



**Lake District
National Park**

8

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

Application number:	7/2025/5077
Application type:	Full Planning application
Applicant:	Mr Hassan Isaji
Location:	Mountain View, Stockghyll Lane, Ambleside, LA22 9LG
Grid reference:	338683 504771
Proposal:	Ground and lower ground floor extension and house remodelling including the remodelling of the garage to include a new roof structure and the replacement of an existing septic tank with a new sewage treatment plant.
Report prepared by:	Laura Rogan, Planner
Report agreed by:	Neil Henderson, 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 Mountain View is a relatively modern, split level, detached dwelling located in a remote open countryside area. The property contains a detached, flat roofed single garage to the north east. It is situated approximately 1.2 miles along Stockgill Lane past the popular routes leading to Stockgill Force and Wansfell Pike. A strip of Ancient Semi Natural Woodland is located approximately 50 metres west of the property.
- 2.2 Planning permission was sought in 2023 (7/2023/5437) to demolish the existing dwelling and to construct a larger replacement. This was later withdrawn as it was considered that the significant increase in size and design of the proposed dwelling would have dominated the site and given rise to harmful landscape and visual impacts around and beyond the site.
- 2.3 Planning permission has now been sought for a ground and lower ground floor extension; house remodelling including the remodelling of the garage to include a new roof structure; and the replacement of an existing septic tank with a new sewage treatment plant.
- 2.4 The existing gable end extension on the north west (rear) elevation is proposed to be extended out by 4.3 metres with the height raised by approximately 0.5 metres. The roof would overhang a terraced area on the ground floor. The ground floor and lower ground floor would see the addition of two double patio doors. A second gable end would be created on the north west elevation by an extension on the south west elevation. It would be approximately 6 metres wide and 9 metres deep. It would be set back from the north west and south east (front) elevations. It would be the same height as the adjacent gable end at the rear and would sit on a Lakeland stone plinth. The existing upvc framed conservatory on the east elevation would be removed and an external timber framed porch would be placed at the main entrance. The flat roofed garage would see the addition of pitched roof covered in blue grey slate. All upvc windows would be replaced with high performance aluminium frames with a powder coated finish.

3 **Representations**

- 3.1 Lakes Parish Council object to the application. Briefly their objections consist of:
 - The proposed development would result in overdevelopment of the site due to its excessive scale and massing and does not reflect the

established character of the area. Being nearly 2 metres taller it is significantly larger than the existing bungalow.

- The design, which predominantly features extensive glass facades and timber lacks local distinctiveness and does not reinforce the vernacular architectural character of the Lake District.
- The high proportion of glazing would contribute to increase bird-window collisions causing direct harm to avian species in this ecologically sensitive area.
- The increase glazing will contribute to light pollution, disrupting nocturnal wildlife.
- The site is located near Stockgill Force, a well visited location for residents and tourists. The proposed development may detract from the scenic and tranquil experience of the surroundings.

3.2 The Local Highway Authority have stated that as the dwelling is proposed to have 4 bedrooms then the Cumbrian Development Design Guide States it should have 2 parking spaces which should be 2.4 x 4.8 metres and there should be a turning bay behind. Also, the development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centres of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Any existing highway fence/wall shall be reduced to a height not exceeding 1.05 metres above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and been approved in writing.

3.3 The Lead Local Flood Authority advises that they are not statutory consultees for the development of this size, therefore all drainage aspects of the proposal must be considered by building control.

3.4 Environmental Protection have no objections to the application.

3.5 We have received two letters of objection from the business owners of Grove Farm, Grove Barn Café [not currently operating] and Grove Cottages (6x holiday lets). Briefly their objection consists of:

Highways and Access

- Construction traffic as well as increased traffic movement when the development is complete would pose a significant safety risk for both vehicles and pedestrians on the narrow private track.
- Increased traffic could severely impact the nearby businesses – a free and unhindered access is required at all times; it would be unacceptable to park any vehicle on the lane to unload or load materials.
- The site has only enough parking for two small cars, with gates that open outwards onto the road, further restricting available space. Furthermore, visitors to Mountain View have no right to continue up the private lane to turn around. The nearest public parking is the public car parks in Ambleside making access and parking highly impractical.
- The lane serves as a well-used footpath for pedestrians accessing Wansfell Pike and other local attractions. The developer needs to

address how they plan to manage van and lorry deliveries without requiring reversing along a public footpath.

