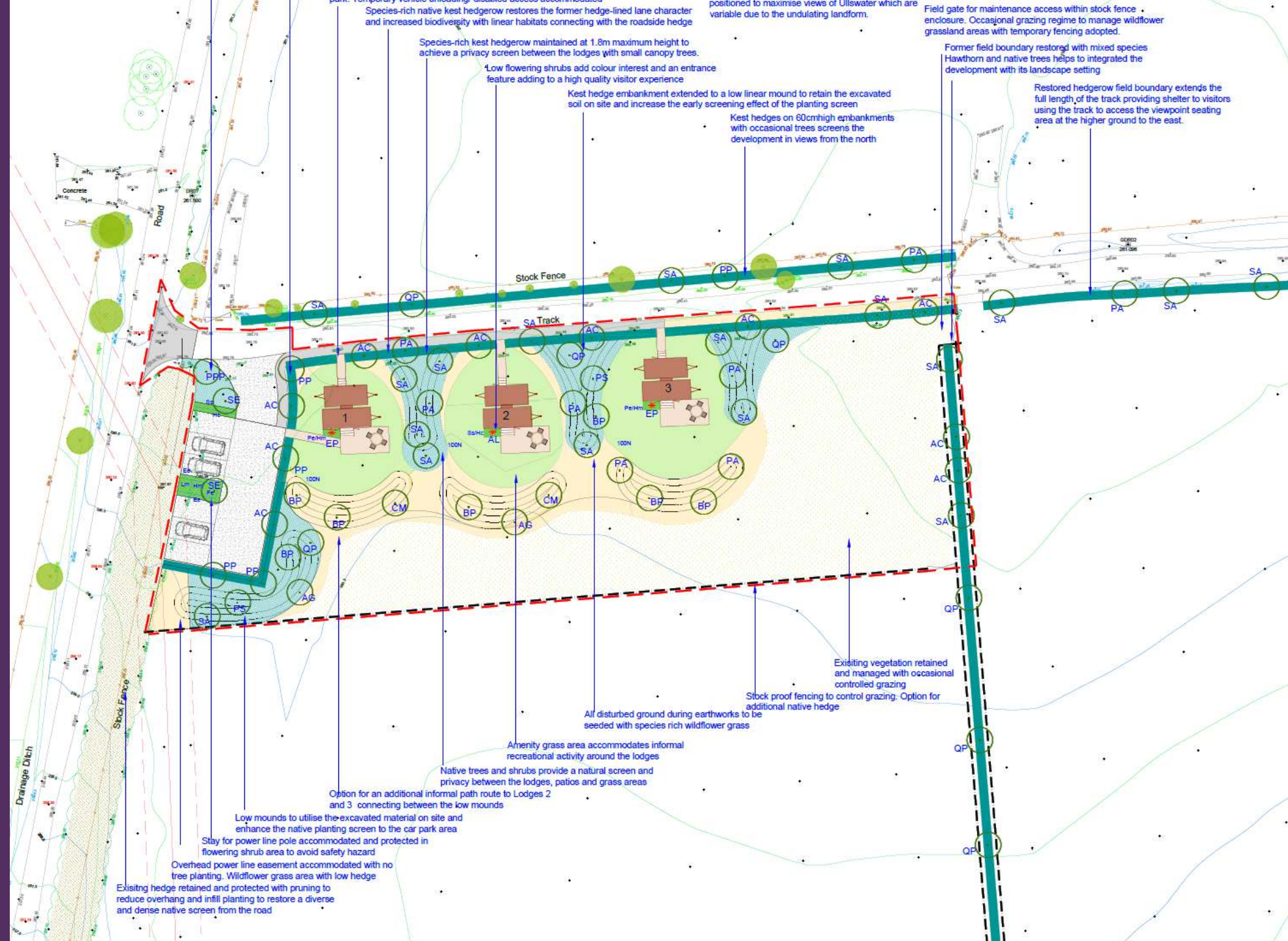




View from
Ullswater
Way –
Maiden
Castle



Application Site



Species-rich native kest hedgerow restores the former hedge-lined lane character and increased biodiversity with linear habitats connecting with the roadside hedge

Species-rich kest hedgerow maintained at 1.8m maximum height to achieve a privacy screen between the lodges with small canopy trees.

Low flowering shrubs add colour interest and an entrance feature adding to a high quality visitor experience

Kest hedge embankment extended to a low linear mound to retain the excavated soil on site and increase the early screening effect of the planting screen

Kest hedges on 60cm high embankments with occasional trees screens the development in views from the north

positioned to maximise views of Ullswater which are variable due to the undulating landform.

Field gate for maintenance access within stock fence enclosure. Occasional grazing regime to manage wildflower grassland areas with temporary fencing adopted.

Former field boundary restored with mixed species Hawthorn and native trees helps to integrated the development with its landscape setting

Restored hedgerow field boundary extends the full length of the track providing shelter to visitors using the track to access the viewpoint seating area at the higher ground to the east.

Drainage Ditch

Stock Fence

Stock Fence

SA Track

Option for an additional informal path route to Lodges 2 and 3 connecting between the low mounds

Low mounds to utilise the excavated material on site and enhance the native planting screen to the car park area

Stay for power line pole accommodated and protected in flowering shrub area to avoid safety hazard

Overhead power line easement accommodated with no tree planting. Wildflower grass area with low hedge

Existing hedge retained and protected with pruning to reduce overhang and infill planting to restore a diverse and dense native screen from the road

All disturbed ground during earthworks to be seeded with species rich wildflower grass

Amenity grass area accommodates informal recreational activity around the lodges

Native trees and shrubs provide a natural screen and privacy between the lodges, patios and grass areas

Existing vegetation retained and managed with occasional controlled grazing

Stock proof fencing to control grazing. Option for additional native hedge