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Report from the Head of Development Management to Development Control Committee

Application number: 7/2026/5248

Application type: Notice of Intention (Agricultural, Q6g)

Applicant: Mr Andrew Peacock

Location: Peacock Farm, Ashes Lane, Staveley, Kendal, LA8 9JS

Grid reference: 347533, 496576

Proposal: Proposed midden and welfare structure extension to existing livestock structure and hardstanding extensions to existing hardstanding

Report prepared by: Abigail Holt, Planner

Report agreed by: Andrew Smith, Head of Development Management

Recommendation: APPROVE unconditionally

1 About this report

- 1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.
- 1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning

Policy Framework) and Government planning guidance (the National Planning Practice Guidance).

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

2 Background and proposals

- 2.1 This application is before Committee because the recommendation of approval is contrary to the representations received.
- 2.2 The application site is Peacock Farm, which is situated to the east of Ashes Lane and west of Plantation Bridge.
- 2.3 A previous application approved the erection of a livestock building (7/2025/5065). An application for a second agricultural building was then withdrawn following discussions with the applicant where we raised concerns about the siting of the building (7/2025/5453). Subsequently, an extension to the original agricultural building was approved (7/2025/5586). Most recently, an agricultural track just south of the agricultural building was approved (7/2026/5083).
- 2.4 We have also received a notification for a recreational campsite for 2026 (RC/2026/0001). This means the land can be used as a recreational campsite for up to 60 days this year as permitted development.

- 2.5 We have two live enforcement cases on the site (E/2024/0034 & E/2025/0228). These cases are investigating a number of alleged breaches of planning control, including engineering operations and an alleged unauthorised campsite.
- 2.6 The application before us seeks prior approval for an extension to the existing agricultural building, including a proposed midden, welfare structure, and areas of hardstanding.

3 Scope of the application

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

4 Representations

- 4.1 Staveley with Ings Parish Council have commented that concerns were raised about pig waste and the resulting damage to the local environment. It was pointed out that there were a large number of

representations and planners are encouraged to take a detailed look at the application.

4.2 15 letters of objection have been received, five of which are from Ashes Lane Neighbourhood Watch. They express the following points:

- Overdevelopment / cumulative impact of activities
- Legitimacy of the business plan, referencing the previous failure of business viability and changing agricultural justifications
- Lack of permanent on-site management
- Impact upon the nearby Ancient Semi Natural Woodland
- Surface water run-off / environmental impacts
- Landscape / tranquillity impacts
- Suitability of the site for an outdoor pig enterprise and the intensification of land use
- Animal welfare / biosecurity concerns
- Impact on protected bird species
- Carrying capacity and stocking density concerns

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

- 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:

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

Is the proposal Permitted Development?

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

- There is a history of failed business viability and changing agricultural justifications on site, proving past intentions to be inaccurate.
- The applicant allegedly proposed other activities at the site, including camping, visitor experiences, and commercial activities.
- The legitimacy of the current business plan is questioned:
 - Farming over 150 pigs on this scale of land (approximately 10 hectares) is deemed to be unsustainable and above the carrying capacity of the site.
 - Environmental concerns relating to drainage and run-off, proximity to ASNW and Priority Habitat, and biosecurity.

- Lack of on-site management.
- Questions surrounding projected revenue, infrastructure, and employment.

5.3 The applicant has provided information seeking to demonstrate that the building is reasonably necessary for the purposes of agriculture. That information can be summarised as follows:

- The current livestock numbers on site are 64, with a mix of sheep and cows, and a projected number of 150+.
- There are currently four employees, with a projected number of seven employees within the next six months.
- Traditional sheep farming alone would not provide a sufficiently sustainable or resilient long-term business model for the future of the holding. Diversification is therefore required.
- A business plan has been provided for a direct-to-consumer meat subscription business, with investments having already been made.
- The proposed business has a forecasted annual revenue of £936,000.
- The proposed development is required to ensure the farm can operate responsibly, sustainably and in accordance with modern animal welfare and biosecurity expectations.
- A Farm Inspection Report from the Environment Agency has been provided, with no non-compliances being observed.

