



**Lake District
National Park**

8

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

Application number:	7/2025/5331
Application type:	Full Planning application
Applicant:	Mr D Dobson
Location:	Land off Woodside Road, Crosthwaite, Kendal
Grid reference:	342432 490142
Proposal:	Erection of a Self-build agricultural workers dwelling
Report prepared by:	Emma Kearsley, Planner
Report agreed by:	Andrew Smith, Head of Development Management
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 I am reporting this application to Committee because Crosthwaite and Lyth Parish Council object.
- 2.2 The application site is in the open countryside off Woodside Road, 1km to the north-east of Bowland Bridge. The site comprises a section of gravel hardcore track which leads to a collection of agricultural buildings and pastoral land either side.
- 2.3 Planning permission was granted for agricultural buildings between 2022 and 2025. All but the latest approved building has been built. The applicant states that the latest building is anticipated to be built this year. Planning permission is now sought to construct a five-bedroom self-build agricultural worker's dwelling between the agricultural buildings and Woodside Road, 50m from the buildings. The applicant states that they need to live on-site for the welfare and security of livestock and property.
- 2.4 The proposed building would be two-storey and have a rectangular footprint measuring approximately 15m in length by 8m in width by 7.5m in height with approximately 180sqm internal floor space. The external walls would be rendered with stone quoins except for a stone-faced porch and pergola, and the roof would be covered with slate. A car parking area and a package sewage treatment plant are proposed to the western side of the dwelling.
- 2.5 The existing track would be rerouted 7m to the north to create a garden area in front of the dwelling. A post and rail fence would be erected around the dwelling and garden area.

3 Representations

- 3.1 Crosthwaite and Lyth Parish Council object to the application on the grounds the following grounds:
- A new building on a green field site.
 - The applicant currently lives only 2.4 miles away and therefore the development is not necessary because security and monitoring of existing stock on site can be carried out remotely by means of CCTV and other technologies.
 - Detrimental environmental impacts due to the likely use of a generator and sewage treatment plant. This proposal does not include a generator.
 - The proposal assumes that appropriate water quality protocols will be in place for a private water supply.

- 3.2 The Local Highway Authority states that access and the visibility splays are acceptable.
- 3.3 The Lead Local Flood Authority states that the application falls below the statutory threshold for consultation and states that the Local Planning Authority is required to ensure drainage design meets the requirements set out within the National Planning Policy Framework and National Planning Practice Guidance. They state, however, that the surface water discharge rate should not be greater than the existing and advise that the proposed soakaway is not situated within 5 metres of the property or highway.
- 3.4 A member of the public queries the need for a dwelling when the applicant only lives 2.4 miles away and could continue farming there. Should planning permission be granted, they request that a condition is imposed requiring the dwelling is occupied only by an agricultural worker.

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 05: Protecting the spectacular landscape
 - Policy 06: Design and development
 - Policy 07: Historic environment
 - Policy 15: Housing
 - Policy 20: Renewable and low carbon energy
- Design Code Supplementary Planning Document
 - Housing 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

- 5.1 The main issues in this assessment are:
- Principle of development
 - Impact on the character and appearance of the area
 - Highways and access
 - Impact on the amenity of neighbours