Construction Method Statement

- The submitted construction method statement does not realistically address the constraints of the site. It does not consider the limited space materials will be stored securely in.
- It states that short-wheelbase vehicles that can turn around along the lane will be used, yet the site does not prove a viable turning area with the layby in front of the property being a vital passing place which must remain clear to allow its rightful use.
- The construction method statement lacks detailed mitigation measure to prevent mud, dust and other construction debris from affecting the track and surround businesses.

Landscape and Visual Impacts

- The proposed development could result in an intrusive structure that alters the visual character of the area.
- The proposal claims that surrounding trees provide screening but fails to account for the winter months when tree cover is significantly reduced making the development more visible from public rights of ways, including paths leading to the popular Stockghyll Force.

Overdevelopment

- The extension and remodelling including the new roof structure for the garage, could create an imposing and out of character structure that disrupts the local aesthetic.

Environmental Concerns

- The replacement of the existing septic tank with a new sewage treatment plant raises concerns about potential environmental disruption. It is essential to ensure that the installation process does not affect local watercourses or wildlife.

Occupancy and Future Use

- The scale of the proposed extension, there is a risk that the property could be used as a holiday rental rather than a primary residence leading to further strain on the local infrastructure and access routes. Policy 15 of the Local Plan requires new permanent homes to be secured by an occupancy restriction.

Residential Amenity

- The proposed development may result in harm neighbouring amenity in terms of privacy, light, and views. The increased height and scale of the extension could lead to overshadowing and an increased sense of enclosure for adjacent homes.

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
 - 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.
- 5 Main issues and assessment
- 5.1 The proposals are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle. The main issues in this assessment are:
- Character and appearance of the area
 - Neighbouring Amenity
 - Highways and Access
 - Protected Species
 - Pollution Control
 - Other matters

Character and appearance of the area

- 5.2 The dwelling is of a mid-20th Century style with no architectural merit. The walls are covered in white rough cast render with the roof covered in blue grey slate. As it is situated adjacent to public footpath no. 541009, which is also used as an access road to Grove Farm and Grove Cottages, it is a prominent building in the immediate open landscape. A further public footpath is located approximately 200 metres north west, however views from here towards the property are limited due to screening from the trees contained in the ASNW, stone walls and the topography of the land.
- 5.3 The proposed extension of the existing rear gable end, with the addition of a terrace and installation of patio doors, along with the erection of a secondary gable end extension, would alter the appearance of the North West elevation. However, as the form, design, size, scale and use of materials would be consistent with the appearance of the existing dwelling I am satisfied that it would be acceptable and would not result in harm to the surrounding landscape. As the height would be extended by approximately 0.5 metres I consider this to be a minimal increase and therefore would not result in a significantly larger dwelling.
- 5.4 While the rear elevation would see an increase in glazing, the overhanging roofs of the two gable ends would mitigate their appearance by recessing them back into the elevation.
- 5.5 As Mountain View is a lone dwelling located in a remote open country side area where no light is emitted from street lamps or other buildings, it has an intrinsically dark skied character. Therefore, care is required that the development would not result in light pollution which would harm the character of the area or have adverse effects on the nocturnal species that

use the area. I am satisfied that the recessing of the glazed areas would also mitigate against light pollution thereby preserving the dark skies character with no adverse effects to nocturnal species.

- 5.6 The proposed extension on the south west elevation would result in the removal of a upvc conservatory which appears to be outdated and does not respond well to the appearance of the existing dwelling. By erecting an extension which is smaller in length than the main dwelling while mirroring the roof pitches, materials, form and design of the existing dwelling it would result in a subservient extension which would be acceptable in appearance and would have a neutral effect on the character of the surrounding area.
- 5.7 The existing garage is a simple, flat roofed structure. By adding a pitched roof covered in blue grey slate; to match the main dwelling, the garage's appearance would be consistent with the main dwelling.
- 5.8 As the proposed package treatment plant would be located where the existing septic tank is located, centrally in Mountain View's garden, with only the inspection chamber lid being visible, I am satisfied it would be acceptable and would have a neutral effect on the character of the surrounding area.
- 5.9 The extensions and alterations overall would result in a larger dwelling, however as the dwelling would be well contained within the curtilage of the property with the height of the dwelling being minimal, I am satisfied that the increase in size is not significant enough to change the character of the existing dwelling or to detract from the tranquil and scenic experience of the surrounding landscape.