5.4 Development does not need to be for an existing use to be reasonably necessary for the purpose of agriculture. A development could be reasonably necessary for the purposes of agriculture to meet a prospective need, for example to allow a farm to expand. The applicant has stated an intention of growing their agricultural business through pork production and a meat subscription business, with projected livestock numbers of 150+ pigs. The proposed extension would support this by providing a muck midden, welfare room, and store to manage pig

manure and bedding, minimise disease risks, and strengthen biosecurity procedures.

- 5.5 Objections raise concern that the previous business plans have failed to be viable, resulting in changing agricultural justifications for development. This has been used to question the applicants' intentions and undermine confidence in the current business plan and agricultural need for a building. I acknowledge that past business plans have changed; however, there is a potential risk of failure for any agricultural business. Based on the evidence provided, I consider that the site is currently being used for agricultural purposes, hosting a small farm with intentions to grow their livestock. Specifically, there is evidence of pig farming within the existing building, and clear intentions to grow this aspect of the business. I do not consider that previous changes to the business plan at the site indicate that the extension is not reasonably necessary for the purposes of agriculture on the unit.
- 5.6 Objections consider that the applicant proposes an unduly intense farming practice, questioning the practicality of the current business plan and whether the building is reasonably necessary. Projected revenue seems optimistic. Nevertheless, the planning system cannot force a business to operate in a particular way, nor can it control stock numbers or regulate farming practice. The proposed extension is stated as intended to support improved biosecurity, animal welfare and/or higher intensity, which I consider is reasonably necessary for the purposes of agriculture.
- 5.7 Objections have referenced the applicant's website, marketing, and social media posts that promote other activities at the site to question the intentions of the applicant, and to suggest that the development is not reasonably necessary for the purposes of agriculture because it reduces the amount of land available for agriculture. The applicant has stated their intentions within the business plan submitted as part of the application. I understand that the applicant may have made comments

elsewhere (for example on their website or social media) however these do not amount to a reason for refusal. One of the activities on the site is a 60-day campsite, which we have received notification for (RC/2026/0001). It is not uncommon practice for landowners to use temporary permitted development rights to supplement their income. The permitted development rights allow a maximum of 50 pitches for not more than 60 days. The land occupied by pitches therefore represents a small proportion of the holding and farming practice could likely be rotated around the temporary use. I therefore do not consider the 60-day use to indicate that the building is not reasonably necessary for the purposes of agriculture on the unit.

- 5.8 For the above reasons, I am satisfied that the proposed extension to the agricultural building would be reasonably necessary for the purposes of agriculture on the unit. If the building was subsequently used for other purposes and a material change of use occurred without planning permission, enforcement action could be taken.
- 5.9 Overall, I consider that the application does meet the conditions set out within Schedule 2 Part 6 of The Town and Country Planning (General Permitted Development) (England) Order 2015 and would fall within the scope of the permitted development rights. We are therefore limited to considering whether the siting, design and external appearance of the development is acceptable.

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

- 5.10 The proposed extension would be situated on the southeast elevation of the existing agricultural building. It would consist of a muck midden with a footprint of 6m by 6m, and a covered welfare area and store with a footprint of 6m by 3m. The extension would be constructed of concrete panels, treated timber space boarding, and fibre cement roof sheets to match existing. It would have a roof height, pitch, and overall form that reflects the existing building.

- 5.11 The previously approved building occupies an isolated location within the field, situated within a natural dip to limit adverse impacts upon the wider landscape. Whilst views of the building can be obtained from sections of the footpath to the south, the building is well screened by the landscape to the north. The most prominent views can be gained from the footpath directly adjacent to the building; however, the lower position of the footpath in combination with the stone wall act to partially screen the building.
- 5.12 The proposed extension would result in a slight increase in the visibility of the building from the adjacent footpath and to the south. Nevertheless, I consider that any visual impact upon the landscape would remain of a small scale, being relatively contained and of very limited additional harm. The design and materials of the proposed extension would reflect the approved building, as well as reflecting agricultural buildings more broadly within the Lake District National Park. I therefore consider that the proposed extension would cause limited harm to the character of the local area and would comply with Local Plan Policy 05
- 5.13 The proposal also includes two areas of hardstanding to the southwest and southeast of the agricultural building. These would be constructed of 40mm of crushed limestone to match the previously approved access track. Given that the proposed hardstanding would be connected to an existing building and track, I consider that it would cause limited harm to the character of the local area and would comply with Local Plan Policy 05.
- 5.14 The proposed development would be located approximately 100m away from Ashes Coppice, which is Ancient Semi-Natural Woodland. The NPPG outlines the standing advice produced by Natural England and The Forestry Commission and states that any impacts both direct (damage to roots, understory, soils etc) and indirect (light and air pollution, activity and disturbance) should be avoided, and that ancient woodlands should