Principle of development

- 5.2 Local Plan policies seek to direct the majority of development to Rural Service Centres and villages. The site is located within the open countryside in the context of Local Plan Policy 02.
- 5.3 Policy 02 states that we will only support proposals for development in the open countryside where the application demonstrates certain criteria, including, an essential need for a rural location or it is necessary for and designed to support agricultural or forestry use.
- 5.4 Local Plan Policy 15 supports new permanent homes on farm holdings that:
- support the functional need of the farm business; or
 - provide for the transition between generations and will be occupied by family members or rural workers; and
 - are secured in perpetuity for permanent occupation with eligibility restricted to function or a geography that is tailored to local circumstances.
- 5.5 The assessment of new homes on farm holdings is guided by the tests set out in the Housing Supplementary Planning Document (SPD) including demonstrating a functional need for a new dwelling that will support the farming enterprise. All new homes permitted under Policy 15 will be restricted by an occupancy condition.
- 5.6 Our Housing SPD expects evidence that the agricultural activity concerned is ongoing, has been established for at least three years, been profitable for at least one of them, is currently financially sound, and has a clear prospect of remaining so.
- 5.7 The application is supported by an agricultural appraisal of the farming enterprise which states that the farm is well established. The land comprises 102 hectares of pastureland and the livestock comprises 200 ewes with followers and 60 cows with followers.
- 5.8 An agricultural appraisal has been provided to support the application along with a formal declaration of commercial viability and a letter from the applicant's insurance company which concludes:
- Confirmation of a labour requirement for 2.9 persons, proving an essential need for a farm worker to live on-site.
 - The business is profitable, demonstrated by a formal declaration of commercial viability and has every prospect of remaining profitable.
 - The business requires the permanent attendance of a worker on site to reduce the risk of theft of machinery and livestock and in respect of animal welfare when cattle are housed over winter (sometimes 7 months depending on the weather), calving, lambing, feeding and watering.
 - There is no other suitable housing on site.

- Being on-site would remove the need for numerous journeys, to and from the holding, made daily including evenings and through the night for the welfare and security of livestock and property.
- 5.9 The Housing SPD states that a functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice or to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems. The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new dwelling, although these reasons are unlikely in themselves to be sufficient to justify development.
- 5.10 In terms of national policy and guidance, the NPPF, at paragraph 84, indicates that the development of isolated homes in the countryside should be avoided unless [amongst other things] there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- 5.11 National planning practice guidance (NPPG) sets out how need for essential rural workers can be assessed. The following considerations are relevant:
- Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
 - The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
 - Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
 - Whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
 - In the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.
 - Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.
- 5.12 Evidence has been provided that the agricultural activity concerned is ongoing, has been established for at least three years, been profitable for at least one of them, is currently financially sound, and has a clear prospect of remaining so - meeting SPD requirements.

- 5.13 I consider the size of the proposed house has been justified as proportionate to the need of the farm and of the applicant and their family (three young children and regularly visiting grandparents who support with childcare). I am satisfied the size of house proposed would not compromise the likelihood of the dwelling being kept available for the intended purpose of housing a rural worker.
- 5.14 Objectors assert that the applicant lives nearby and so does not require a property. The applicant currently lives at Broad Oak Farm. They tell me they intend to sell or rent out Broad Oak if approval was given. The applicant has no intentions of living in two dwellings. Given the scale and nature of business I am satisfied that Broad Oak could not meet the functional requirements identified. I am aware that there have been agricultural buildings at Broad Oak. However, planning permission reference 7/2018/5295 requires those buildings to be removed. I understand from the applicant that agricultural use at Broad Oak has now ceased and all but one of the buildings have now been removed.
- 5.15 In view of the above, based on the information presented, the proposals demonstrate compliance with the tests laid out in the Housing SPD and the principle of the development is acceptable in accordance with local planning policy and the NPPF, subject to a condition tying the proposed dwelling to an agricultural worker to meet the requirements of Local Planning Policy 15 and the Housing SPD.

Impact on the character and appearance of the area

- 5.16 The application site is situated in the Lake District National Park, an area afforded the highest levels of protection for its landscape and scenic beauty, and the English Lake District World Heritage Site, an area recognised as being of international importance as a landscape of exceptional beauty, shaped by persistent and distinctive agro-pastoral traditions which give it special character. Paragraph 189 of the National Planning Policy Framework states that “great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks”.
- 5.17 Local Plan Policy 01 outlines that development proposals will only be supported where they are consistent with the National Park purposes and duty to ensure that the extraordinary harmony and beauty of the Lake District landscape and its special qualities are conserved and enhanced. Policy 01 requires that all development proposals should protect or enhance the authenticity, integrity, and significance of the Lake District.
- 5.18 Local Plan Policy 05 states that we will conserve and enhance the extraordinary beauty and harmony of the Lake District landscape, its Special Qualities, and attributes of Outstanding Universal Value. We will achieve this by supporting development that ensures the highest level of protection is given to the landscape, maintain local distinctiveness and sense of place. Decisions will be guided by the Lake District Landscape Character Assessment recognising the distinctive characteristics identified

in the Landscape Character Types and Areas of Distinctive Character, the World Heritage Site Nomination Document, and the Historic Landscape Characterisation.

