



**Lake District
National Park**

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

Application number:	7/2024/3043
Application type:	Full Planning application
Applicant:	Ms D Hogg
Location:	Rookin House Farm, Troutbeck, Penrith, Cumbria, CA11 0SS
Grid reference:	338163 525350
Proposal:	Refurbishment of existing letting accommodation, including a single-storey extension for disabled use and conversion of existing storage barn to additional letting accommodation
Report prepared by:	Laura Rogan, Planner
Report agreed by:	Neil Henderson, Planning Manager
Recommendation:	APPROVE with conditions

1 About this report

- 1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.
- 1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning Policy Framework) and Government planning guidance (the National Planning Practice Guidance).
- 1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan,

representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.

- 1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

2 Background and proposals

- 2.1 Rookin House is an established farm, activity centre and equestrian business which lies in an open countryside location between Troutbeck and Matterdale End.
- 2.2 This application relates to the barn which is attached to the original Rookin Farmhouse. Along with the house, the attached barn is a grade II listed building. Permission was first granted in 1983 (7/1983/3006) to convert the barn into hostel accommodation. In 2006 (7/2006/3061) permission was granted to extend the barn and to form a new entrance and new function room.
- 2.3 Planning permission is sought for the addition of a single storey lean to extension at the southern end of the barn's south eastern elevation to provide accessible accommodation. The extension would be 4.5m deep, 8m wide, and 3.5m high sloping down to 2m high. Its walls would be covered in Cumbrian stone with the roof covered in local slate, both to match the existing building.
- 2.4 Permission is also sought to change the use of the adjacent, detached, single storey storage barn to 1 bed accommodation with bathroom, kitchen and lounge. Externally this would involve the insertion of a full-length window on the south east elevation with the upper half following the form of the pitch roof, the removal of a door on the north east elevation and the addition of a second window on the north west elevation. The existing corrugated metal roof would be replaced with slate.
- 2.5 A listed building consent application (7/2024/3134) has also been submitted which is considered elsewhere on the agenda.

3 Representations

- 3.1 Matterdale Parish Council has no objections to the refurbishment of the existing letting accommodation. However, they object to the conversion of the storage barn to provide additional letting accommodation as this would be in contravention of the Matterdale Neighbourhood Plan MNP1 which would only support the conversion were it for local needs housing and not as additional holiday letting

- 3.2 The Local Highway Authority has no objections to the application as the proposed development would not have a material effect on the existing highway conditions.
- 3.3 The Lead Local Flood Authority (LLFA) has no objections to the application as it is not considered it would increase flooding to the site or elsewhere.
- 3.4 They comment that the drainage arrangements for this development would be inspected by Building Control rather than the LLFA. It should be noted that the surface water discharge rate should not be greater than the existing, and if installing a soakaway they advise that it is not positioned within 5m of a highway or property.
- 3.5 They note that there is an Ordinary Watercourse flowing to the west of the site, if any connections are to be made to the watercourse as part of the proposal, the applicant should be made aware that prior to any work commencing on the watercourse the applicant should contact the LLFA.

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 18: Sustainable tourism and accommodation
 - Policy 19 Agricultural and land-based rural business diversification
- Design Code Supplementary Planning Document
- Matterdale Neighbourhood Plan - MNP1 - Local Needs Housing (Conversions, Reinstatement and Subdivisions)
- 4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.

5 Main issues and assessment

- 5.1 The main issues in this assessment are:
 - Principle
 - Character and appearance of the area
 - Setting of a listed building
 - Impact on the amenity of neighbours
 - Flood risk

- Protected species
- Nutrient neutrality
- Pollution control
- Other matters

Principle

- 5.2 The adjacent single storey building to the south of the Rookin Farm House and attached barn is currently used for storage – it appears it could have originally been used for agriculture purposes. It is a traditional stone and slate building that contributes positively to the character and heritage of the Lake District National Park. As such Policy 02 would support its conversion to other uses in principle, subject to the details of the conversion.
- 5.3 Policy 18 supports the conversion of buildings to holiday letting only where the building is not suitable for local occupancy dwellings or employment use. Policy 19 supports diversification proposals for agricultural businesses where they:
- sustain the long term operation of the farm business; and
 - do not compromise the working of the farm business; and
 - are located within or well related to existing building groups; or
 - are a small-scale renewable or low carbon energy scheme.
- 5.4 Matterdale Parish Council object to the provision additional letting accommodation rather than local needs housing which reflects the Neighbourhood Plan Policy MNP1. The Local Plan is also clear that holiday letting should only be permitted where the conversion is not suitable for local occupancy housing or employment use.
- 5.5 While I understand the Parish Council's view we need to take into account the site context. Rookin House has a long established use providing equestrian, shooting and other activities and accommodation for a variety of guests including corporate and school groups, weddings and stag and hen parties as well as individuals. Given the nature and extent of the uses on site I do not consider that local needs housing so close to these activities would be compatible and has the potential either to make living conditions unacceptable or adversely impact on the existing business. The proposal is to develop the existing business on site which already has a substantial level of holiday letting.
- 5.6 Similarly given the building's relationship to an existing working farm, activity centre and equestrian business I do not consider the building would be suitable to an unrelated employment use.
- 5.7 Given the above and the support for farm diversification proposals and existing rural businesses in the Local Plan I consider that the conversion to holiday letting accommodation is acceptable in principle.

