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Report from the Head of Development Management to Development Control Committee

Application number: 7/2026/2100

Application type: Full Planning application

Applicant: Mr Charlie Shepherd, The Ramblers Association

Location: Gordon Walker Chalet, Stair, Portinscale, Keswick, CA12 5UF

Grid reference: 323743, 521201

Proposal: Demolition of existing single storey chalet and construction of a new two storey timber chalet and associated level access works including the provision of a new disabled parking bay

Report prepared by: Abigail Holt, 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 This application is being reported to Committee because the recommendation of approval is contrary to the objection from Above Derwent Parish Council.
- 2.2 Gordon Walker Chalet is a detached single-storey chalet/bunkhouse owned by the Ramblers Association, located in Stair.
- 2.3 This application seeks permission for the demolition of the existing single storey chalet and construction of a new two storey timber chalet and associated level access works, including the provision of a new disabled parking bay.
- 2.4 The proposed building would accommodate the same number of users; however, the internal layout would be altered to improve flexibility, inclusion and viability.

3 Representations

- 3.1 Above Derwent Parish Council have objected to the application, stating the following:

- Whilst we recognise the need to upgrade the existing building it should not be at the expense of the removal of trees. The proposal for the upper floor would not be in keeping and would be highly visible compared with existing building.
- 3.2 Local Highway Authority and Lead Local Flood Authority: As this falls under our Service Level Agreement (SLA), this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement. The highway and drainage implications of this application can therefore be decided by the Local Planning Authority
- 3.3 One letter of representation have been received, which objects to the proposal on the basis of overdominance, stating that there are no two storey buildings on that side of the road.

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 18: Sustainable tourism and holiday accommodation
 - Policy 20: Renewable and low carbon energy
-
- Design Code Supplementary Planning Document

4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.

4.4 There is no community plan in this area.

5 Main issues and assessment

5.1 The main issues in this assessment are:

- Principle
- Character and appearance of the area
- Amenity
- Protected species
- Biodiversity net gain
- Habitat Regulations Assessment (nutrient neutrality)
- Trees

Principle

5.2 The application site is located within the open countryside, where Lake District Local Plan Policy 02 states that development will only be permitted in certain circumstances, including an appropriate extension, or reuse of an existing building.

5.3 The existing building is utilised as short-term holiday accommodation, accommodating 16 persons within two dormitory-style bunk rooms. The proposals relate solely to the physical appearance and internal layout of the building and would not result in a change of use. The application would replace the existing chalet in the same location and therefore would not amount to the creation of a new site of holiday accommodation within the open countryside.

5.4 Policy 18 relates to the provision of holiday accommodation, and is generally supportive of proposals which enhance and improve the quality of visitor

experiences. It states that proposals for holiday accommodation, including lodges and huts, 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 As established above, the development would take place on an existing site of holiday accommodation. The landscape impacts of the development, including the provision of additional screening will be considered in the relevant sections below.

5.6 Overall, I consider the proposals would help sustain an existing business in accordance with the Local Plan's Policy 02 (Spatial strategy) and Policy 18 (sustainable tourism and holiday accommodation) and are acceptable in principle.

Character and appearance of the area

5.7 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.

5.8 The Environment Act 1995 sets out two statutory purposes of National Parks: to conserve and enhance the natural beauty, wildlife and cultural heritage; and to promote opportunities for the understanding and enjoyment of the special

qualities of national parks by the public. Section 11A(1A) of The National Parks and Access to the Countryside Act 1949 states if in exercising our functions so as to affect land within the National Park it appears that there is a conflict between those purposes, we must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park (the 'Sandford Principle').