Neighbouring Amenity

- 5.10 The nearest neighbouring property to Mountain View are High Barn, located approximately 266.49 metres west, and Low Grove Cottages, located approximately 503.58 metre north east.
- 5.11 Due to the sufficient distance between Mountain View and its neighbouring dwellings along with sufficient screening from trees, walls, fencing and the topography of the land, I am satisfied that no harmful neighbouring impacts would occur in the way of overbearing, overlooking, visual intrusion, loss of light or other adverse impacts.

Highways and Access

- 5.12 Mountain View is an existing three bedroom dwelling; while the proposed development would increase the size of the property, it would remain a three bedroomed dwelling. The Cumbrian Design Guide states that for a three and four bedroom dwelling a provision of 2 parking spaces is required. As the garage would be retained with an adjacent parking space created, I consider that the proposed development would satisfy parking requirements as per the Cumbrian Design Guide.

- 5.13 The Local Highway Authority has stated that works shall not commence until visibility splays of '60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway'. The section of Stockghyll Lane is a private single track road in which vehicles naturally need to drive at a slower speed due to its bendy nature. During my site visits I was able to view 60 metres looking south west exiting, but due to the bends in the road it was not possible to obtain visibility for the full 60 metres. Therefore, due to the natural bends in the road it would not be possible to create clear visibility splays of 60 metres.

Protected Species

- 5.14 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.
- 5.15 Two emergence surveys were carried out which indicated use by low numbers of non-breeding Soprano Pipistrell bats in the external south stone faced wall. The survey concludes that a Natural England licence is required for bats. The impact of the development on bats is addressed in Appendix A attached to this report. Overall, however I conclude that the derogation tests could be passed. I therefore consider that the proposal satisfies the requirements of Policy 04.

Pollution Control

- 5.16 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.
- 5.17 In this case it is reasonable to conclude that the discharge from the treatment plant will be satisfactorily regulated by the pollution control regime.

Other matters

- 5.18 One of the comments we have received states that there could be a risk that the existing dwelling would be turned into holiday letting accommodation which would put further strain on the local infrastructure and access routes – policy 15 of the Local Plan requires new permanent homes to be secured by an occupancy restriction. In this case, as Mountain View is an existing dwelling Policy 15 would not apply and is therefore not subject to having a local occupancy restriction applied. Furthermore, as it currently has no occupancy restrictions, the owners are free to use the property as holiday letting accommodation without needing to submit a planning application as, in planning terms, permanent occupied dwellings and self-catered holiday lets are used in the same way, the only difference is holiday lets have a higher turn over of occupants.

- 5.19 Concerns have also been raised regarding construction traffic using the private, single track, Stockghyll Lane. A Construction Method Statement was submitted in support of the application which details mitigation measures such as: short wheel based vehicles will be used for deliveries so as to easily turn on the road; only one delivery is to be carried out so as not to congest the lane; lift shares are to be put in place for operatives due to limited parking; designated parking will be made on site; slow speed to be maintained due to walkers who use the lane. I am satisfied that the Construction Method Statement has fully addressed any issues of construction traffic using the Stockghyll Lane. However, there is a small amount of disruption to be expected during the construction phase of the proposed development, but any deviation from the Construction Method Statement could be subject to enforcement action by the Local Planning Authority.
- 5.20 Concerns was also raised that there would be an increase in use of the lane when the development is complete which would pose a safety risk to both pedestrians and other vehicles. Mountain View is an existing three bedroom dwelling which would remain a three bedroom dwelling when the development is complete. I therefore do not consider that the development would result in an increase of traffic using Stockghyll Lane.

6 Conclusion

- 6.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 04, 05, and 06, the Design Code SPD and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable, subject to the conditions recommended.

