



**Lake District
National Park**

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

Application number:	7/2025/5065
Application type:	Notice of Intention (Agricultural, Q6g)
Applicant:	Mr A Peacock
Location:	Land East of Ashes Lane, Nether Staveley, Kendal
Grid reference:	347527 496583
Proposal:	Erection of livestock building.
Report prepared by:	Abigail Holt, Planner
Report agreed by:	Julie Birkett, Planning Manager
Recommendation:	DELEGATE to Head of DM to Determine

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 before Committee because the recommendation of approval is contrary to the views of the Parish Council and representations received.
- 2.2 This application seeks prior approval for the erection of a livestock building on land east of Ashes Lane, located west of Plantation Bridge.
- 2.3 The proposed building would be 18m long, 6m wide and 5.06m high to the ridge. The lower walls would be concrete panels with timber space boarding above. The roof would be grey fibre cement sheets.
- 2.4 A notification for a recreational campsite for 2025 has been received, ref RC/2024/0034. This means the land can be used as a recreational campsite for up to 60 days this year as permitted development.
- 2.5 We have a live enforcement case on the site (E/2024/0034). This is investigating a number of alleged breaches of planning control, including engineering operation.

3 Scope of the application

- 3.1 The Government grants planning permission for certain agricultural and forestry developments which allows them to take place without the need for a full planning application. The proposed development must be reasonably necessary for the purposes of agriculture on the unit and satisfy the requirements and thresholds for permitted development set out in the Order. Such developments require a determination as to whether our prior approval is required pursuant to Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 for the siting, design and external appearance of the building. No other matters can be considered.
- 3.2 The Authority has already determined that prior approval is required. We requested additional information about the agricultural business and the need for the proposed building. The requested information has been submitted.

4 Representations

- 4.1 Staveley with Ings Parish Council objects to the application for the following reasons:
 - The Parish Council do not feel the circumstances of the prior notification satisfy the criteria of class A part 6 of the General Permitted

Development Order for permitted development rights for new agricultural buildings.

- It would be within 400metres of occupied caravans and a dwelling which makes it ineligible for this permitted development right due to housing livestock.
- There are doubts if it is reasonably necessary for this size of building for the housing of only 11 easy care sheep, which normally live outside year-round. There are mobile shelters already on the land which can provide shelter if necessary.
- There is concern over the use of the new building. Class A states the building can only be justified on agricultural grounds to support an agricultural business. The supporting statement for this application says it 'will not just be for recreational use', this suggests the proposed use is not purely agricultural. The Council suggests this proposal does not satisfy Class A and should be submitted as a full planning application.
- There are also concerns over potential unauthorised development on site.

4.2 Nine letters of objection have been received, three of which are from the Ashes Lane Neighbourhood Watch. They express the following points:

- The landholding of approximately 8.5 hectares is insufficient to sustain a viable agricultural enterprise.
- A large portion of the site has been fenced off, reducing the usable agricultural land to approximately 2.7 hectares.
- The current livestock on site are 11 EasyCare sheep, which could be accommodated by the two existing mobile field shelters.
- The scale and size of the building in the proposed location will cause visual impact and harm to the landscape
- The building would be within 400m of the curtilage of a protected building (Windermere Camping and Caravan Club Site) and requires a full planning application.
- Existing structures on site have not been disclosed within the application, which raises questions about the accuracy and transparency of the application.
- Concern about potential impacts upon the Byway Open to All Traffic next to the proposed building.
- There is a risk of future intensification. The cumulative impact of development on this site is gradually changing the landscape
- Since the land was purchased by Mr Peacock, there has been multiple non-agricultural activities taking place which raise concerns about true long-term intentions for the development of the site.
- There is concern that the building is not solely intended for agricultural use, but will support off-road vehicle activities and tourism-related operations.

4.3 Nine letters of support have been received. They raise the following points:

- The proposed barn is essential for providing shelter and infrastructure, ensuring the welfare of the animals, the efficiency of operations, and the long-term success of the farm.
- It will support the existing sheep on site and provide winter housing for the 5 cows which have been bought. It will also help future development of a cattle herd and provide storage.