- 5.9 Policy 01 requires all development to protect or enhance the authenticity, integrity and significance of the Lake District. This is mirrored by Policy 05 where development should be of a type, design, scale and level of activity that maintains local distinctiveness and sense of place.
- 5.10 Policy 06 states that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials. Policy 18 requires the site to be well screened and consistent with the landscape character.
- 5.11 The application site consists of an existing, single-storey chalet/bunkhouse constructed of vertical timber cladding and a shallow pitched felt roof with timber windows and doors. The building accommodates up to 16 persons, comprising two dormitory-style bunk rooms with shared facilities. It is understood that the building has been in continuous use as visitor accommodation since its construction in 1962; however, it is now in a poor condition. It has a simple, utilitarian design that appears relatively inconspicuous within the landscape, being partially screened from the roadside by hedges and trees.
- 5.12 It is proposed that the existing building be demolished, and a replacement, two-storey building be built. The new building would have a larger footprint of approximately 150m² and would be constructed of horizontal timber cladding and a pitched slate roof with powder coated aluminium windows and doors. Although the overall scale and massing of the building would increase, there would be no increase in the number of users that could be accommodated. The internal layout would instead be altered to include seven two-person ensuite bedrooms and one two-person accessible bedroom.

- 5.13 The proposed structure would have an increased visibility from the roadside due to its larger scale; however, wider views within the landscape would be limited. I consider that the proposed materials, including the introduction of a slate roof, would result in a higher quality design in comparison to the existing building. Whilst surrounding buildings are generally traditional in nature, there are also various timber outbuildings and a gas tank associated with Newlands Adventure Centre, as well as a neighbouring car parking area, all of which are relatively utilitarian in appearance.
- 5.14 I consider that the increased scale and massing of the proposed timber building would have some impact upon the character of the area. This would result in some small level of harm to the natural beauty of the area from a development which promotes opportunities for recreation in the countryside, meaning the 'Sandford Principle' must be engaged with. Given the assessment above, I am satisfied that the overall appearance of the building would on balance be acceptable within the landscape, and that the benefits of providing an improved visitor accommodation, in promoting opportunities for recreation in the countryside, would outweigh any harm to the natural beauty of the area, even giving greater weight to those factors. I do, however, consider a condition necessary to secure the timber cladding in a recessive colour.
- 5.15 Solar panels are proposed on the roof of the west elevation roof of the building. Policy 20 gives support to proposals for renewable and low carbon energy installations where the development would be compatible with the existing landscape character. These would be visible from the road; however, I consider that they would not have any adverse impact upon the local character of the area.
- 5.16 The application also proposes the formalisation of the existing gravel parking area to the north of the building. The proposed parking area would be constructed of permeable paving, with designated car parking spaces including a disabled space. I am satisfied that this alteration would be minimal in scale and acceptable.

5.17 Overall, the application complies with the aims of policy 18. Although the proposed screening of the site would be marginally worse as a result of the removal of two trees and the increased scale of the building, I am satisfied that it remains acceptable given the context of the site, as outlined above. Improvements in screening are therefore considered unnecessary within this context.

5.18 I am satisfied that as amended, the proposed development would not detract from the character and appearance of the area and satisfies the requirements of Local Plan Policies 01, 02, 05, 06, 18, 20, the Lake District Design Code, and the NPPF.

Amenity

5.19 There is a terraced row of cottages to the northwest of the site, with Newlands Adventure Centre sitting 44m to the west. The proposed building would be of a larger scale; however, it would accommodate the same number of users and therefore would not result in any increased activity associated with its use as short-term visitor accommodation. Given its positioning, boundary hedging, and separation distance from neighbouring dwellings, I am satisfied that the development would not have an unacceptable impact on amenity due to visual intrusion or overlooking.

5.20 The development is acceptable in terms of impact on amenity and satisfies the requirements of Local Plan Policy 06 and the NPPF.

Protected species

5.21 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. The survey found no evidence of bats using the site, and very limited roosting potential. As such the

development is considered of low risk in respect of protected species, satisfying the requirements of the NPPF and Local Plan Policy 04.

