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Report from the Head of Development Management to Development Control Committee

Application number: 7/2025/5708

Application type: Full Planning application

Applicant: Mr Philip Ward

Location: Levens Farm, Staveley in Cartmel, Ulverston, LA12 8NH

Grid reference: 337823, 486381

Proposal: Construction of 3 buildings for agricultural storage and maintenance, plus surrounding compound fence, plus a trailer store for ancillary agricultural trailers, for land maintenance, with an earth bunding surround (Part Retrospective)

Report prepared by: Ben Long, Area Planner

Report agreed by: Neil Henderson, Planning Manager

Recommendation: REFUSE

1 About this report

1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.

1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site

specific factors, or Government planning policy (the National Planning Policy Framework) and Government planning guidance (the National Planning Practice Guidance).

- 1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan, representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.
- 1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

2 Background and proposals

- 2.1 I am reporting this application to Committee at the request of a Member of the Development Control Committee.
- 2.2 Levens Farm is the name given to a recently completed dwelling in Staveley In Cartmel and the 3.4ha of contiguous agricultural land in the same ownership running down to the A592.
- 2.3 Within the 3.4ha of land about midway between the house and the A592, adjacent to a stone boundary wall marking the northern boundary of the land, buildings/structures have been or are in the process of being constructed. The buildings comprise:
 - Building 1: An open fronted store with a shallow mono pitch roof, 2.2m tall.

- Building 2: A flat roofed, rendered walled, enclosed building entered by a couple of steps down, described as an agricultural workshop, 1.8m tall.
 - Building 3: An open fronted flat roofed workshop, 2.1m tall.
 - An area of decking, described as dry storage; and
 - Building 4: A bunded green (sedum) flat roofed trailer store (under construction).
- 2.4 Buildings 1-3 and the area of decking sit within a fenced enclosure, about 2m in height. At the time of my visit, other vehicles: a tractor and Land Rover, were parked adjacent to the buildings.
- 2.5 The application originally included a proposal to provide external lighting (on a PIR basis) that has since been removed.
- 2.6 The application supporting information states:

A justification of the need for the buildings is discussed, with a resume of the purpose of the buildings and the inclusion of a 'Whole Estates Plan', taking into account the wider land ownership and its current and future management. Although, such a plan, is probably aimed at larger estates, the wording of this section does not specify any minimum size, and as the size of the land ownership is relatively small, it is considered to still be of importance for any such assessment, as the land is managed, and the proposal serves to address how such maintenance equipment can be stored appropriately.

Whole Estates Plan

The land ownership is around 3.4 hectares of land, and the applicant resides at Levens Farm, around 200m to the south-east of the proposal site.

The land comprises of two main fields, which are partly retained as grassland meadow, although periodic grazing of sheep is permitted , and a hay crop is attained in the summer months.

The land needs regular maintenance and benefits from seasonal mowing and grass management, so as to allow certain areas of the land to mature and grow to seed occasionally, as wildlife meadow. This serves to boost the biodiversity of the land, through regular re-wilding projects, involving the planting of indigenous trees, particularly towards the eastern end of the land, where the topography limits the opportunity for the mowing of grass.

Although the applicant does not, at present, own any livestock, agreements with local farmers allow for periodic grazing on parts of the land.

The proposal site comprises of a fenced-in compound to offer some security protection from opportunist crime in this rural area.

The three sheds are used for maintenance storage and repairs to such relevant agricultural equipment, and also an adjacent storage area of trailers – this is expanded on later in the Design section of this Statement.

The management of the land requires such facilities, as there are no existing storage areas that could be used for such purpose, in and around Levens Farm.

3 Representations

- 3.1 Staveley in Cartmel Parish Council object to the application, commenting:

There has been no evidence of agricultural activity evident on this site since it changed ownership in 2019. No animals have been there, and

the only activity of any sort has been the annual employment of an outside contractor to cut the grass. On this basis there is no requirement for storage sheds for machinery or maintenance.