- There is general support for Peacock Farm and its sustainable initiatives. There have been improvements in respect of drainage, tree planting, proposed wildflowers and beekeeping. The future at Peacocks farm is a positive and sympathetic development and will only enhance the beauty of the landscape.
- There is also general support given for Mr Peacock, who is described as ‘a person of sincere countryside integrity’.
- Much of the objections and negative responses to this application “don’t like change” and likely do not know the facts and business plan behind Peacock Farm and their goals.
- The application complies with all relevant regulations.

5 Development plan policies and other relevant guidance

5.1 The relevant Development Plan comprises:

- The Lake District National Park Local Plan 2020-2035

5.2 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

5.3 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.

5.4 There is no community plan in this area.

6 Main issues and assessment

6.1 The main issues in this assessment are:

- Is the proposal Permitted Development?
- Is the siting, design and external appearance of the development acceptable?

Is the proposal Permitted Development?

6.2 We have received representations that have raised concerns about whether the proposed building is reasonably necessary for the purposes of agriculture and meets the necessary conditions and limitation of the permitted development right. The concerns can be summarised as follows:

- Since the land was purchased by Mr Peacock, there has been multiple non-agricultural activities taking place which raise concerns about true long-term intentions for the development of the site.
- The planning statement submitted by the applicant states that the building “will not be used purely for recreational purposes”, which suggests the building is not solely intended for agricultural use.

- The scale of the building is considered to be unnecessary for the small flock of EasyCare sheep on site.
 - A large portion of the site has been fenced off, reducing the usable agricultural land to approximately 2.7 hectares. This means the effective agricultural unit is less than 5 hectares and erecting a building would require full planning permission.
 - The building would be within 400m of residential caravans.
- 6.3 The applicant has provided information to demonstrate that the building is reasonably necessary for the purposes of agriculture. That information can be summarised as follows:
- The agricultural land holding is 8.46 hectares.
 - There are 11 sheep on site, all of which are pregnant, and the lambs will be retained to expand the flock.
 - Five cows have been purchased, and calves are intended to be purchased in April. The proposed building is therefore required to house the calves, overwintering and breeding them.
 - The proposed building would also be needed for storage of a flail mower and tractor, sheep feed, and hay and shelter for livestock.
- 6.4 Based on the evidence provided, I consider that the site currently hosts a small farm with intentions to grow their livestock. The proposed agricultural building would therefore be reasonably necessary to support the agricultural use of the holding; specifically, it would be reasonably necessary to host the cattle that has been purchased, provide shelter for the sheep at lambing time, and provide general storage for machinery and feed. I am also satisfied that the agricultural land holding is larger than 5 hectares. I am satisfied that the proposed agricultural building meets the conditions set out within Schedule 2 Part 6 of The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 6.5 The applicant has confirmed that the building will be used for agricultural use. If a material change of use to a non-agricultural use did take place the building would no longer be permitted development and enforcement action could be taken.
- 6.6 The letters of representation have also expressed concern about whether the building would be within 400 metres of a protected building. Livestock buildings are not permitted development in instances where they would be within 400 metres of a protected building, which is defined in the Order as a permanent building occupied as a dwelling outside of an agricultural unit.
- 6.7 The nearest permanent residential dwelling to the site is the wardens/managers flat on the caravan site located 410m from the proposed building. Caravans are located closer but would not fall within the definition of a protected building.
- 6.8 Overall, I consider that the application does meet the conditions set out in the Order and would fall within the scope of the permitted development rights. We are therefore limited to considering whether the siting, design and external appearance of the development is acceptable.

Is the siting, design and external appearance of the development acceptable?

6.9 The proposed building would be situated to the south of the field, approximately 30 metres northeast of Ashes Lane. It would have a footprint of 18 metres by 6 metres, and a maximum height of 5.06 metres. It would be constructed of reinforced concrete panels up to 1.35 metres in height and treated timber space boarding above in a dark brown colour. The roof would be constructed in grey fibre cement sheeting. There would be two sets of twin leaf sliding timber doors on one elevation.