RECOMMENDATION: APPROVE with conditions

Conditions/Reasons

- 1 The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:
 - Location Plan
 - Drawing no. 05 Rev. A (Proposed Plans and Elevations), 06 (Proposed Stockghyll Lane Elevation)
 - Design and Access, Drainage and Flood Statement
 - Proposed Package Treatment Plant Elevations
 - Proposed Treatment Plant Brochure

REASON: For the avoidance of doubt.

- 3 Details of any external lighting shall be submitted to, and agreed in writing by, the Local Planning Authority prior to installation. 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.

- 4 The development hereby permitted shall not be carried out otherwise than in conformity with the submitted Construction Method Statement.

REASON: To ensure the safety of pedestrians and vehicles.

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 an additional plan illustrating the elevation from Stockghyll Lane showing boundary treatments.

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.

APPENDIX A

Assessment of the application in respect of the Conservation of Habitats and Species Regulations 2017

Licensing and Planning

Planning and licensing are separate and distinct consent regimes. Natural England deal with licences for work involving protected species. The grant of planning permission does not oblige or assume that Natural England will grant a protected species licence. However, we must consider the likelihood of a licence being granted when determining the application.

In what way are protected species using the application site?

A Bat Survey has been conducted and concluded the site is being used by low numbers of non-breeding Soprano Pipistrelle bats. These were found emerging from the south facing external stone faced wall.

Is any criminal offence under the Habitats Regulations likely to arise from the proposed development?

The presence of a protected species on an application site is a material consideration when determining a planning.

We must consider whether any activities/aspects of the proposed development are likely to lead to:

- Deliberate disturbance of protected species
- Deliberate killing, injury or capture of protected species
- Damage or destruction of a breeding site or resting place (action need not be deliberate)

The proposal would risk the disturbance of known protected species and therefore a Protected Species Mitigation Licence (PSML) must be obtained prior to any work commencing.

The degree of disturbance would be such that it would likely exceed the threshold of an offence in the absence of the necessary derogation licence being obtained. We must therefore fully consider the application against the provisions of the Habitats Regulations.

Would the tests of derogation required by the Habitat Regulations be met in the application for an EPS licence in this case?

Where harm to a European protected species may result from a proposed development, we are duty bound to consider the likelihood of an EPS licence being granted and in doing so engage with the three derogation tests of The Conservation of Habitats and Species Regulations 2017. We must give consideration as to whether the derogation requirements may be met within the assessment of the application. The three tests are that:

- the activity to be licensed must be for the purposes are preserving public health or public safety or other imperative reasons of overriding public interest, including those of a

social or economic nature and beneficial consequences of primary importance for the environment;

- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained.

The rigour and stringency with which the tests are applied will increase with the importance and significance of the roost.

Is the proposed development necessary for imperative reasons of overriding public interest?

The question of when it is likely that a development will be considered by the licensing authority to pass the public interest test has proved the most difficult test of the three for us to understand and consider to date. Natural England will generally not comment on individual applications or offer a view to planning authorities as to whether it would be likely to grant a licence for a scheme. Natural England instead directs Local Planning Authorities to its standing advice. Ultimately the public interest test is subjective.

In its guidance note (NE292) Natural England indicates that in considering what constitutes reasons of overriding public interest it will consider the need to maintain the nation's environment (sustainable development) as well as complying with planning policies and guidance at a national, regional and local level. The proposal in the assessment of its planning merits has been shown to accord with the Government's vision of sustainable development and planning policies in general.

For these reasons it is considered that the test is passed.

Is there a satisfactory alternative?

We are required to consider a 'do nothing' scenario and alternative ways of developing the property that could allow the needs of the applicant to be met without the need to destroy or disturb bat roosts.

Natural England also indicate that the level of evidence of the consideration of alternatives will be proportionate to the level of harm. They also consider that an applicant should demonstrate a genuine need for the development.

The survey found the site is being used by low numbers of non-breeding Soprano Pipistrelle bats. These were found emerging from the south facing external stone faced wall where it was being used as transitional roosts or day roosts.