Impact on the character and appearance of the area

- 5.8 The application site consists of a traditional former barn building which is now used as self-catered accommodation providing seven bedrooms for 15 people on the first floor, and a kitchen, living area, recreational area, and a toilet and shower block on the ground floor. According to the Rookin House Farm website, this accommodation can be used in connection with the activities associated with Rookin House or separately depending on the time of year. The adjacent single storey stone building is also included in the application which is currently used as a storage area for equipment used for activities taking place at Rookin House. These buildings together result in a grouping which positively contributes to Rookin House's farming past.
- 5.9 The adjacent, detached building is a traditional stone structure in which the roof would have originally been covered in slate but is now covered in corrugated metal. Nevertheless, it still positively contributes to the character of the surrounding area through its form and design. All elevations of the barn can be clearly viewed when walking around in close proximity, but the south east elevation is viewed mainly from the site's main car park. The proposed alterations would be limited to the creation of window openings and a door opening to provide, access, light and ventilation. The introduction of the large window opening on the south east elevation would be a modern intervention, but as the top would follow the form of the pitch roof it would harmonise with the form of the gable end. Re-roofing the roof with slate would help improve the appearance of the building and its setting. Overall, the character of the building as a former agricultural building and its sense of simplicity and solidity would be retained.
- 5.10 The large former barn is also a traditional stone and slate building which is Grade II listed along with the adjoining farmhouse. It is proposed to construct a single-story lean-to extension which would create accessible accommodation. The use of matching stone and slate materials along with the roof plane carrying down on from the main roof would ensure that the traditional appearance of the main building is retained as well as having a neutral effect on the character of the surrounding area. The new lean-to would be adjacent to a similar previous extension.
- 5.11 I am satisfied that the development proposed is acceptable in terms of its impact on the character and appearance of the area 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

- 5.12 As the nearest neighbouring property, Greenbank Farm, is situated approximately half a mile north east I do not consider the proposed development would have any unacceptable impact on amenity due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts.

Protected Species

- 5.13 Under Article 12 of the EC Habitats Directive and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 we have had regard to the requirements of the Habitats Directive. The applicant commissioned a bat survey which was submitted with the application.
- 5.14 An initial bat survey identified that the two buildings subject to the application had moderate potential for roosting bats; therefore, two dusk emergence surveys were recommended. Two further surveys were undertaken. These found that the detached building was being used as a day/mating roost by a low number of Soprano Pipistrelle bats. The survey also found four-day roosts within the main former barn building used by low numbers of Common Pipistrelle and Soprano Pipistrelle bats. The survey concludes that a Natural England licence is required for bats and we are therefore required to consider the impact on these protected species.
- 5.15 Common and soprano pipistrelles are the most common and widespread bat species both in Cumbria and the UK. The survey identified only small numbers of bats using the building for day roost or mating purposes. there was no evidence of a maternity or hibernation roost. i am satisfied that the works would not result in a reduction of the conservation status of these two species in the local area subject to the adoption of the mitigation strategy set out in the bat report which include the installation of suitable bat boxes to trees and externally on both buildings. These will provide alternative roost provision.
- 5.16 I therefore consider that the proposal satisfies the requirements of Policy 04.

Habitats Regulations Assessment (nutrient neutrality)

- 5.17 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.
- 5.18 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.
- 5.19 The proposed additional accommodation would discharge 1.96 kg excess of phosphorous per year (kg TP/yr) into the catchment of the River Derwent and Bassenthwaite Lake Special Area of Conservation (SAC) and a likely significant effect cannot be ruled out. An Appropriate Assessment is therefore required to determine wither it can be concluded that the project will not adversely affect integrity of the European site, in views of its conservation objections.
- 5.20 There is no prescribed format or content for an Appropriate Assessment. Having regard to the nature and scale of the proposals together with their

impacts and proposed mitigation this assessment should be read as our Appropriate Assessment as Competent Authority.

- 5.21 The application has been accompanied by a detailed Nutrient Neutrality Assessment and Mitigation Strategy. A septic tank is currently used at Rookin House Farm, that is used by the accommodation barn and the farmhouse, which results in a load of 10.49 kg TP/yr. By replacing the septic tank with a package treatment plant, the load would be reduced to 1.96kg TP/yr, therefore giving a surplus of 8.53 TP/yr. The proposed mitigation measure would result in no adverse impacts to the integrity of the River Derwent and Bassenthwaite SAC.
- 5.22 It is considered that the development, subject to the mitigation measures proposed would avoid an adverse effect on the integrity of the River Derwent and Bassenthwaite SAC in accordance with Policies 01 and 04, the NPPF and the Conservation of Habitats and Species Regulations 2017.

Pollution control

- 5.23 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.
- 5.24 In this case it is reasonable to conclude that the discharge from the treatment plant will be satisfactorily regulated by the pollution control regime.

Flood risk

- 5.25 The application is in a Flood Risk Zone therefore a Flood Risk Assessment was submitted with the application.
- 5.26 The Flood Risk Assessment is relatively rudimentary but explains that while the site is shown to be within an area of flood risk on the mapping, it is set above previously recorded highest water levels and is not likely to be at risk of flooding. There is no recent record of flooding at the site. I am also conscious that the extension would be on an area already occupied by hardstanding rather than a greenfield site and the conversion of the barn would result in no increase in built footprint, so there should be no increased run-off from the site and therefore no increased flood risk off site.
- 5.27 Furthermore, due to existing drainage on site and the natural topography, meaning there is nowhere for water to collect, the site as never flooded. The Lead Local Flood Authority have no objections to the application.
- 5.28 The development is acceptable in terms of flooding and satisfies the requirements of Local Plan Policy 03, the Design Code SPD and the NPPF.

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, 04, 05, 06, 07 and 18 the Design Code SPD and other material considerations (including the provisions of the NPPF), the development is considered to be acceptable, subject to the conditions recommended.

RECOMMENDATION: APPROVE with conditions

Conditions/Reasons

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

REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:

- Drawing no. P-09 Rev. A (Location Plan), P-11 Rev. A (Proposed Site Plan), P-05 Rev. B (Proposed Ground Floor), P-06 Rev. B (Proposed First Floor), P-07 Rev. C (Proposed South East and North West Elevations), P-08 Rev. B (Proposed South West & Section A-A Elevations)
- Flood Risk Assessment
- Bat Report received 25. 11.24
- Nutrient Neutrality Mitigation Assessment

REASON: For the avoidance of doubt.