6.10 The proposed building would be visible at a distance from Ashes Lane, occupying an isolated location within the field. This would result in some adverse impact upon the landscape; however, its siting within a natural dip in the landscape would limit any wider impacts. The design and materials of the proposed building are reflective of agricultural buildings elsewhere within the Lake District National Park and are considered to be acceptable.

6.11 I am satisfied that the siting, design and external appearance of the development is appropriate to the business and landscape context, satisfying the requirements of policies 01, 02, 04, 05, 06 and 07.

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, and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable.

7.2 At the time of writing the public consultation period is ongoing and does not expire until the Friday after the committee sits (4 April). Any additional representations received before committee will be reported verbally, but we cannot issue a decision until the statutory consultation period expires. It is therefore recommended to delegate authority to the Head of Development Management to determine following the expiry of the consultation period. It is expected that the determination would be one of approval, unless Members take a contrary view, or a hitherto unexamined issue comes to light through the consultation process which would indicate refusal. Given the limited matters which can be considered through the prior approval process and the level of representations already received, it is not expected that the latter situation would transpire.

7.3 Bespoke conditions cannot be attached to prior approvals, but there are prescribed conditions which are attached to all grants of prior approval. These are set out below for clarity.

RECOMMENDATION: DELEGATE to Head of DM to DETERMINE

Conditions

1 The development hereby permitted shall be carried out within THREE years from the date specified in the Notice of Approval.

- 2 The development shall be carried out in entire accordance with the particulars specified in the notification and plans submitted to the Authority.

ADDITIONAL CONDITIONS RELATING TO AGRICULTURAL BUILDINGS:

- 3 Where development consists of works for the erection, extension or alteration of a building and
 - a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within ten years from the date on which the development was substantially completed; and
 - b) planning permission has not been granted on an application, or has not been deemed to be granted under Part III of the Act, for development for purposes other than agriculture, within three years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased, then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.
- 4 Where development consists of works for the erection, extension or alteration of a building, the developer shall notify the local planning authority, in writing and within seven days, of the date on which the development was substantially completed.