The proposed development would result in a risk of killing or injuring bats during the construction of the southern extension. However, recommendations have been made in the bat survey which would mitigate for the loss of these roosts. There should be the retention of at least four gaps along the eaves or in the stone facing or install at least 2 external bat boxes. This would mean bats would not be left without any roosting opportunities.

In conclusion there is no requirement to locate a satisfactory alternative due to the benefits the completed development would have to bats.

Will the favourable conservation status of the species be maintained within its natural range?

It must be demonstrated that the favourable conservation status of bats is maintained. The survey has detailed mitigation steps to be undertaken before and during construction works. These steps consist of:

- A PSML will be obtained prior to works commencing
- Contractors on the site will be made aware of the possible presence of bats prior to the commencement of works.
- Contractors will be provided with the contact details of an appropriately qualified individual who can provide advice in relation to bats at any time during works. In the event that bats are found, unless the action has already been cleared by a suitable qualified individual, all works will cease, and an appropriately qualified individual will be contacted for further advice.
- Contractors will be observant during works for bats which may use the building if new areas of the roof are exposed and left open overnight. Bats are opportunistic and may make use of gaps opened up during works overnight.
- If it is necessary to remove a bat to avoid it being harmed, gloves should be worn. It should be carefully caught in a cardboard box and kept in a dark and quiet place until it can be released at dusk near to where it was found, or moved to an undisturbed part of the building, with outside access, and placed in a location safe from predators.
- Remove any roof coverings by hand only.
- Retain at least four gaps along the eaves or in the stone facing or install at least 2 external bat boxes.
- There is no need to restrict the timings of works, Use of the structure by bats is equally likely to occur at any time of the year by will be at low levels.

With works conducted under licence and adhering to the advice on methods and compensation then there would be no negative long term impacts to the local bat population, especially given the low number of bats identified and the nature of the roost. It is in my opinion that the favourable conservation status of the species will be maintained within its natural range.