- 3 The converted adjacent south building hereby permitted shall not be occupied until the existing septic tank serving Rookin House Farm House and adjoining barn is replaced by an installed and operational package treatment plant serving both properties, as set out in the nutrient neutrality calculations accompanying the application. No chemical dosing is permitted. The package treatment plant shall be retained and maintained in accordance with the manufacturer's maintenance schedule thereafter.

REASON: The holiday unit hereby approved lies within the catchment of the River Derwent and Bassenthwaite Lake Special Area of Conservation as identified by Natural England as a European protected site requiring nutrient neutrality strategic solutions.

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 amending the design of the lean to, and requesting nutrient neutrality calculations and assessment.

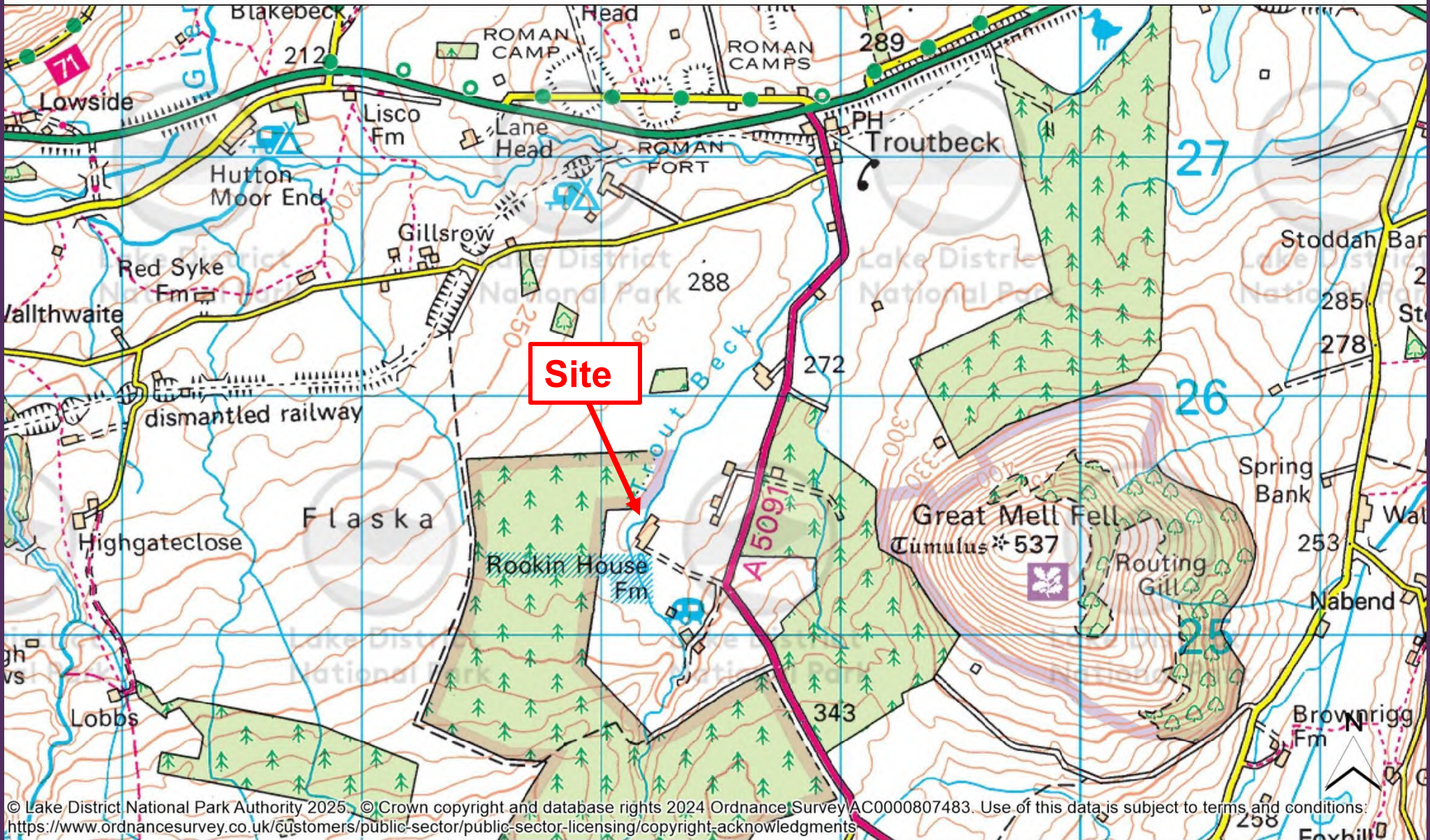
Background papers

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.

7/2024/3043 & 7/2024/3134

Rookin House Farm, Troutbeck, CA11 0SS

Refurbishment of existing letting accommodation, including a single storey extension for disabled use and conversion of existing storage barn to additional letting accommodation.