- 5.19 The World Heritage Site is a designated heritage asset, recognised as being of the highest significance in paragraph 202 of the NPPF. Paragraph 213 of the NPPF requires clear and convincing justification for any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction or from development within its setting).
- 5.20 Local Plan Policy 06 seeks design excellence in all development, which is to be inspired by and contribute to local distinctiveness. Development is required to reinforce the importance of local character by having regard to scale, height, density, layout, appearance, and materials.
- 5.21 Local Plan Policy 07 seeks to conserve and enhance the significance of heritage assets, including the character, authenticity, integrity, setting and views of the historic environment.
- 5.22 The application site is located within Area of Distinctive Character 59: Whitbarrow and Winster Valley as set out within the Landscape Character Assessment. The site is within the Landscape Character Types Coastal Limestone (C). Low Fell (K), Low Fell Fringe (L) and Lowland Valley (M). The area is described as a small-scale, intimate, low fell mosaic landscape with a great variety of different habitats, including large areas of deciduous and coniferous woodland, limestone grassland, orchards, pastoral fields and the valley of the River Winster. There are frequent outcrops of underlying limestone, for example Whitbarrow Scar, a dominant, high landmark feature. A scattering of vernacular rubble and render farmhouses and stone barns nestling into the valley sides, adds a significant element to the landscape scale and character.
- 5.23 The guidelines for managing landscape change specific to this Area of Distinctive Character include promoting the use of local vernacular materials.
- 5.24 At a more local level, the sense of place is defined by the rural farming character, fields and open fell with limestone outcrops and the recent addition of modern farm buildings.
- 5.25 The application site is located within the Windermere Valley as described within the Lake District National Park World Heritage Site Nomination Document. The application site is within a component attribute (agriculture) of the Outstanding Universal Value, contributing to the Special Qualities of the Lake District National Park World Heritage Site.
- 5.26 The application site comprises an area of flat pastureland surrounded by undulating pastoral land comprising rocky outcrops with Smithy Lane (public road) beyond to the north, Woodside Road (public road) to the east and modern agricultural buildings and Smithy Lane (public road) beyond to the west. The nearest buildings comprise the modern agricultural buildings approximately 50m to the west and buildings of local vernacular,

including Low Birks Barn, Low Birks Cottage and Low Birks located approximately 300m to the south-east of the application site.

- 5.27 The application site is glimpsed in public view from the surrounding public roads; from Woodside Road when passing the entrance to the site and through vegetation along the Smithy Lane to the west which lies in an elevated position. The site is presently seen as part infrastructure (access track) and pastureland associated with the agricultural buildings.
- 5.28 The proposed dwelling would be set back approximately 45m from Woodside Road. The form of the proposed dwelling is a simple rectangular shape. The size of the proposed dwelling would not be unduly large in its context. The proposed rendered finish with stone sections and a slate roof would reflect the local vernacular.
- 5.29 I raised concerns about the number of windows indicated on the proposed dwelling originally in respect of light pollution. In response the applicant has reduced the number of windows from four to two on the eastern gable end and the pergola has been repositioned to a central position over the ground-floor patio door and a lantern light removed.
- 5.30 The proposed dwelling would be partially screened from close public views and wider landscape views by the surrounding land levels and the rocky outcrops. Where the proposed dwelling is visible from the surrounding roads, the relationship between the existing farm infrastructure (access), farm buildings and the farmhouse would be noted and in wider landscape views, the building materials of local vernacular would contribute to the landscape character. Due to the enclosed nature of the site, surrounded by undulating land and limestone outcrops, I do not consider that the proposal would cause any unacceptable light pollution in the wider landscape.
- 5.31 I have recommended a condition requiring details of the hard and soft landscaping because limited details have been provided in respect of the car parking area and boundary fencing in the interests of visual amenity.
- 5.32 In view of the above, I am satisfied that the development proposed is acceptable in respect of character and appearance of the area and the attributes of the World Heritage Site, and that it satisfies the requirements of Local Plan Policies 01, 02, 05, 06, 07, the Design Code SPD and the NPPF.