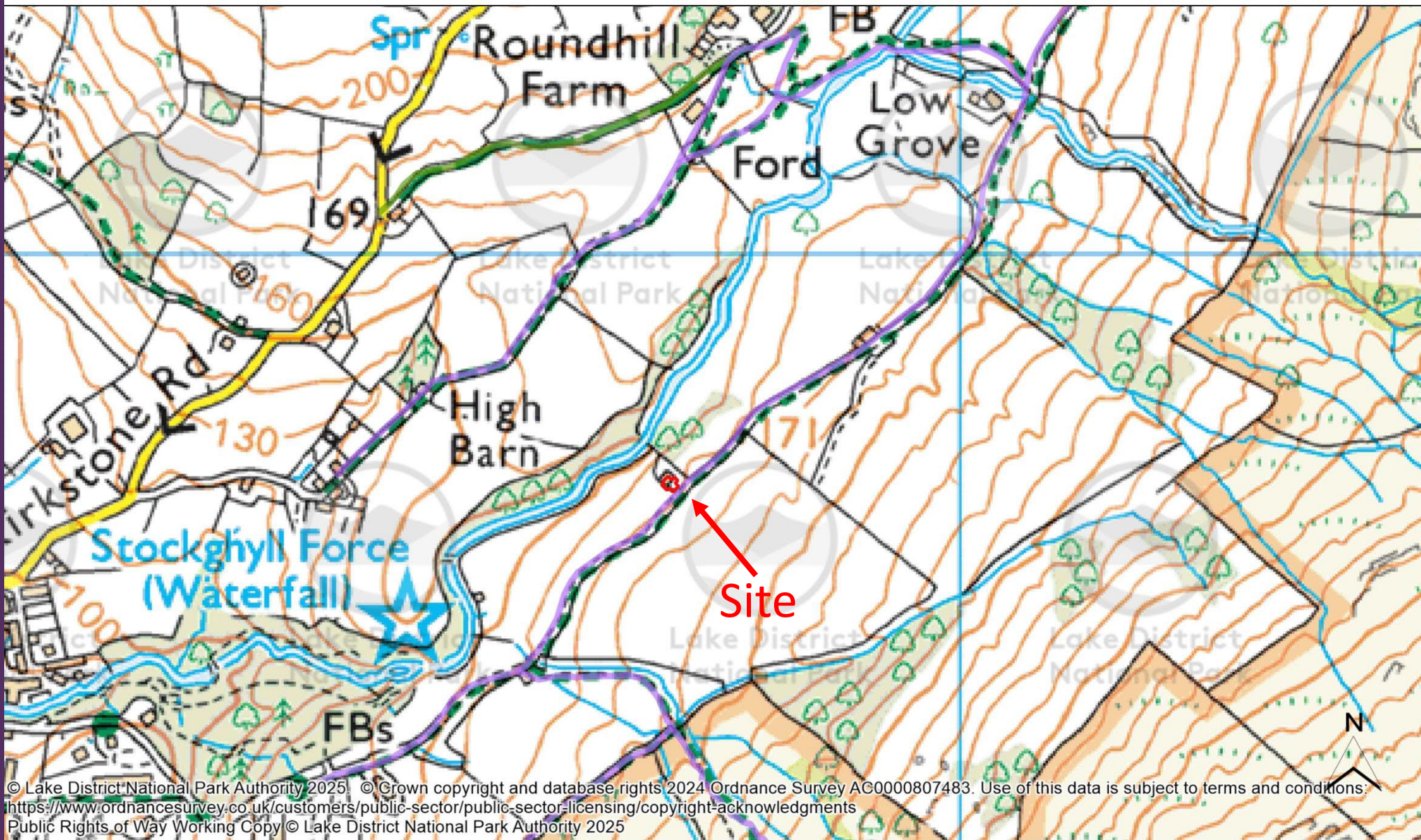
CONCLUSION

Based on the assessment outlined above it is concluded that a licence is likely to be issued.

7/2025/5077

Mountain View, Stockghyll Lane, Ambleside,
LA22 9LG

Ground and lower ground floor extension and house remodelling including the remodelling of the garage to include a new roof structure and the replacement of an existing septic tank with a new sewage treatment plant.