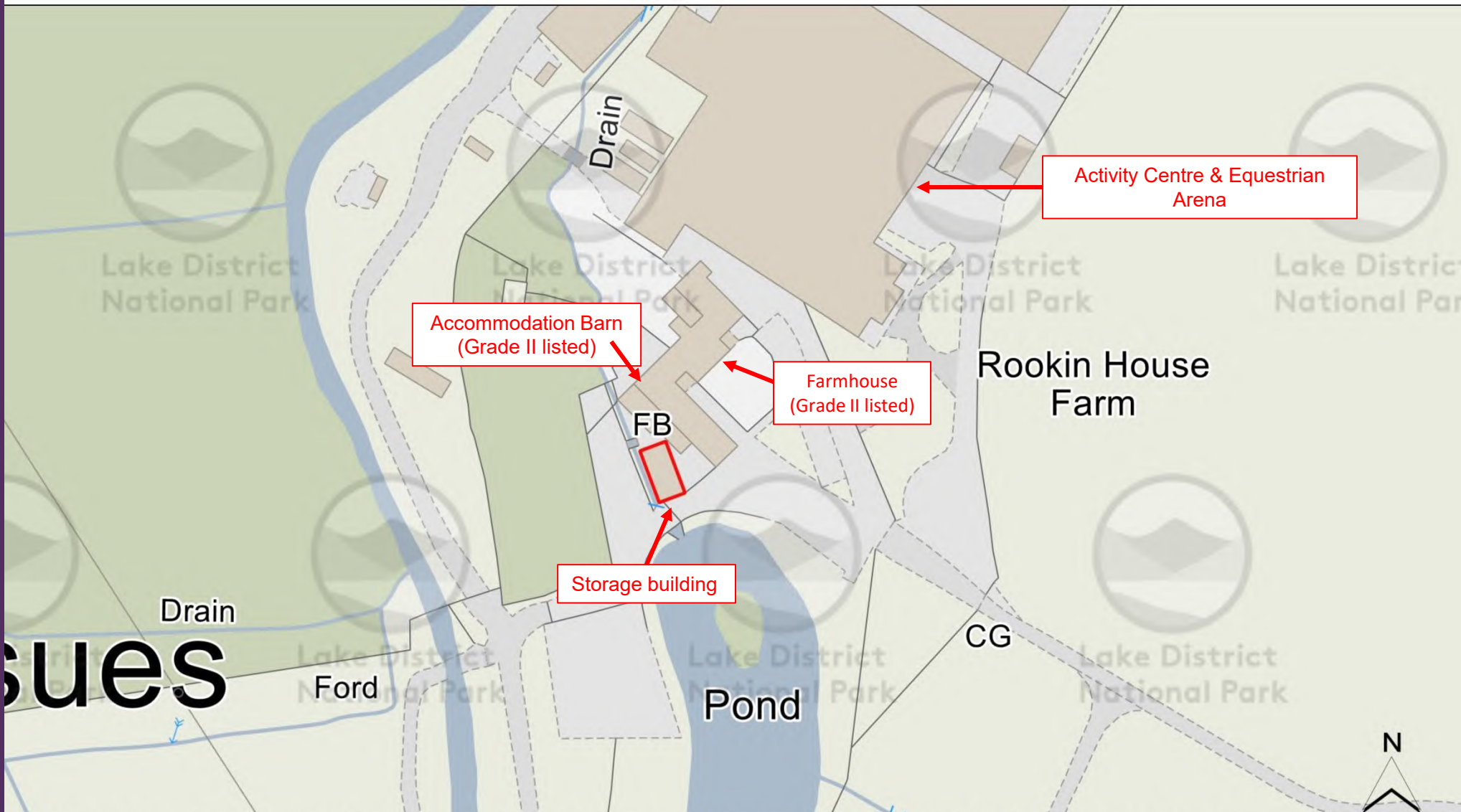


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