This development will result in a material change of use of an agricultural field. The land is open countryside where development is only allowed as an exception. The absence of any credible evidence of any past or future intended agricultural activity questions the purpose behind this application. Furthermore, being in the centre of a piece of agricultural land, the intended planned location of these buildings is totally intrusive and very visible.

The Parish Council are also concerned about a track across the fields and access onto/off the A592 that does not form part of this application. The Council's concerns in this respect include highway safety and flood risk.

- 3.2 Westmorland and Furness Council as Local Highway Authority and lead Local Flood Authority have no objections.
- 3.3 At the time of writing we had received no representations in response to the site notices posted.

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 03: Development and flooding

- Policy 04: Biodiversity and geodiversity
 - Policy 05: Protecting the spectacular landscape
 - Policy 06: Design and development
 - Policy 07: Historic environment
 - Policy 19: Agricultural and land based rural business diversification
 - Policy 28: Minerals safeguarding areas
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- Landscape Character Assessment Supplementary Planning Document
 - Biodiversity Supplementary Planning Document
- 4.3 The National Planning Policy Framework (NPPF) is a material consideration in the determination of planning applications.

5 Main issues and assessment

- 5.1 The main issues are:
- The principle of the development
 - Impact on the character and appearance of the area

The principle of the development

- 5.2 The land in question lies outside of the residential curtilage of the dwelling known as Levens Farm and has a lawful planning use for agriculture. I consider that the land lies within the open countryside for the purposes of applying planning policy.
- 5.3 Policy 02 will only support development in the open countryside is defined circumstances including where the development has
- an essential need for a rural location, or
 - that it helps to sustain an existing business, or
 - that it is necessary for and designed to support agricultural or forestry use.

- 5.4 The use of the land at present appears to be a mixture of agriculture, management for wildlife, and for amenity. There is no agricultural business operating, but some agricultural uses do take place: taking a crop from the meadows and grazing by livestock belonging to other parties.
- 5.5 The amount of land is small and the intensity of agricultural and management use appears to be limited. It is therefore difficult to understand why buildings of this number and type are necessary. Cropping of the land would require machinery that is not currently present at the site and could not be accommodated within the buildings. Stock is said to belong to other farmers. I would expect that the agricultural management needs of the site could readily be met by contractors or by other more informal arrangements, rather than justifying new development of this type in the open countryside.
- 5.6 I consider therefore that the development does not satisfy the requirements for support in principle for new development in the countryside set out in Policy 02 of the Local Plan, in particular with regard to being necessary for agriculture or forestry.
- 5.7 The application seeks to gain support from Policy 19 of the Local Plan by the submission of a section within the accompanying planning statement labelled as a 'Whole Estate Plan'.
- 5.8 The Glossary to the Local Plan describes a Whole Estate Plan as;
A document prepared by individual landowning estates. They set out the assets of the estate and the opportunities and threats which the estate may encounter, and describe their plans for the future. A Whole Estate Plan will be based on public engagement and evidence.
- 5.9 I recognise that the Local Plan does not define a minimum size for a privately managed estate. However, the submitted document does not

satisfy the description in the Glossary, in particular with regard to opportunities and threats, and to public engagement and evidence. Furthermore, Policy 19 relates to diversification proposals rather than the day-to-day operation of the 'estate' and requires the Whole Estate Plan to be 'endorsed'. The submitted Whole Estate Plan has not been endorsed and I therefore consider that it would not be appropriate to afford it any weight.

Impact on the character and appearance of the area

- 5.10 The importance of the National Park landscape is established through statute and legal duty, Development Plan policy and national planning policy as a material consideration.
- 5.11 The statutory purposes of National Parks are of conserving and enhancing the natural beauty, wildlife and cultural heritage and of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. (National Parks and Access to the Countryside Act 1949).
- 5.12 The Development Plan reflects the legal framework and affords great weight to the conservation and enhancement of the natural beauty and landscape of the National Park. Local Plan Policy 01 indicates that development proposals will only be supported where they are consistent with National Park purposes and duty and that they conserve and enhance the special qualities of the Lake District National Park. Policy 05 expects that 'the type, design, scale and level of activity maintains local distinctiveness, sense of place and, where appropriate, tranquillity' and seeks to 'ensure the highest level of protection is given to the landscape'. Policy 02 similarly expects development to be (amongst other things) "of a scale and nature appropriate to the character and function of the location in which it is proposed" and Policy 06 requires development to 'be inspired by the natural environment and use innovative design and local materials to reflect local distinctiveness'.