have a buffer zone of at least 15 metres where development proposals are not permitted.

5.15 Given the distance of the proposed extension from the ASNW, it is considered unlikely that any negative impacts on the ASNW will arise as a result of the proposals.

5.16 Representations consider ground conditions to be unsuitable, and raise concerns regarding runoff, nutrient management, and drainage. Concerns largely relate to the scale of the proposed pig enterprise, as opposed to the siting of the proposed extension itself. However, given that the development is argued as reasonably necessary to support expansion of the business, I shall take those potential effects into account.

5.17 The development is not within an identified flood risk area, however photographs submitted within representations indicate wet ground. I have no evidence that this makes the ground unsuitable for construction, or that the proposed siting would result in unacceptable flood risk either to the building or elsewhere.

5.18 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. In this case, the storage and spreading of slurry are regulated under The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (FRfW). It should also be noted that within the submitted Farm Inspection Report, the Environment Agency have stated that “The construction of a purpose-built midden would help minimise the risk of diffuse water pollution from agriculture (DWPA) by reducing the likelihood of slurry runoff reaching groundwater or surface water. This represents good environmental practice and is strongly recommended by the Environment Agency”.

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

6 Conditions

- 6.1 Bespoke conditions cannot be attached to prior approvals, but there are prescribed conditions which are attached to all grants of prior approval.

7 Conclusion

- 7.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 04, 05, 06, 07, and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable.

Recommendation: APPROVE unconditionally

Conditions/Reasons

Background papers

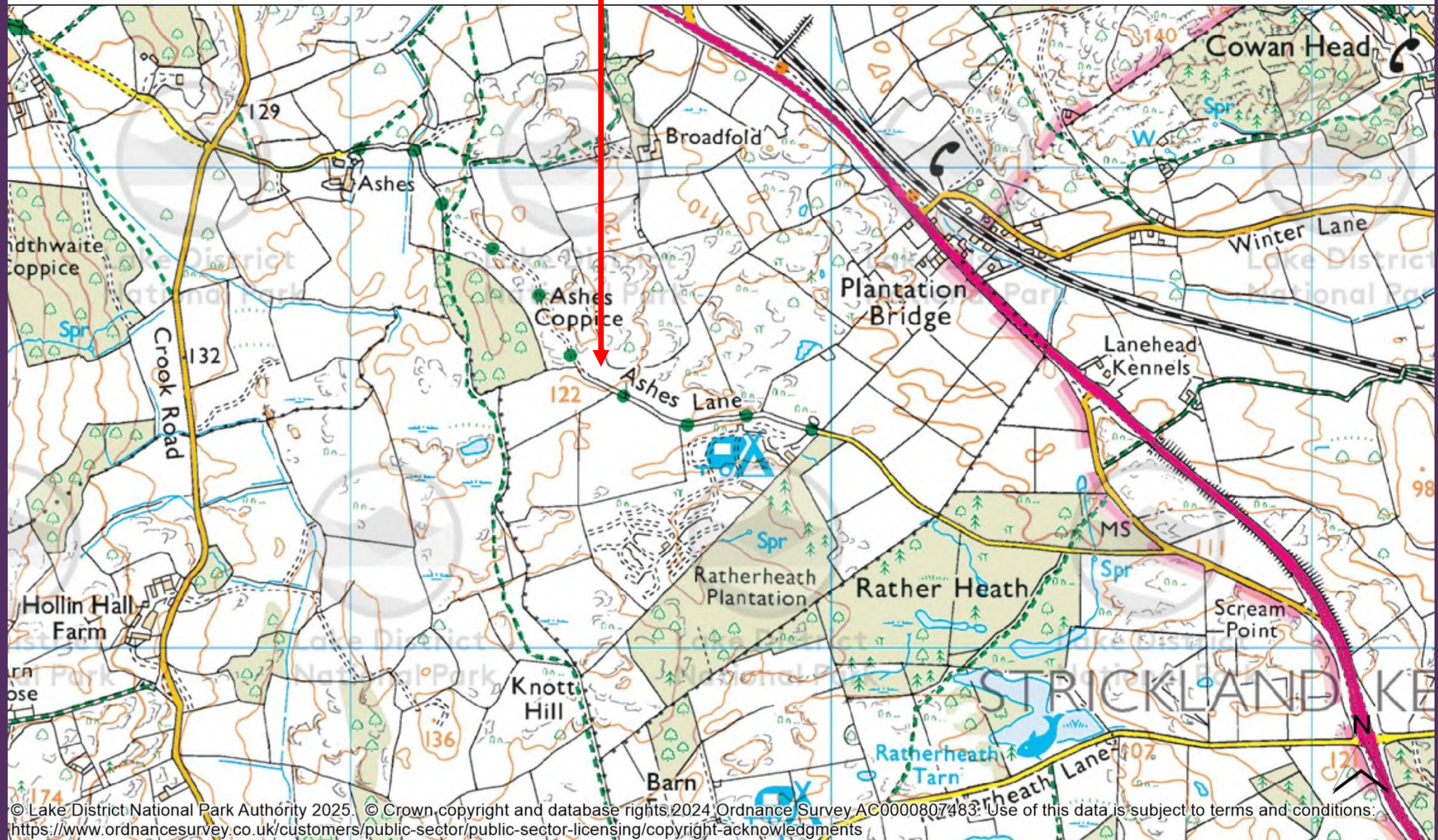
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2026/5248