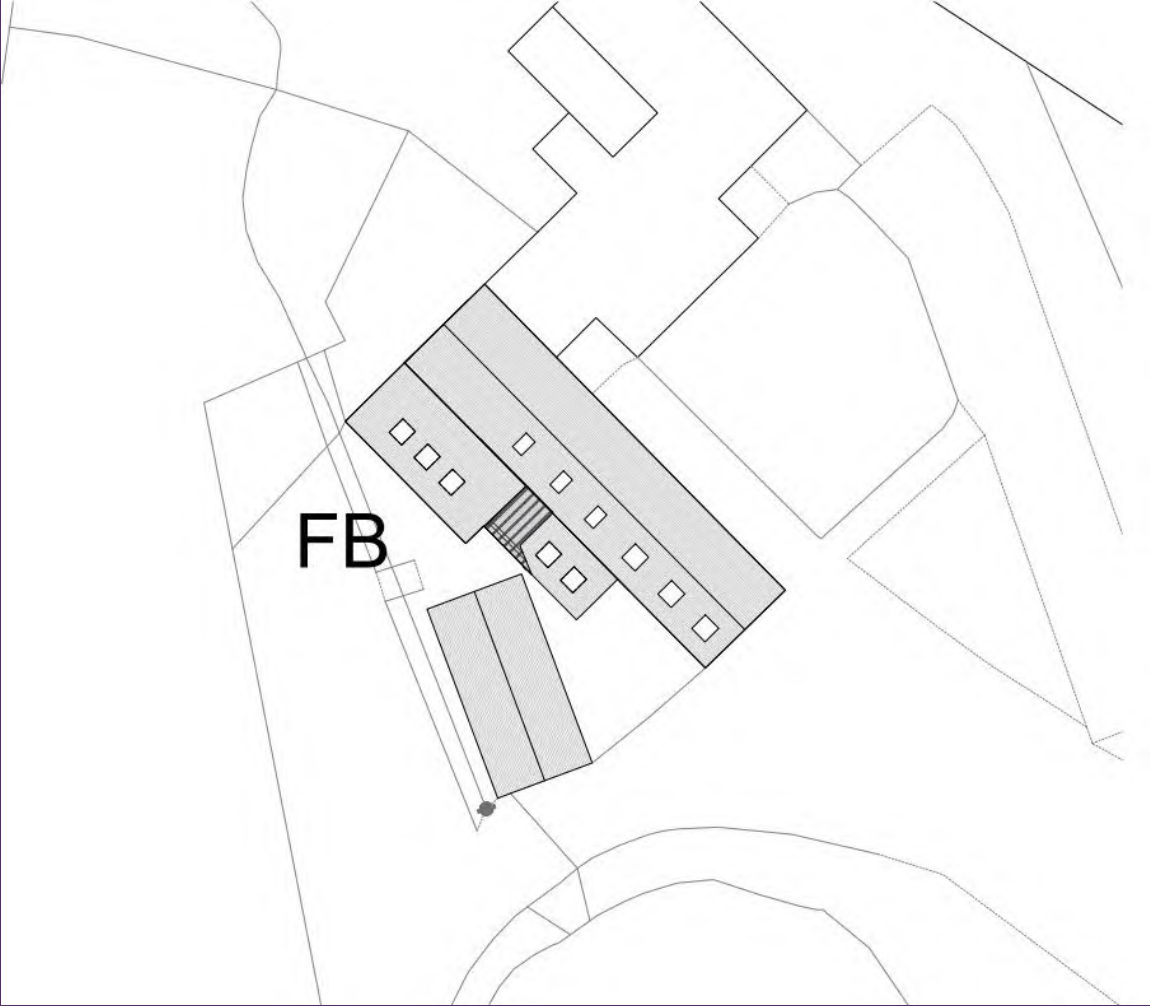
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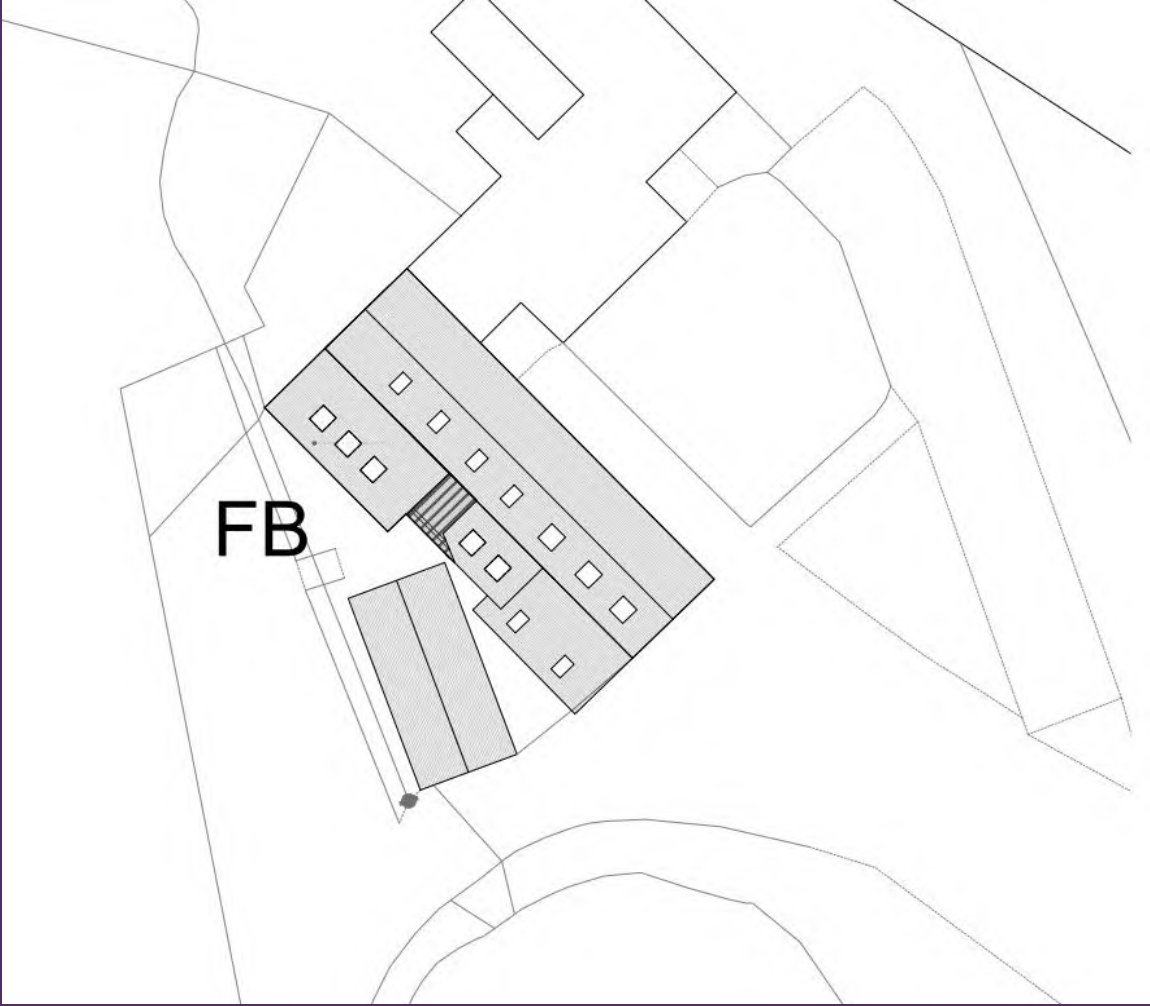