Impact on the amenity of neighbours

- 5.33 The nearest residential properties to the application site are Low Birks Barn, Low Birks Cottage and Low Birks, located approximately 300m to the south-east of the application site. Given the distance between the proposed dwelling and the neighbouring dwellings, the development would not cause any adverse impact on the amenity of those dwellings.
- 5.34 The proposed dwelling is located a sufficient distance from the agricultural buildings to ensure that a high standard of amenity for existing and future

users of the building would be maintained. In any case, as an agricultural workers' dwelling, occupants will be aware of the agricultural practice carried out on the immediately surrounding land.

- 5.35 In view of the above, the proposed 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.

Highway safety

- 5.36 The proposed dwelling would share the existing access that presently serves the existing farm buildings. The Local Highway Authority is satisfied that the existing access and the visibility splays are acceptable to accommodate the vehicle movements arising from the proposed development.
- 5.38 A car parking area is proposed to the west side of the proposed dwelling. Appendix 1 of The Cumbria Development Design Guide states that five-bedroom dwellings should have 3 parking spaces per unit. I am satisfied that the size of the proposed parking area would be able to accommodate three parked cars. There is also ample space on the wider farm premises for vehicle parking.
- 5.39 In view of the above, I am satisfied that the proposed development would not be detrimental to highway safety, satisfying the requirements of Local Plan Policy 06 and the NPPF.

Pollution control

- 5.40 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.
- 5.41 In this case it is reasonable to conclude that the discharge from the proposed package treatment plant will be satisfactorily regulated by the pollution control regime.

6 Conclusion

- 6.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 03, 05, 06, 07, 15 and 20, the Design Code SPD, the Housing 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:
- Drawing no's D.01a, D.02a, D.03a, D.07a and D.08
 - Design, heritage and access statement
 - Document titled Further justification in relation to design and scale
 - Agricultural Appraisal

REASON: For the avoidance of doubt.

- 3 The dwellinghouse hereby permitted shall not be occupied otherwise than by:

a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and any resident dependants of such a person living with him or her;

REASON: In accordance with Policy 15 of the Lake District National Park Local Plan 2020-2035, the Housing Supplementary Planning Document May 2021 and the National Planning Policy Framework.

- 4 Not later than 12 months from the substantial completion of the development, landscaping of the site shall be undertaken in accordance with the details of a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The said scheme shall include details of hard and soft landscaping proposals and boundary treatments.

Any trees or plants which, within a period of five years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation.

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

- 5 Prior to the first use of the development hereby permitted, the solar panels as shown on drawing no. D.03a shall be installed and shall be operational. Thereafter the solar panels shall be retained and maintained as operational.

REASON: In the interests of increasing the proportion of energy generated through renewable and low carbon sources in accordance with Policy 20 (Renewable and Low Carbon Energy) of the Lake District National Park Local Plan 2020-2035.

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 accepting design changes.