Peacock Farm, Ashes Lane, Staveley, Kendal,
LA8 9JS

Proposed midden and welfare structure
extension to existing livestock structure and
hardstanding extensions to existing
hardstanding

Site



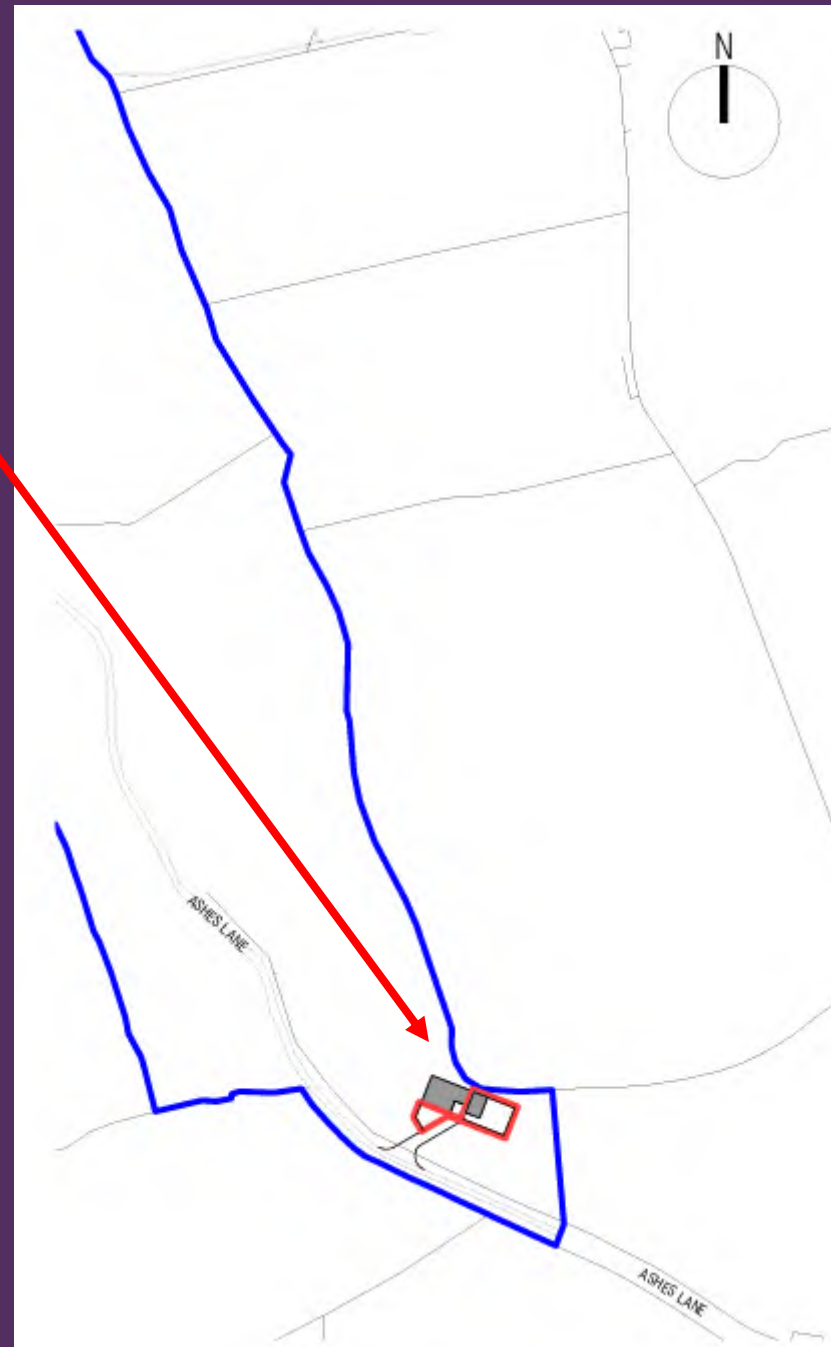
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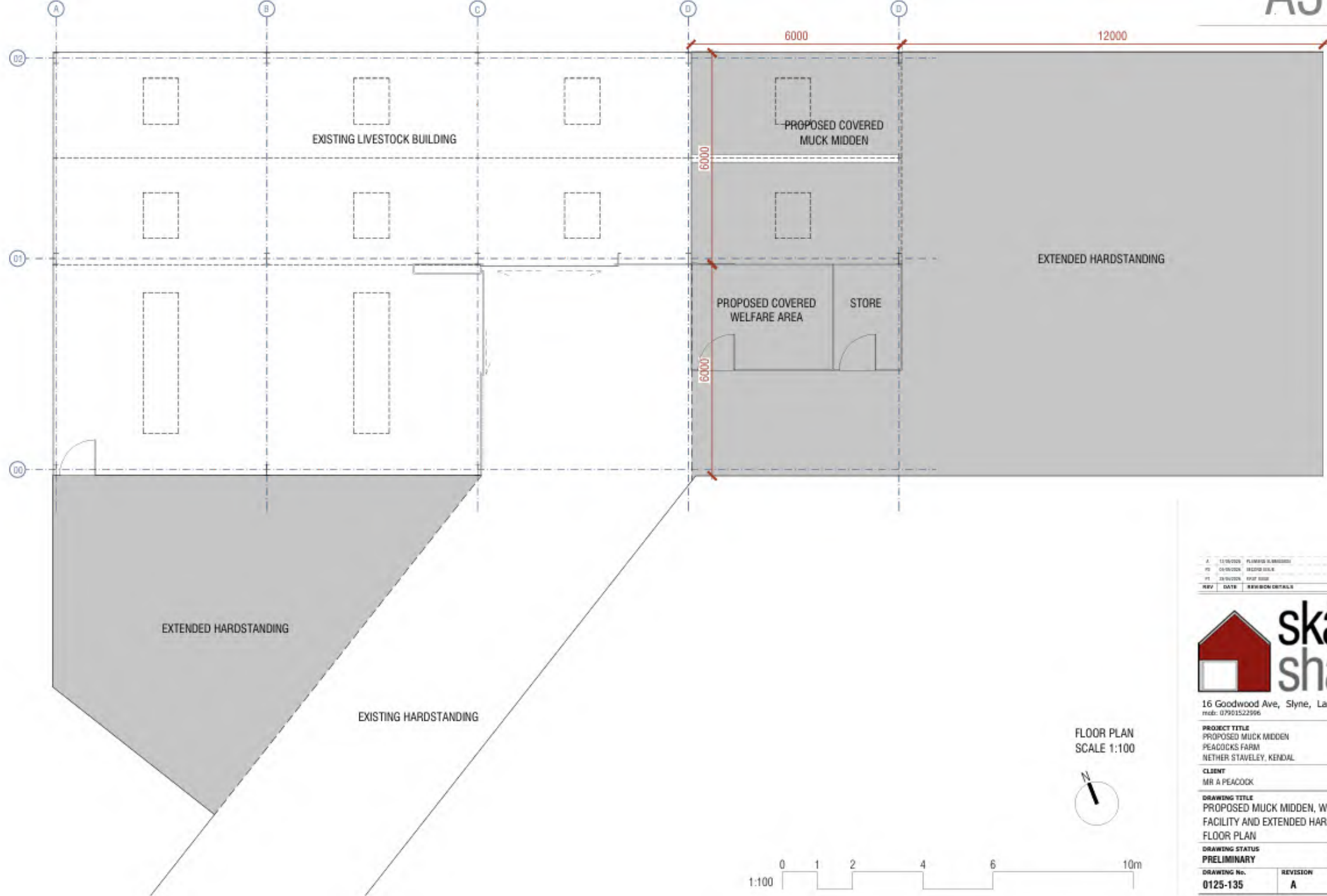
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Lake District
National Park Authority