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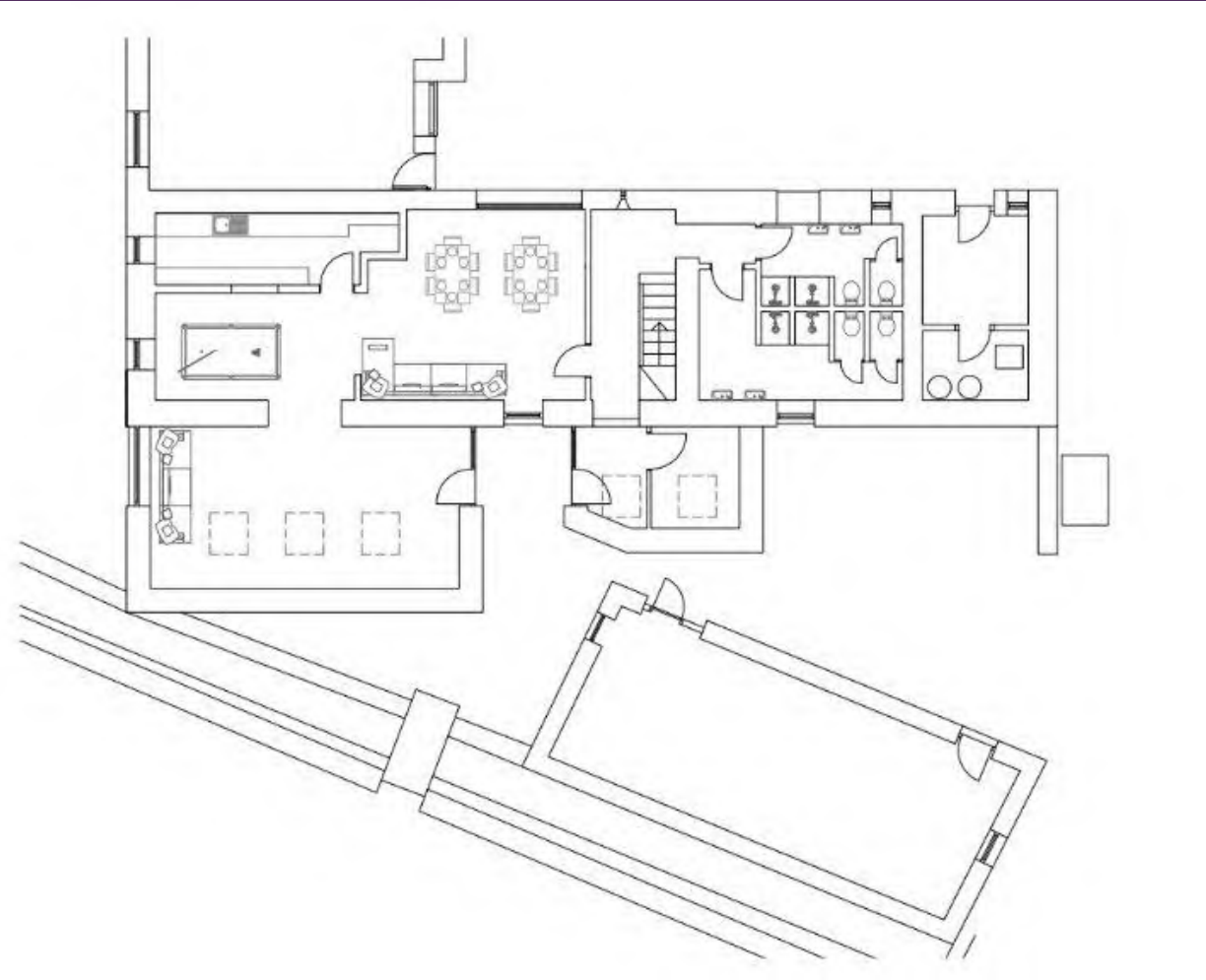
Existing Site Plan