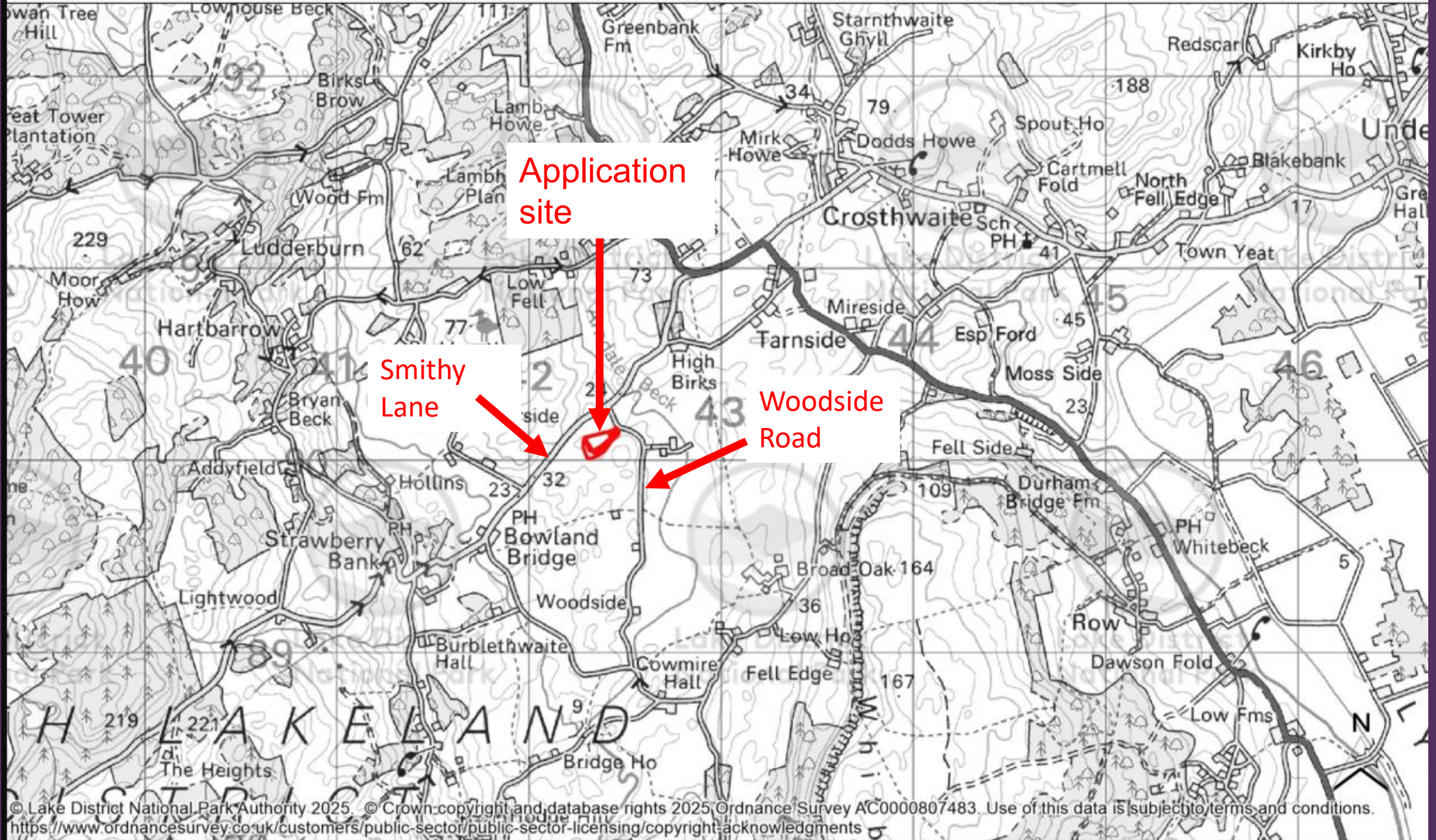
Background papers

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.

7/2025/5331

Land off Woodside Road, Crosthwaite, Kendal

Erection of a self-build agricultural worker's dwelling



Produced by Emma Kearsey for Development Control Committee planning presentation only.