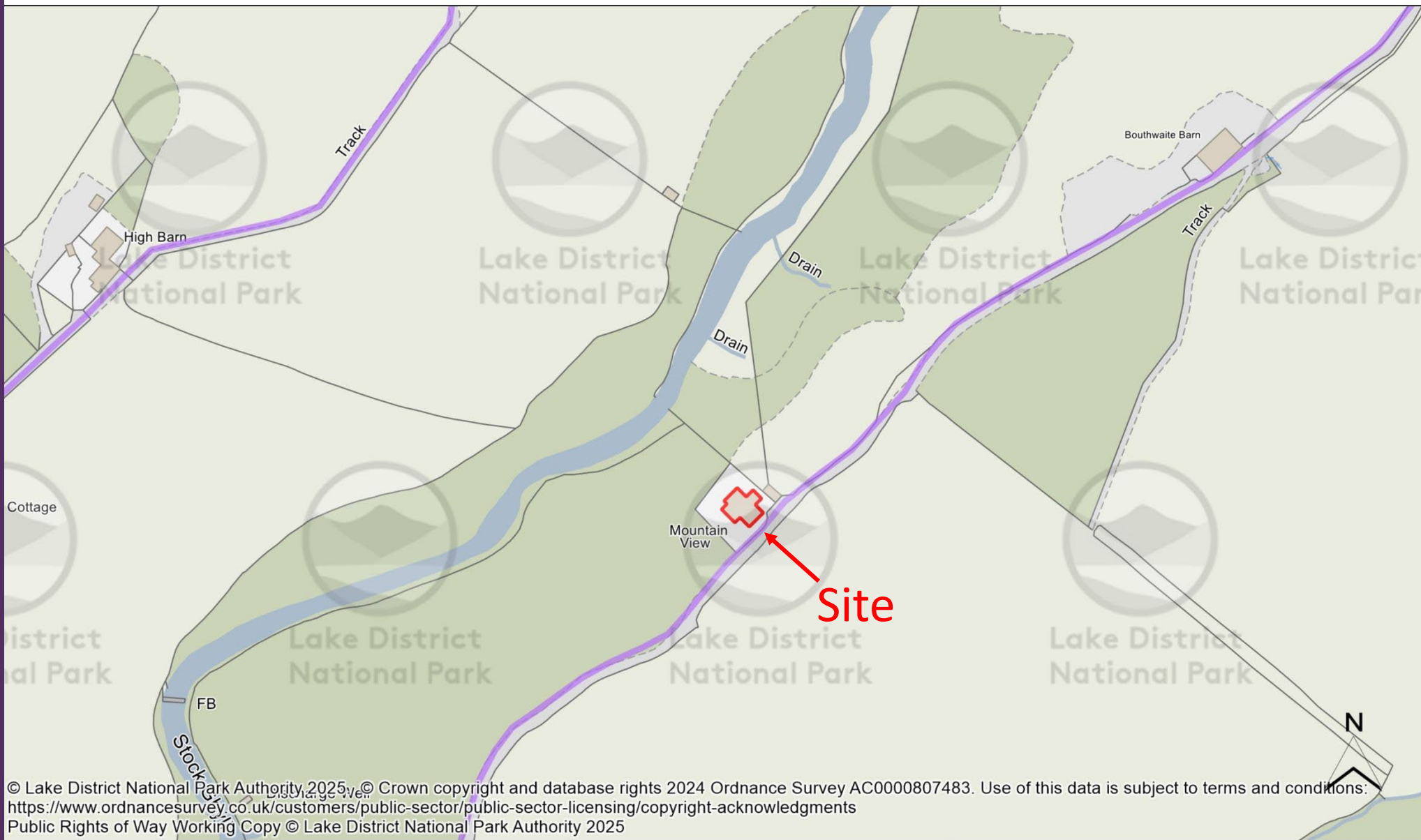


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South West
Elevation

South East
Elevation





North
West
Elevation



North East
Elevation

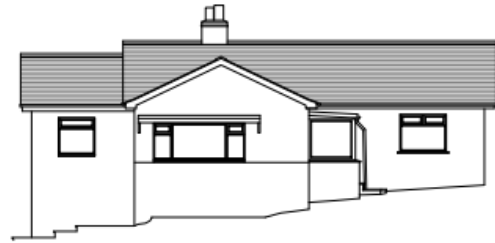


From
Footpath to
North West

Existing Elevations



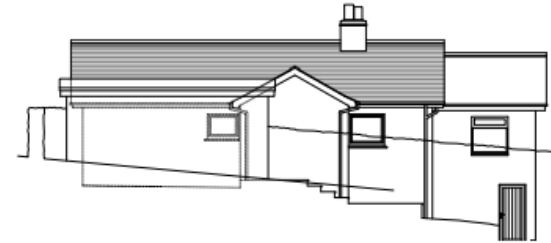
South east elevation
1/100 scale



South west elevation
1/100 scale

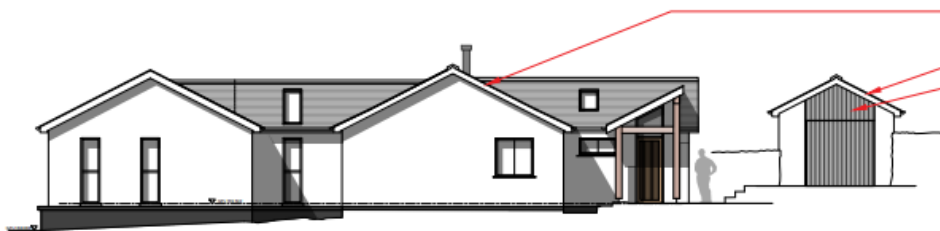


North west elevation
1/100 scale



North east elevation
1/100 scale

Proposed Elevations



South east elevation
1/100 scale



North west elevation
1/100 scale



South west elevation
1/100 scale



North east elevation
1/100 scale

Existing roof to be retained and insulated. Slates to be the existing reclaimed slates redressed and refixed with new batens, felt and insulation.

New pitched roof on the garage finished in slate to replace the flat felt roof.

Timber weatherboard gable

New solar panels flush with the roofing slate

4no. gaps in the eaves line as per Envirotech Bat Report recommendation.