5.13 The National Planning Policy Framework (para 189) 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. When considering the effect of development on landscape character and visual amenity we use the Landscape Character Assessment (LCA) for the Lake District that has been adopted as a Supplementary Planning Document.

5.14 In the Landscape Character Assessment SPD the land lies within Area 65: Backbarrow and Bigland. The distinctive characteristics of the area include:

- *Combination of industrial valley and extensive allotment landscape of large fields of improved grassland or woodland;*
- *Intimate small-scale rolling landscape characterised by a patchwork of different habitats, offering variety and diversity, including woodland, scrub, pasture, wetlands, tarns and streams;*

5.15 It is immediately adjacent to, and possibly has more in common with, the adjacent area 49: Lower Windermere. The distinctive characteristics of that area include:

- *Southern half of Windermere lake, studded with islands, with its extensive semi-natural woodland right down to the lake shores, punctuated by scattered large residences, provides a strong sense of enclosure;*
- *Set back from the immediate lakeshore to the east and west on rising ground are wooded and open rocky knolls.*

5.16 The settlement of Staveley in Cartmel sits at the foot of the wooded slopes to the east. The land then falls more gently as meadows with occasional trees and rocky knolls, towards the lake to the west. The

application site lies within this lower area, with a loose line of trees running north-south.

- 5.17 This lower area is marked by a notable absence of buildings. The character is dominated by the gently undulating pasture land featuring walls, hedges and trees, but otherwise flowing uninterrupted.
- 5.18 In landscape terms the proposed development would result in a small loss of pasture. In visual terms, seen in particular from the settlement, the development, while relatively low lying and having some existing and proposed screening, appears as a small but discordant feature in the landscape. The buildings are utilitarian and do not contribute anything positive to the character and appearance of the area.
- 5.19 I consider that the development is not acceptable in terms of its impact on the character and appearance of the area and that it fails to satisfy the requirements of Local Plan Policies 01, 02, 05, 06, and the NPPF.

World Heritage Site considerations

- 5.20 Paragraph 202 of the National Planning Policy Framework states:
Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 5.21 In this case the development represents a very small loss of inbye land (WHS attribute of a distinct agro pastoral system, legible in the field systems) as a result of the erection of the buildings and the associated compound. We have concluded above that the development has an adverse effect on the visual amenity of the Lake District landscape. This translates into harm to the WHS attribute of extraordinary beauty and

harmony, contrary to policy 07 of the Local Plan. The level of effect is less than substantial (NPPF para 215).

Biodiversity Net Gain (BNG)

- 5.22 As the development for which planning permission is sought is retrospective there is currently no mandatory requirement to demonstrate 10% BNG. However, our Local Plan Policy 04 in combination with our Biodiversity Supplementary Planning Document requires equivalent BNG for retrospective applications.
- 5.23 On site mitigation is described in the application in the form of 30 native trees that have been planted in the last year, with the balance of any gain required to be achieved by upgrading of grassland or the purchasing of off-site credits.
- 5.24 I consider that the proposed gains are significant and therefore if the application were to be approved a condition to secure the gains for a minimum period of 30 years would be required.

Intentional unauthorised development

- 5.25 A planning policy statement on Green Belt Protection and Intentional Unauthorised Development came into force at the end of August 2015. This makes intentional unauthorised development a material consideration in the determination of planning applications. There is no guidance or definition of "intentional unauthorised development". Because it is impossible to know what was in a particular person's mind at a particular moment in time, we must construct a picture and reach a view of the weight to be attributed to this issue, based on the information and evidence available around any individual retrospective case.
- 5.26 In this case the applicants have made an application for the development once the need for permission had been made clear to

them. I have no information that would demonstrate that the development was carried out without planning permission intentionally. I consider that additional weight should not be added as a result.