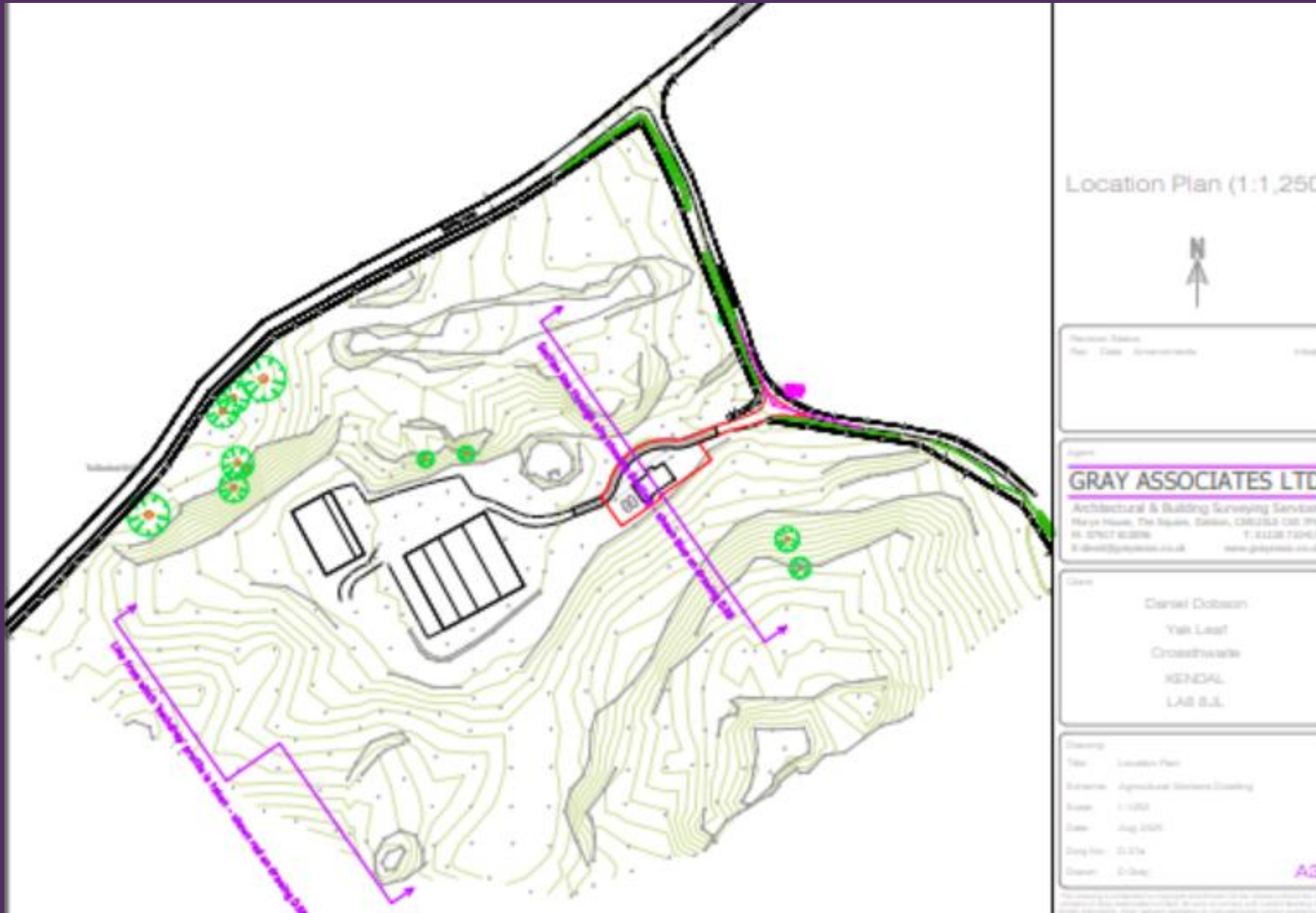
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Lake District
National Park Authority