Exposed timber trusses to create deep overhang

Garage with new pitched roof shown dashed in the foreground

Roughcast render walls with a masonry paint finish

Stone boundary wall retained

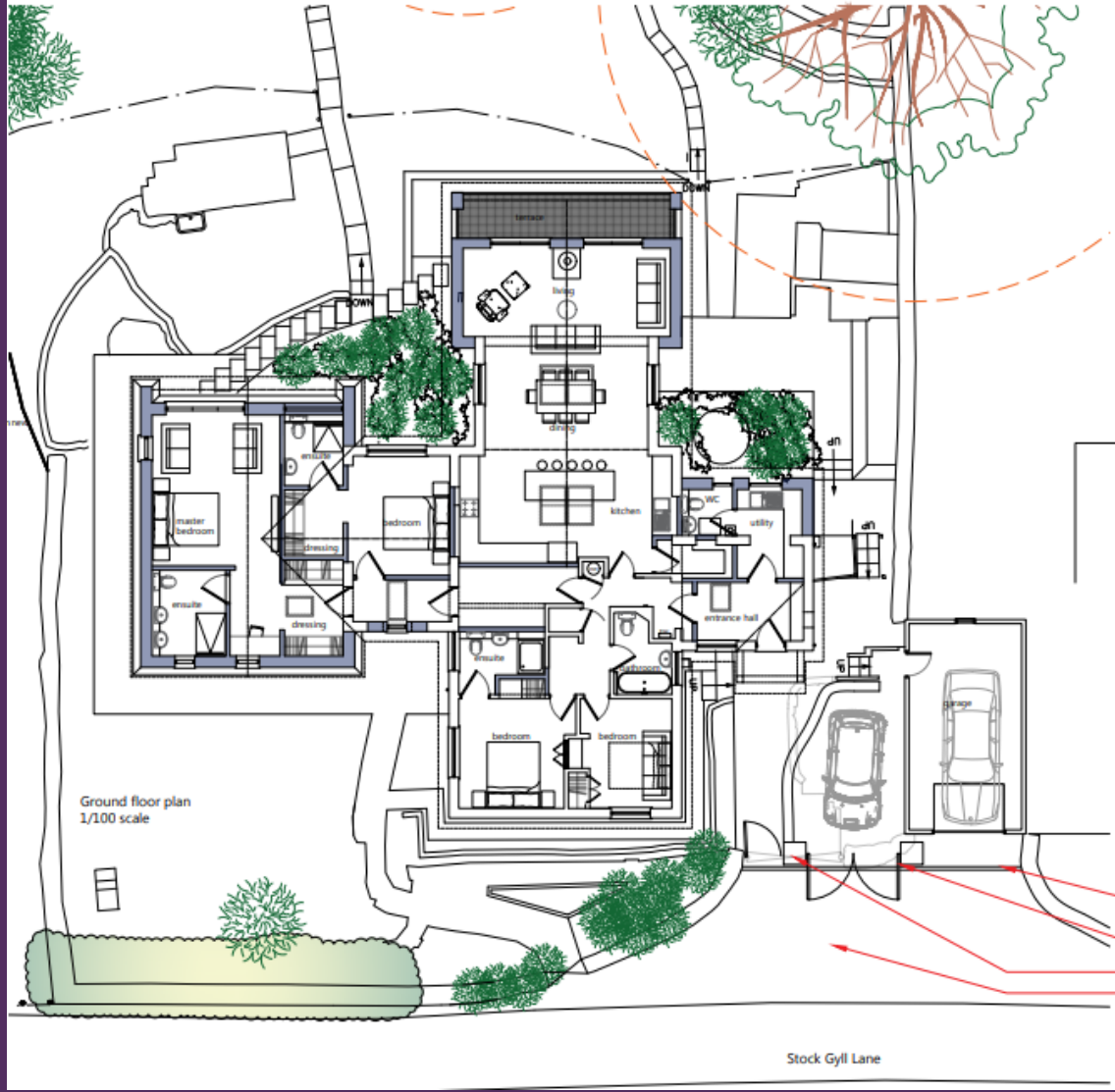
Lakeland stone plinth

Existing stone boundary wall to be retained

Existing Floor Plan



Proposed Floor Plan



Proposed Stockghyll Lane Elevation