Access track

5.27 The issue of the access track has been raised by Staveley in Cartmel Parish Council with concerns relating to highway safety and flood risk. Prior to the development taking place there were already access points serving the land from the village side and from the A592. The access track does not form part of this application, and I consider that the development would not result in any material intensification of the use of the access points or increase the risk of flooding.

6. Conclusion

6.1 The development is located in the open countryside of the Lake District National Park that has the highest status of protection in terms of landscape and scenic beauty. Local Plan policy necessarily sets a high bar for new development to be undertaken in open countryside locations. In this case I consider that the development, albeit small in scale, is not necessary to support agricultural or forestry uses and causes demonstrable harm to the landscape, visual amenity and cultural heritage of the National Park and WHS. The development is therefore considered to be unacceptable and contrary to Policies 01, 02, 05, 06 and 07 of the Lake District National Park Local Plan and other material considerations (including the provisions of the NPPF).

Recommendation: REFUSE

Conditions/Reasons

1 The development has not been demonstrated to be necessary for agricultural or forestry uses. As such the development does not satisfy

the requirements for support in principle for new development in the countryside of the Lake District National Park and is therefore contrary to Policy 02 of the Lake District National Park Local Plan (2020-2035).

- 2 The development forms an intrusion into the unpoiled pastoral landscape of this part of the Lake District National Park. The buildings and associated structures do not conserve or enhance the character of the area, but rather detract from the visual amenity of this location. The development results in a less than substantial effect on the attributes of Outstanding Universal Value of the English Lake District World Heritage Site relating to the agro pastoral system and extraordinary beauty. The development is therefore contrary to policies 01, 02, 05, 06 and 07 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 providing advice prior to the submission of the application, seeking amendments and liaising with the agent regarding process and progress.