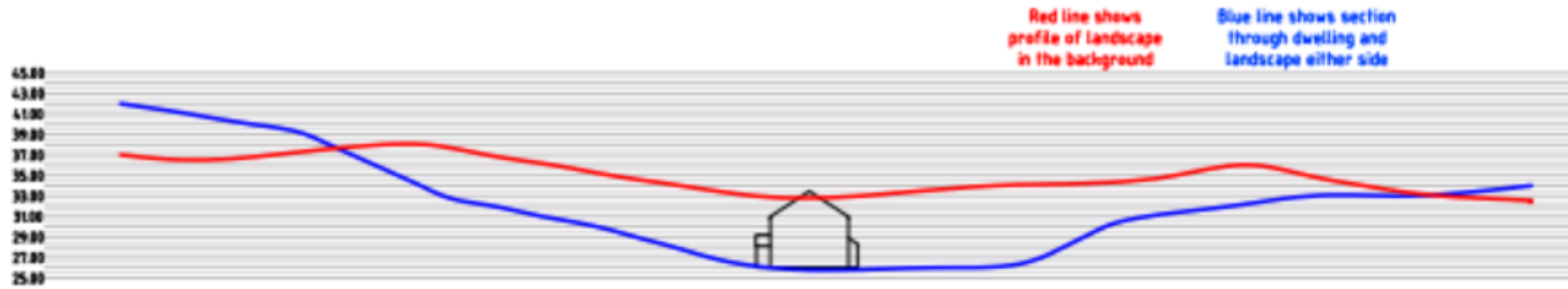




Proposed dwelling



Proposed site section



LINEAR SCALE 1:500



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Agent

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Client

Daniel Dobson
Yak Leaf
Crossthwaite
KENDAL
LAB BJL

Drawing

Title: Site Section Detail
Scheme: Agricultural Workers Dwelling
Scale: 1:500
Date: Aug 2025
Dwg No: 0.08
Drawn: D Gray

Acti
Go to
A3

Proposed elevations



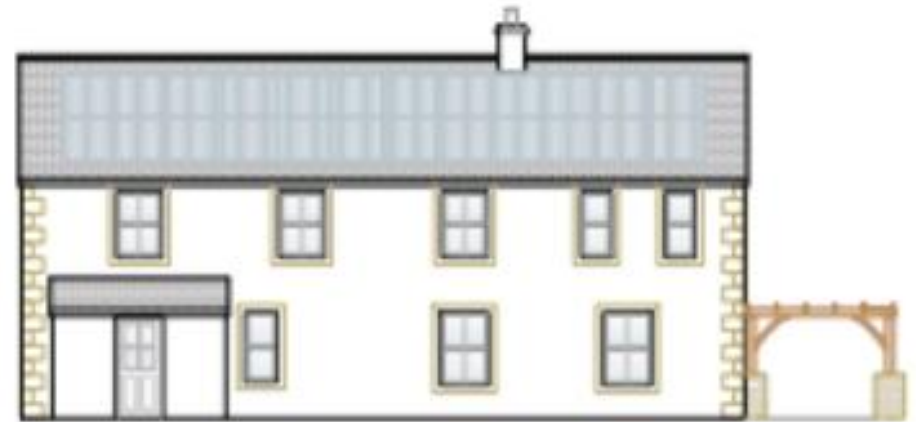
PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION



Linear Scale 1:100

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Client
Daniel Dobson
Yak Leaf
Crossfwaite
KENDAL
LAB 5/5

Drawing
Title Proposed Elevations
Scheme Agricultural Workers Dwelling
Scale 1:100
Date Aug 2020
Design 0/100
Drawn 0/100



GROUND FLOOR PLAN



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Client
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Drawing
 Title: Proposed Ground Floor Plan
 Reference: Agricultural Workers' Housing
 Scale: 1:50
 Date: Aug 2024
 Designer: J.D.G.
 Drafter: J.D.G.



FIRST FLOOR PLAN



Project:
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Client:
 Daniel Oubson
 Yak Leaf
 Crosshwaite
 KENDAL
 LAB 5.5.

Drawing:
 Title: Proposed First Floor Plan
 Scheme: Agricultural Workers' Dwellings
 Scale: 1:50
 Date: Aug 2025
 Designer: G. Ouse
 Drawn: G. Ouse