Background papers

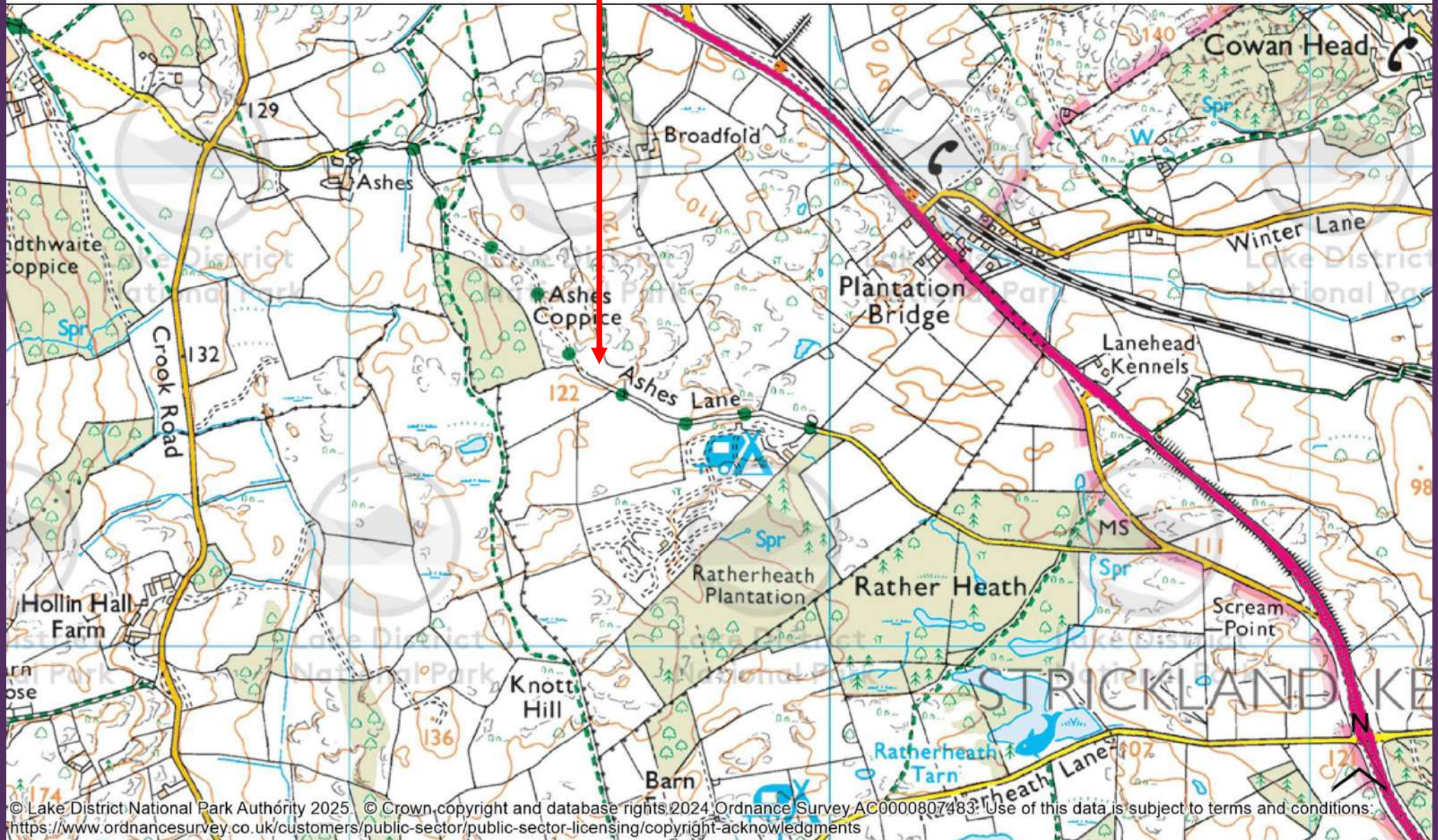
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2025/5065