Biodiversity net gain

- 5.22 The development proposed is subject to the legal requirement to demonstrate BNG. Should permission be granted it will be subject to the mandatory BNG condition and the biodiversity net gain plan would need to be submitted and approved prior to the commencement of development. An informative should be attached to the decision notice accordingly.
- 5.23 I do not consider that the proposed gains are significant and therefore a condition to secure the gains for a minimum period of 30 years is not required.

Habitat Regulations Assessment (nutrient neutrality)

- 5.24 The application site lies within the catchment of the River Derwent and Bassenthwaite Lake Special Area of Conservation (the catchment of Bassenthwaite Lake / River Derwent and Tributaries Site of Special Scientific Interest unit 1) as identified by Natural England as a European protected site requiring nutrient neutrality strategic solutions.
- 5.25 We are required as the Competent Authority under the Conservation of Habitats and Species Regulations 2017 (Regulation 63) to carefully consider the nutrients impacts of any new development proposals on habitats sites to avoid adverse effects occurring as a result of the release of nutrients into this catchment.
- 5.26 The proposed development would result in the same occupancy rate as existing, with 16 bed spaces being provided. There would be no change of use of the land. Foul drainage would connect to the existing package treatment plant. As such, although there would be additional WC facilities within the new chalet, I am satisfied that there would be no increased phosphorous load.

5.27 Having regard to the nature and scale of the proposals as well as the details submitted as part of the application it can be concluded that the proposed development is unlikely to generate additional wastewater from overnight use. It is therefore 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.

Trees

5.28 The applicant has submitted an arboricultural report which identifies six trees, two groups, and one hedge on site. T2 and G1, which are both category C, are proposed to be removed to allow for the development to occur. Due to the potential contribution of the trees to amenity value of the area, as well as the concerns raised by the parish council, the Trees and Woodland Officer has been consulted.

5.29 Whilst the trees do provide some contribution to the amenity of the area, this is considered to be limited in comparison to other, larger trees outside of the application site. T2 is an attractive tree at the mid-stage of its life; however, it is positioned very close to the existing structure. It is therefore considered appropriate to remove the tree and replace it as part of the proposed biodiversity net gain. G1 is a group of mixed Cypress type trees. These are poor examples of their species, have low value for other wildlife, and have the potential to outgrow their situation. Their removal and replacement as part of the proposed biodiversity net gain is therefore considered a positive outcome.

5.30 To avoid potential harm to the remaining trees arising from development activities, the submitted arboricultural report outlines appropriate construction methods. Subject to a condition requiring compliance with the arboricultural report, I am satisfied that the proposed development is acceptable in relation to its impact on trees and satisfies the requirements of Local Plan Policies 04 and 05.

6 Conditions

- 6.1 A standard time limit requiring development commence within three years is imposed in accordance with section 91 of the Act. A condition requiring the development to be carried out in accordance with the plans and details which form part of the planning permission is also necessary for the avoidance of doubt. As discussed above, a condition is required to secure the colour of the timber cladding, and to ensure compliance with the submitted arboricultural report. Additionally, I consider a condition is required to restrict the use of the building to short-term holiday accommodation as existing, for the avoidance of doubt. A biodiversity net gain condition is not required, as the matter would be addressed by “the biodiversity gain condition” outlined within the informative.

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, 18, and 20) 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:

REASON: For the avoidance of doubt.

- 3 The development hereby permitted shall not be undertaken other than strictly in accordance with the mitigation and compensation strategy detailed in section 5 of the submitted Arboricultural Impact Assessment and the Tree Protection Plan.

REASON: To minimise the risk of damage to the remaining trees on site in accordance with Policy 04 and 05 of the Lake District National Park Local Plan 2020-2035.

- 4 Prior to the first use of the development, details of the following shall be submitted to the Local Planning Authority for approval:

- i) colour and finish of the proposed timber cladding on the walls of the development hereby permitted

Thereafter the works shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory standard of appearance of the development in accordance with Policies 01 and 06 of the Lake District National Park Local Plan 2020-2035.