Site





FLOOR PLAN
SCALE 1:100



A	11/04/2020	FLOOR PLAN
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PROJECT TITLE
PROPOSED MUCK MIDDEN
PEACOCKS FARM
NETHER STAVELEY, KENDAL

CLIENT
MR A PEACOCK

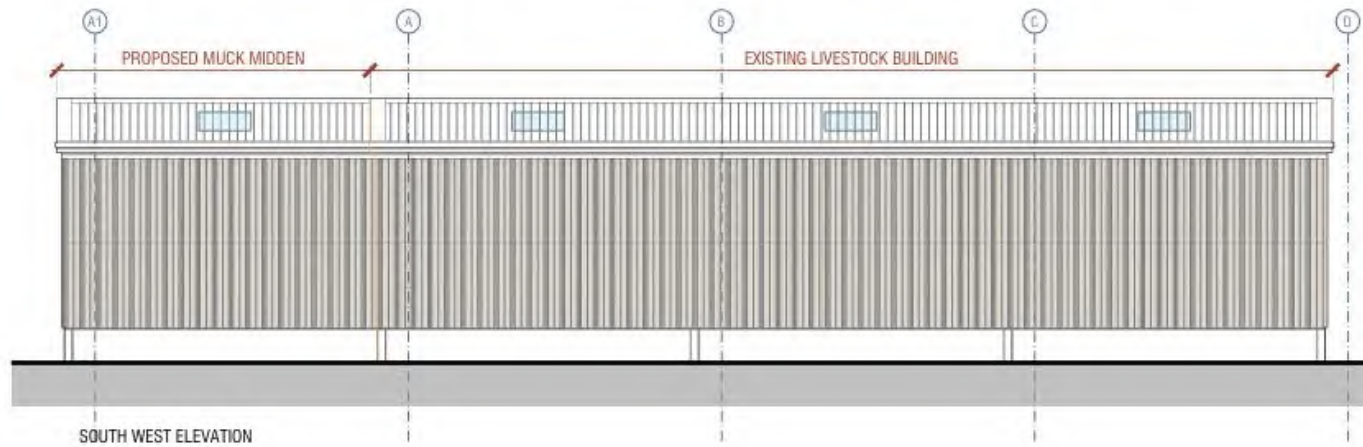
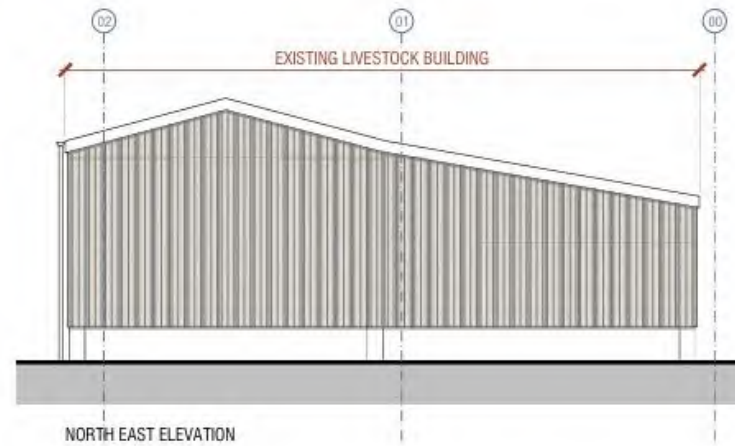