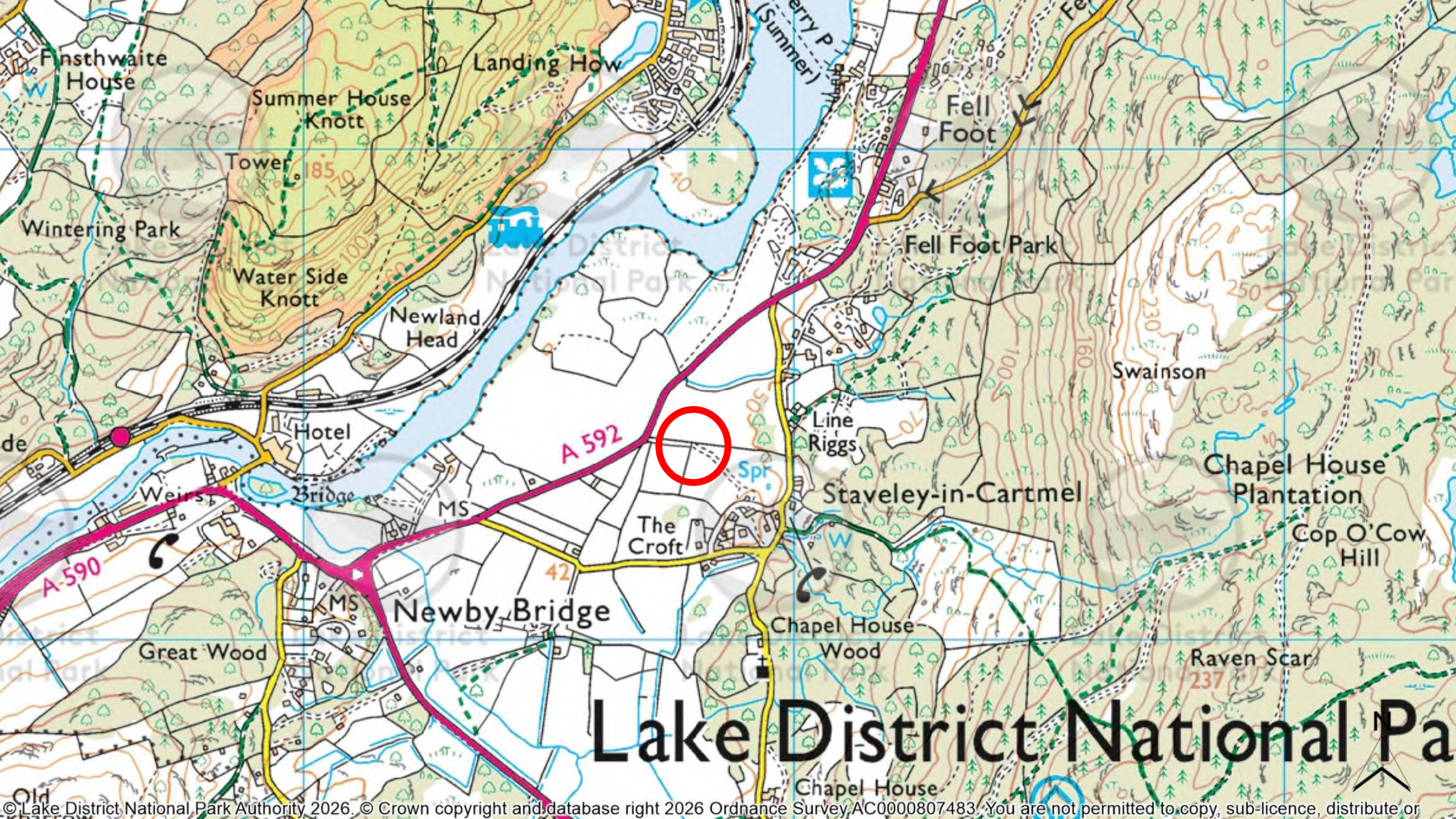
Background papers

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.

7/2025/5708

Levens Farm, Staveley in Cartmel, Ulverston, LA12 8NH

Construction of 3 buildings for agricultural storage and maintenance, plus surrounding compound fence, plus a trailer store for ancillary agricultural trailers, for land maintenance, with an earth bunding surround (Part Retrospective)