- 5 The accommodation hereby permitted shall only be occupied for the purposes of short-term holiday letting, and shall not be occupied by any one individual, family or group for a period exceeding 35 days in any calendar year.

A register of occupants shall be maintained by the owner, the content of which shall be provided to the Local Planning Authority within 14 days of a written request by the Local Planning Authority.

REASON: To ensure that the accommodation hereby permitted is secured as short-term holiday accommodation in accordance with Policy 18 of the Lake District National Park Local Plan 2020-2035.

NPPF decision notice requirements

INFORMATIVE - Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

Certain permissions are exempted by The Biodiversity Gain Requirements (Exemptions) Regulations 2024, but based on the information available this permission is considered not to be exempt so the biodiversity gain condition DOES apply. The approval of a biodiversity gain plan WILL therefore be required before development is begun, unless it can be demonstrated that the development benefits from a statutory exemption.

In summary: A biodiversity gain plan is required to be submitted to, and approved by, the planning authority before development may be begun.

Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 35(2) statement

The Local Planning Authority did not identify problems arising in relation to dealing with the application.

Background papers

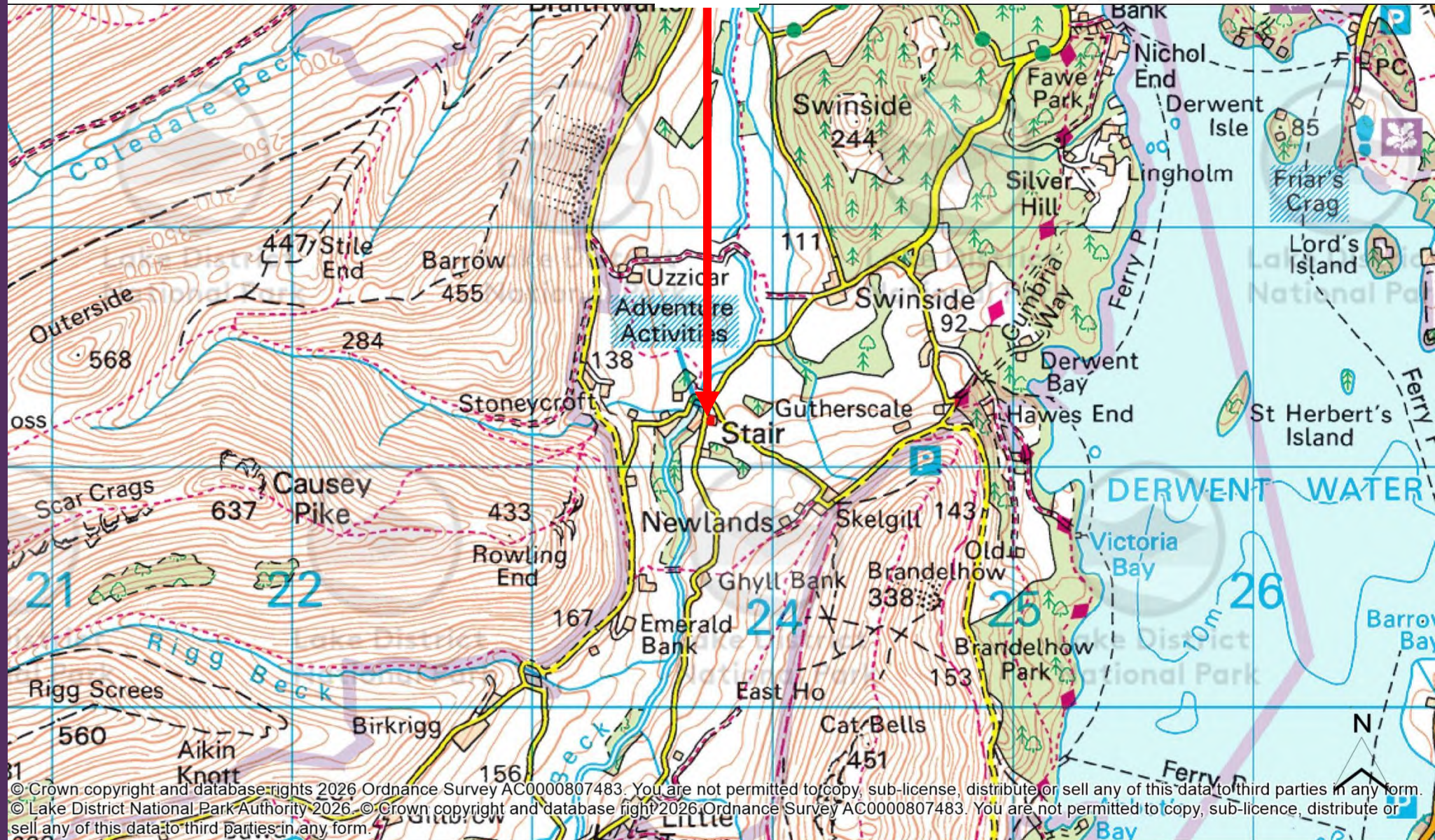
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2026/2100