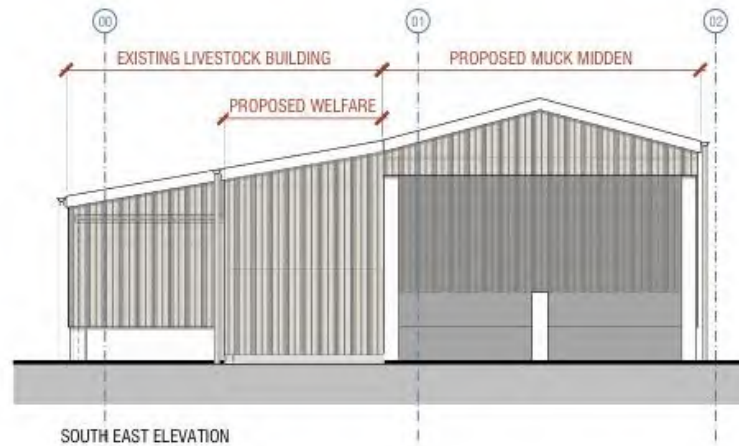
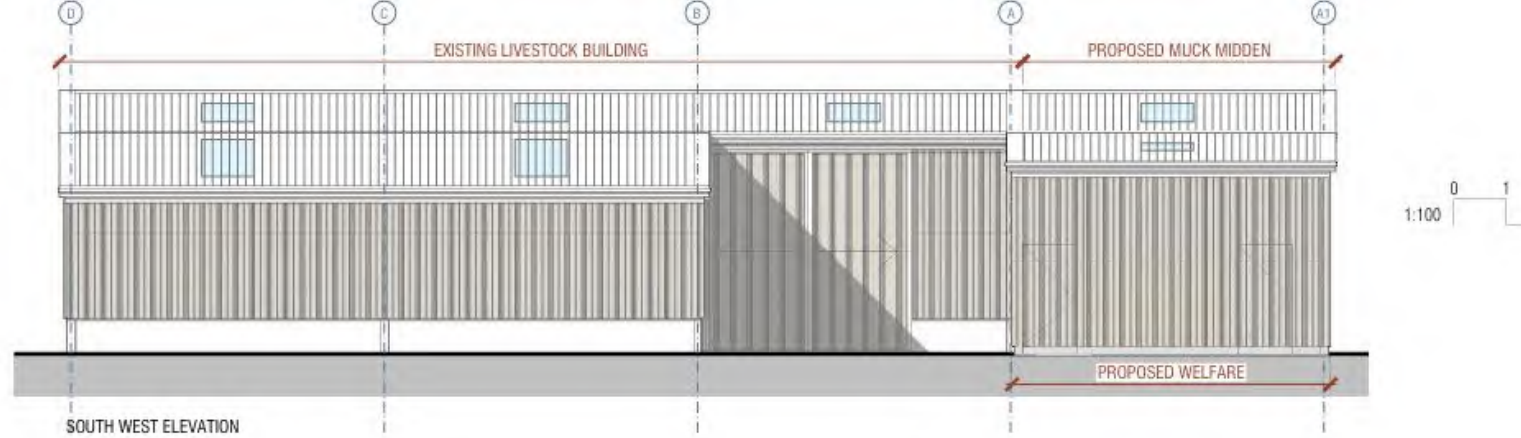
DRAWING TITLE
PROPOSED MUCK MIDDEN, WELFARE
FACILITY AND EXTENDED HARDSTANDING
FLOOR PLAN

DRAWING STATUS
PRELIMINARY

DRAWING No.
0125-135

REVISION
A

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Site





Proposed
extension