A 592



Newby Bridge

Lake District National Park

A592 → Bowness

EXISTING SITE ENTRANCE

Track

Track

Track

Track

SITE PLAN

Scale: 1:500 @ A1



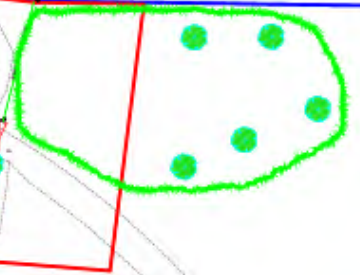
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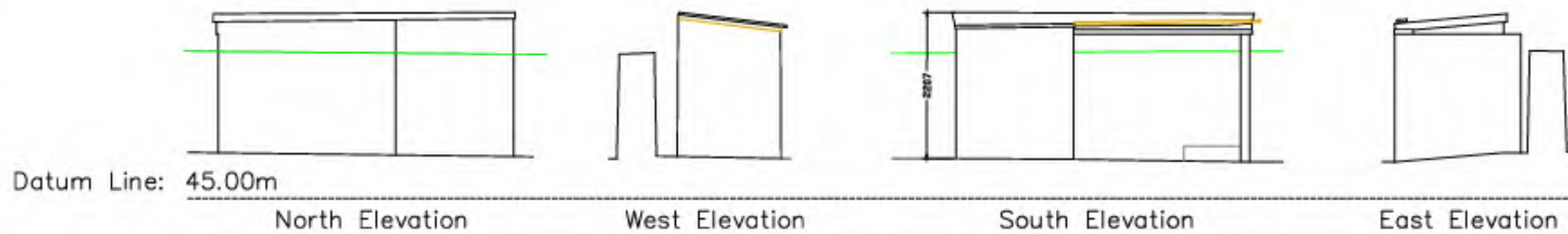
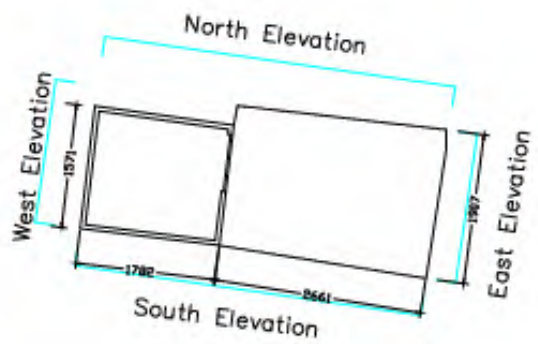
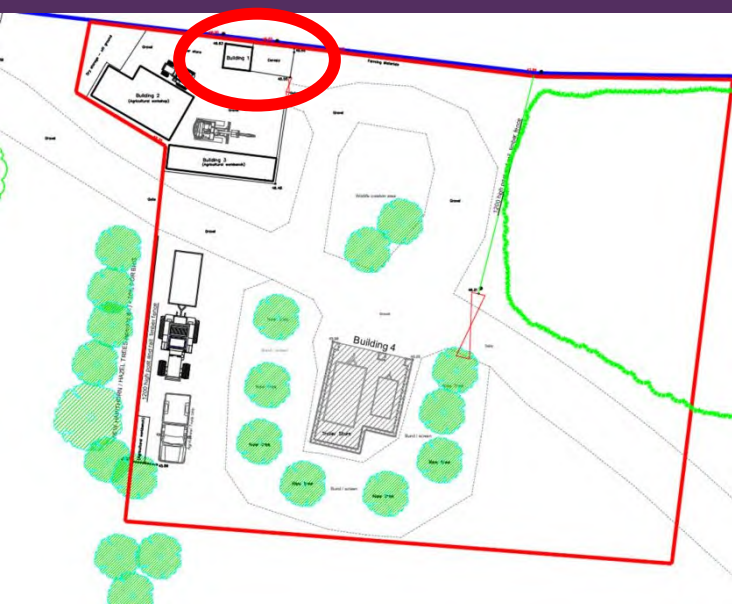
49.1m