Land East of Ashes Lane, Nether Staveley

Erection of livestock building

Site



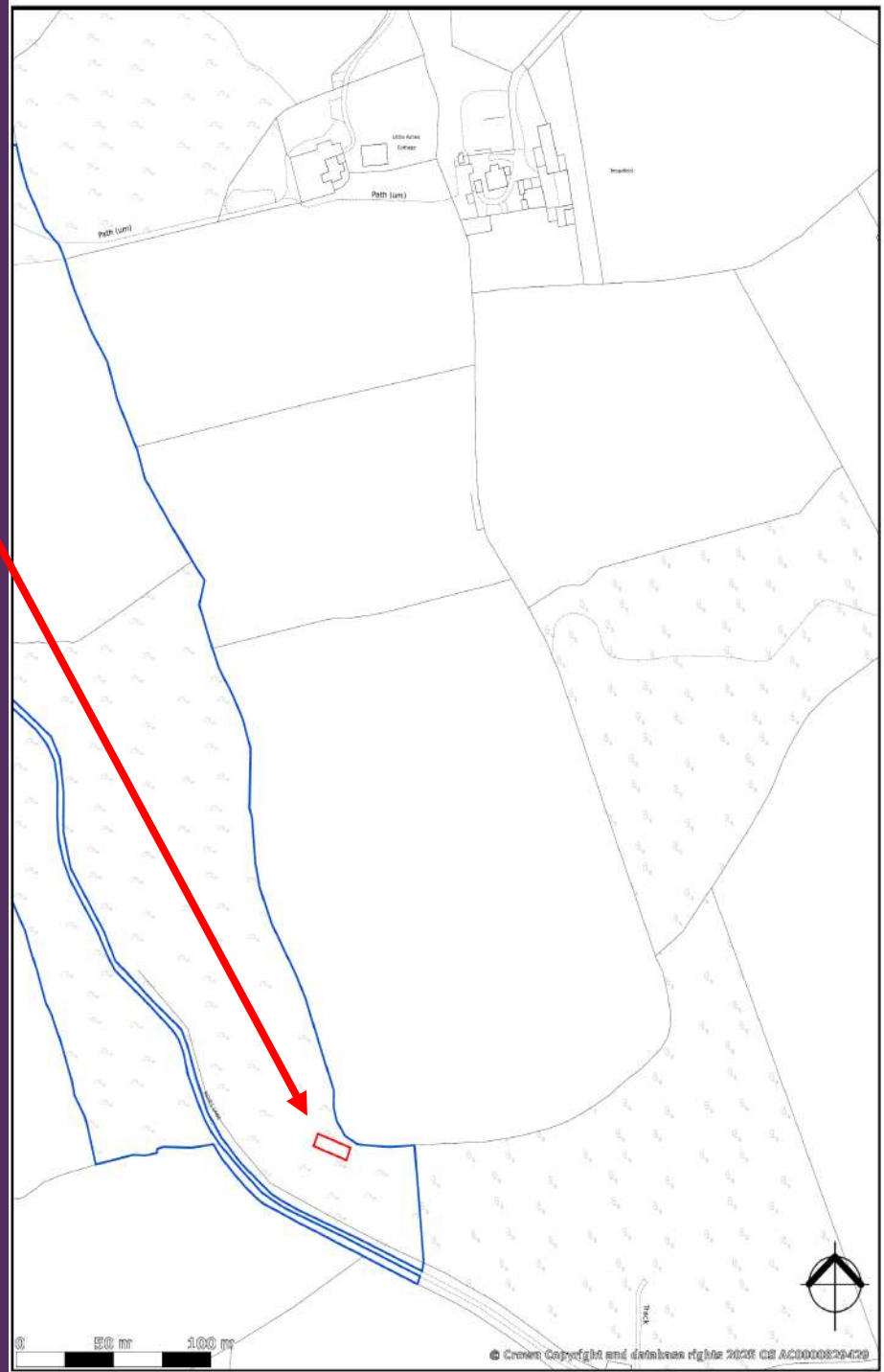
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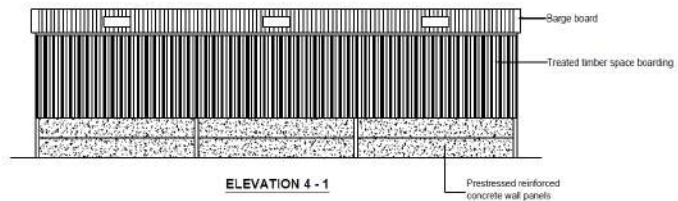
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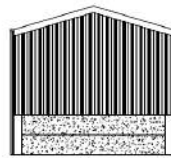
Lake District
National Park Authority