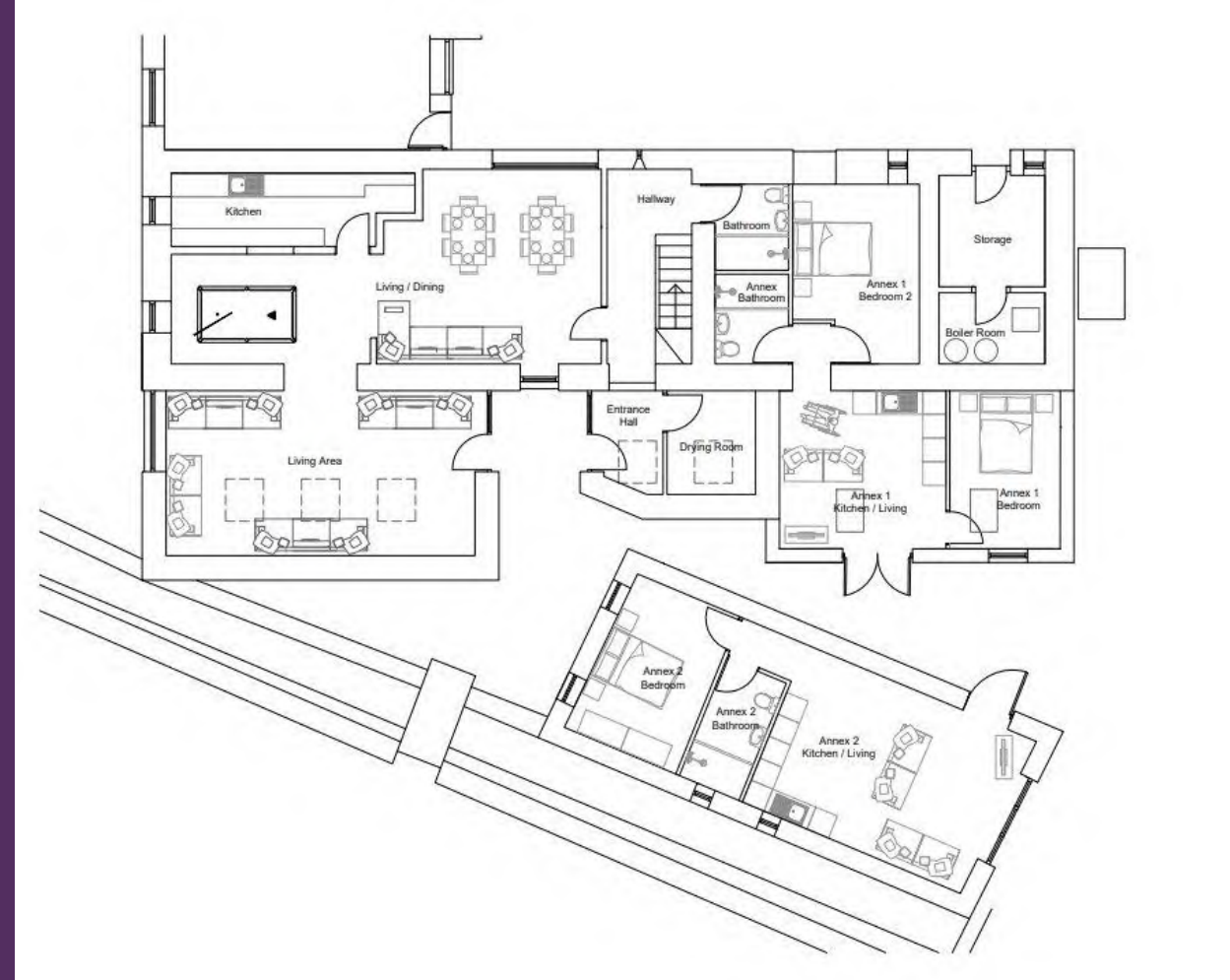
Proposed Site Plan



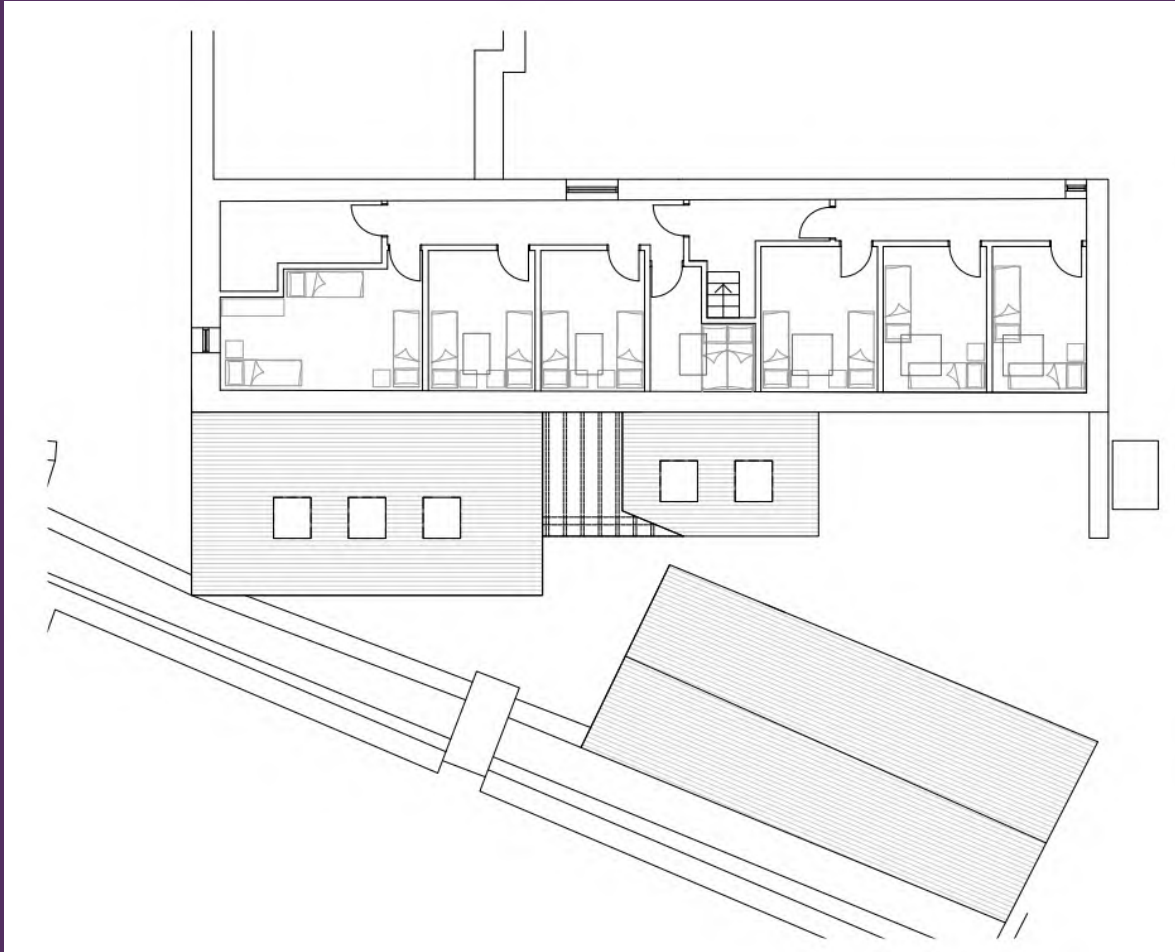
Existing Ground Floor Plan



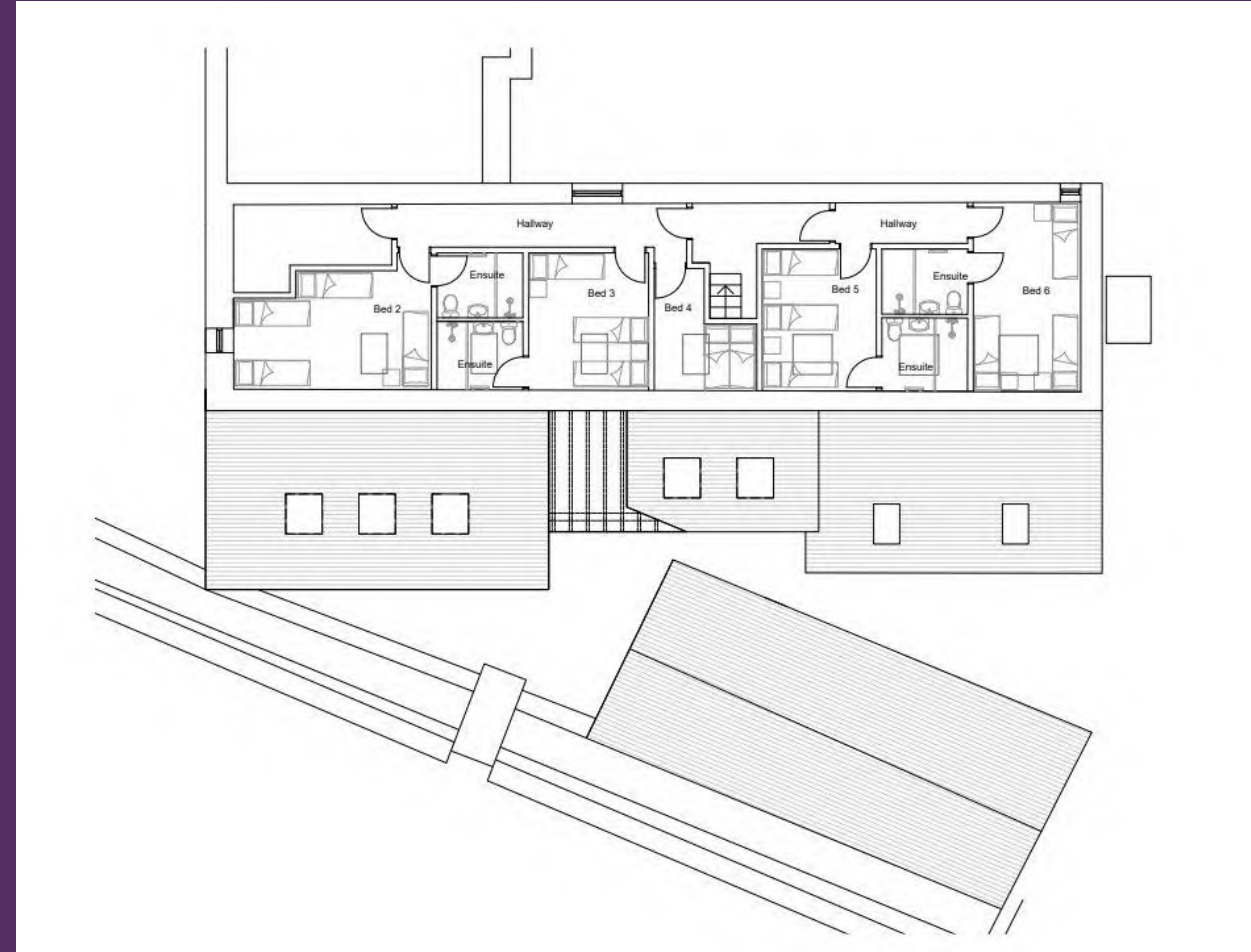
Proposed Ground Floor Plan



Existing First Floor Plan



Proposed First Floor Plan





Storage Building