50.5m

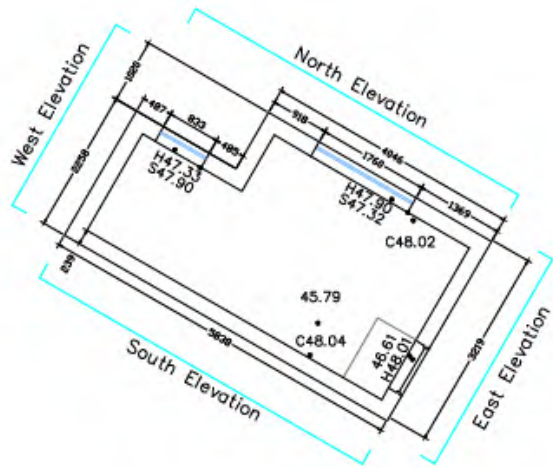
Levens Farm

Prospect Cottages





Building 1



Building 2



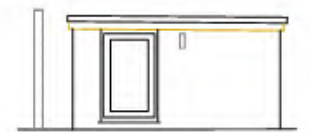
North Elevation



West Elevation

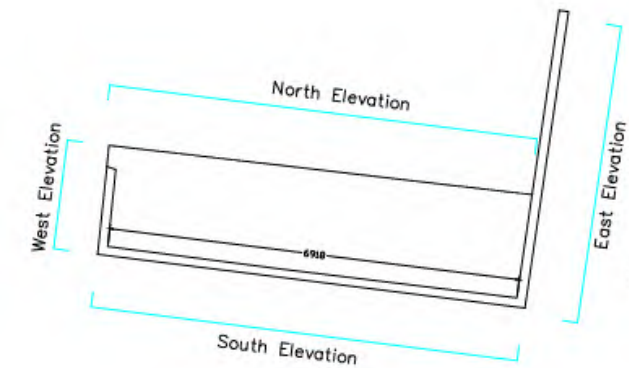
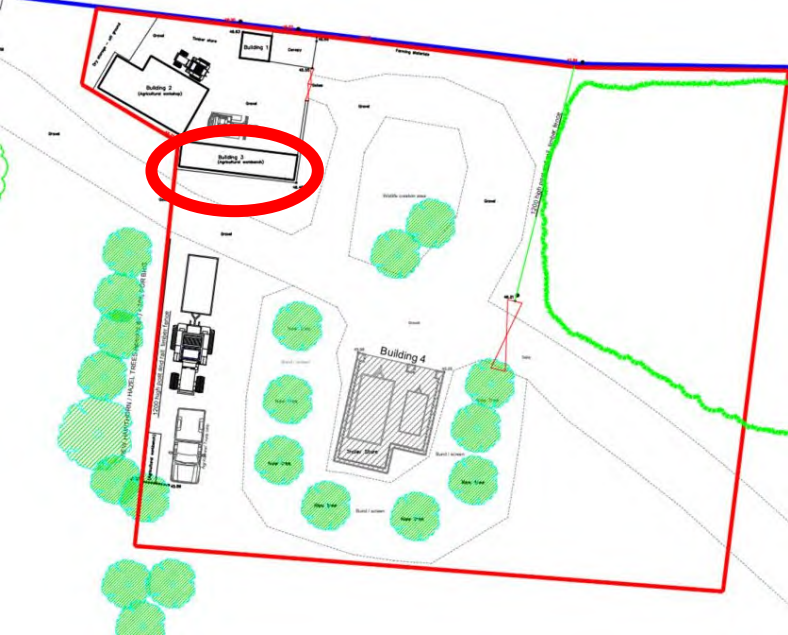