Site

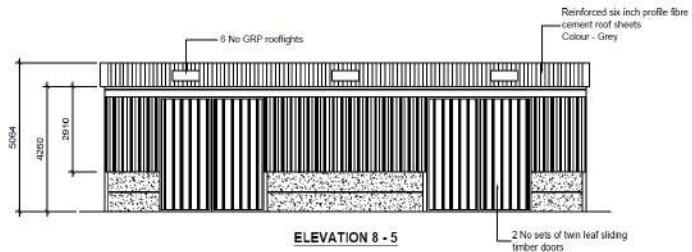




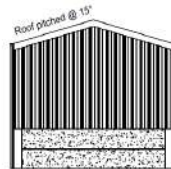
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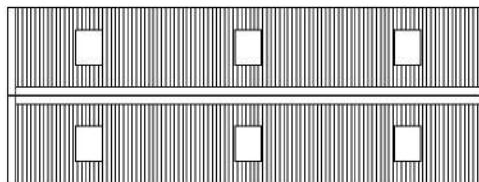
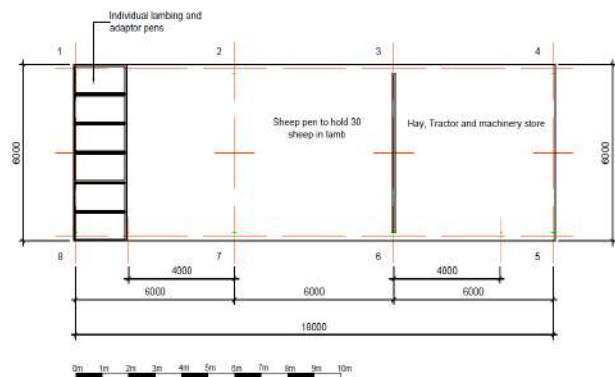
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ELEVATION 8 - 5



ELEVATION 5 - 4



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Date January 2025	Approved by
Drawn by MT	Scale - 1 : 100 (A1)
Notes	
Client Plantation Bridge Kendal LA8 9JS	Details Proposed lambing unit

CT PLANNING
Tel - 01543 418779
Email - apps@ctplanning.co.uk
Web - www.ctplanning.co.uk

Three Spires House, Station Road,
Lichfield, Staffordshire, WS13 6HX



REVISION:- A.

DRAWING NO:- 6734 / 1

Site



Site



Site

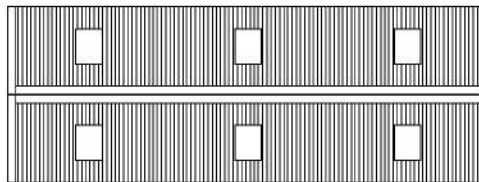
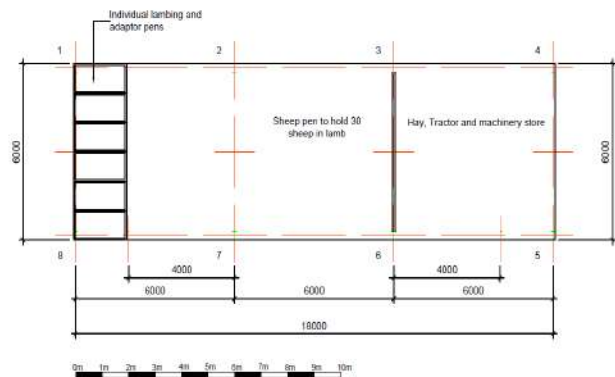
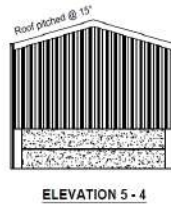
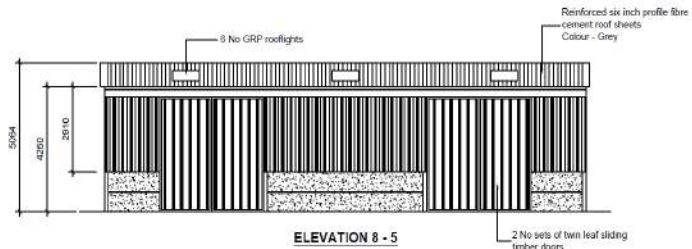
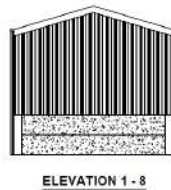
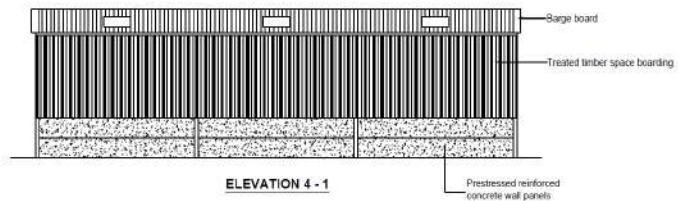


Site



Site





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Date January 2025	Approved by
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Notes	
Client Plantation Bridge Kendal LA8 9JS	Details Proposed lambing unit
CT PLANNING Tel - 01543 418779 Email - apps@ctplanning.co.uk Web - www.ctplanning.co.uk Three Spires House, Station Road, Lichfield, Staffordshire, WS13 6HX	
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