Gordon Walker Chalet, Stair, Portinscale, Keswick,
CA12 5UF

Demolition of existing single storey chalet and
construction of a new two storey timber chalet and
associated level access works including the
provision of a new disabled parking bay

Site



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Lake District
National Park Authority

Site



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Existing Site Plan



The drawing is a detailed site layout for a proposed building and its surroundings. The building footprint is shown in yellow, with internal room divisions and a central staircase. To the left of the building is an 'ASHP' (Air Source Heat Pump) and a 'pole'. A 'low retaining wall with guarding above' runs along the bottom left. A 'gate' is located at the bottom center, leading to a 'Highway'. To the right of the building is a 'carparking' area with 'EV charger' stations, a 'tree to be removed', and 'permeable paving'. A 'Disabled parking' area is also indicated. A 'gate' is located at the bottom right. The drawing includes a north arrow, a scale bar (1m to 10m), and a revision table.

REVISIONS			
Revision	Issued by	Description	Date
A	NR	Planning Submission	220526

YAM Architects
 Penrith I Cumbria
 Tel 01768 838113
 project title
 Replacement Gordon Walker
 Chalet, Stair
 drawing title
 Proposed Site Layout
 Issue Stage
 PL
 Date 22/01/2026 Drawn By NR Scale @ A3
 Drawing number: 26503- PL- 201- A

REVISIONS			
Revision	Issued by	Description	Date
A	NR	Planning Submission	220526

YAM
Architects

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project title
Replacement Gordon Walker
Chalet, Stair

drawing title
Proposed Site Layout

Issue Stage
PL

Date _____ Drawn By _____ Scale @ A3

22/01/2026 NR 1 : 100

26503- PL- 201- A



Proposed Floor Plan



REVISIONS			
Revision	Issued by	Description	Date

Existing Elevations



2 Existing East Elevation
1 : 100



1 Existing North Elevation
1 : 100

YAM
Architects



1 Existing West Elevation
1 : 100



2 Existing South Elevation
1 : 100

YAM
Architects
Penrith 1 Cumbria
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Proposed Elevations



1 Proposed North Elevation
1 : 100



2 Proposed East Elevation
1 : 100

YAM
Architects



1 Proposed South Elevation
1 : 100



2 Proposed West Elevation
1 : 100

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Penrith | Cumbria

Site















Site

Adjacent
to site



Proposed Elevations



1 Proposed North Elevation
1 : 100



2 Proposed East Elevation
1 : 100

YAM
Architects



1 Proposed South Elevation
1 : 100



2 Proposed West Elevation
1 : 100

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