South Elevation

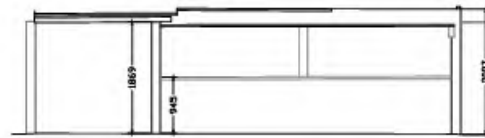


East Elevation

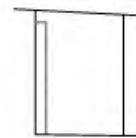
Datum Line: 45.00m



Datum Line: 45.00m



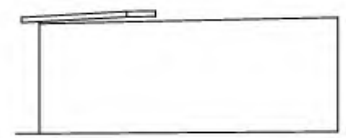
North Elevation



West Elevation

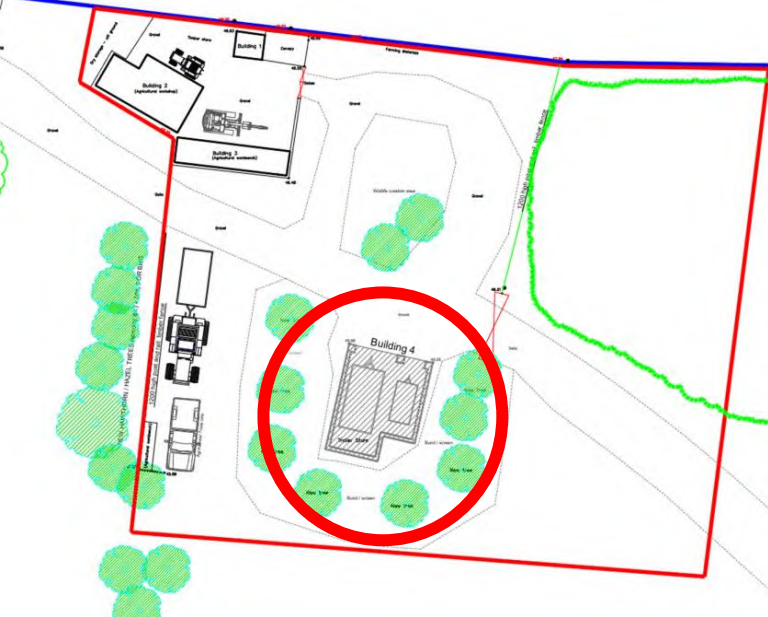


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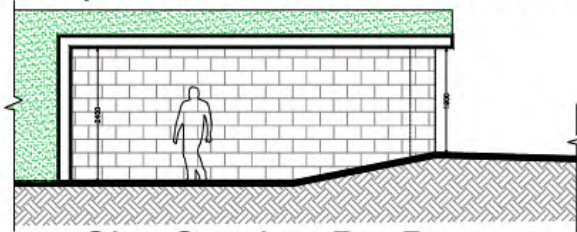


East Elevation

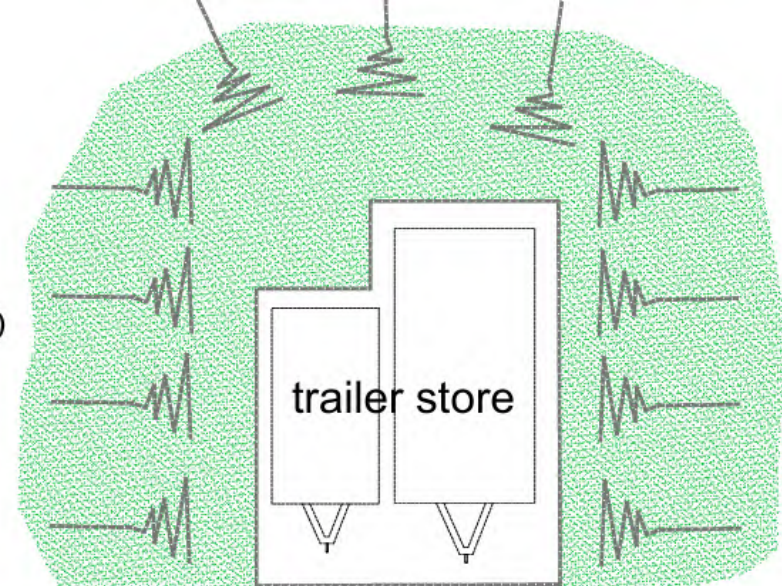
Building 3



Proposed Sedam roof (By specialist)



Site Section B - B



(Living roof plan)



Proposed Sedam roof (By specialist)



North Elevation









Streetview photo from 2009



WOODLAND & HEDGEROW CREATION SCHEME

Scale 1:500 @ A1



LEVENS FARM, STAVELEY IN CARTMEL, LA12 8NH

Woodland & Hedgerow Creation Scheme:

GREEN (Existing planting) denotes indigenous trees like, Oak, Birch, Rowan, Aspen, Holly, Hazel & Hawthorn 2022-25

CYAN (Proposed planting) denotes indigenous trees like, Oak, Birch, Rowan, Aspen, Holly, Hazel & Hawthorn 2026-27

NOTE: Approx 450 - 600 trees planted here in the last 3 - 4 years (No grants - self funded)




THIS DRAWING IS FOR PLANNING PURPOSES ONLY

<p>LEVENS FARM Staveley in Cartmel Ulverston LA12 8NH Cumbria Contact: Phil Ward</p>	<p>PROJECT DESCRIPTION: 'Construction of 3 buildings for agricultural storage and maintenance, plus surrounding compound fence, plus a trailer store for ancillary agricultural trailers, for land maintenance, with an earth bunding surround (retrospective)'. Compound Landscape Drawing Date: Dec 2025 Drawing: P - 210</p>
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Compound Landscape Drawing:

GREEN (Existing planting) denotes indigenous trees eg, Oak, Birch, Rowan, Aspen, Holly, Hazel & Hawthorn 2022-25

Magenta trees (Proposed planting) denotes indigenous trees, eg, Oak, Birch, Rowan, Aspen, Holly, Hazel & Hawthorn 2026-27

<p>KEY:  denotes 30 No. trees as per BNG report</p>