Accommodation Barn

Accommodation
Barn



Storage
building



Accommodation barn

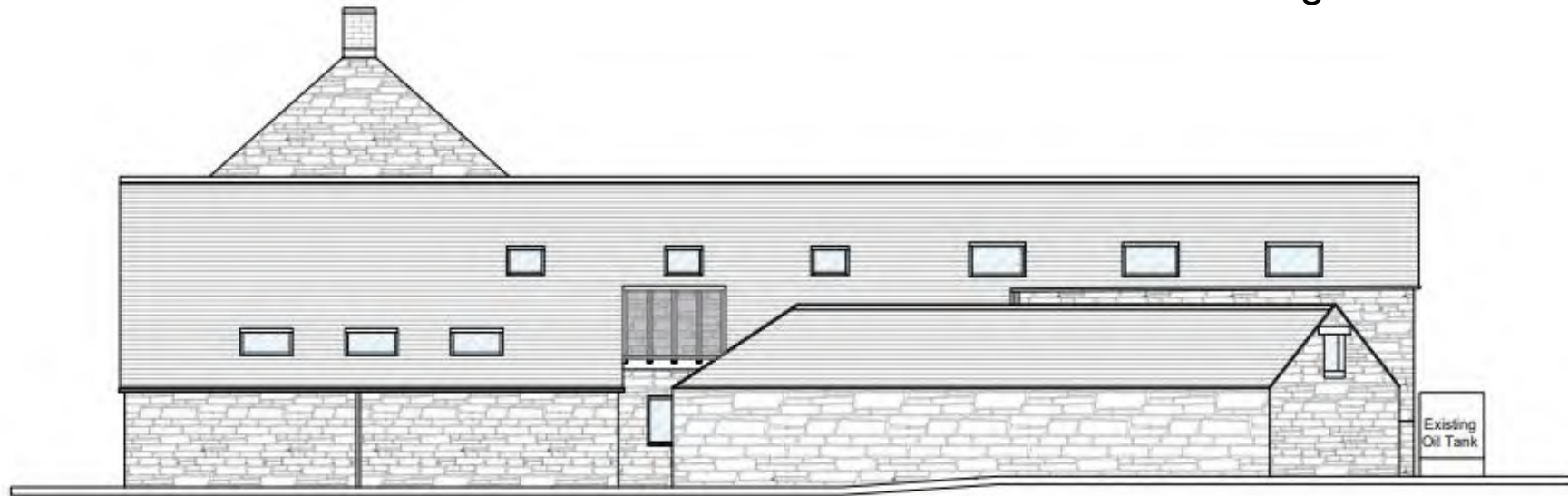
Storage building





Proposed lean to extension

Existing Elevations



South West Elevation



Section A-A

Proposed Elevations



South West Elevation



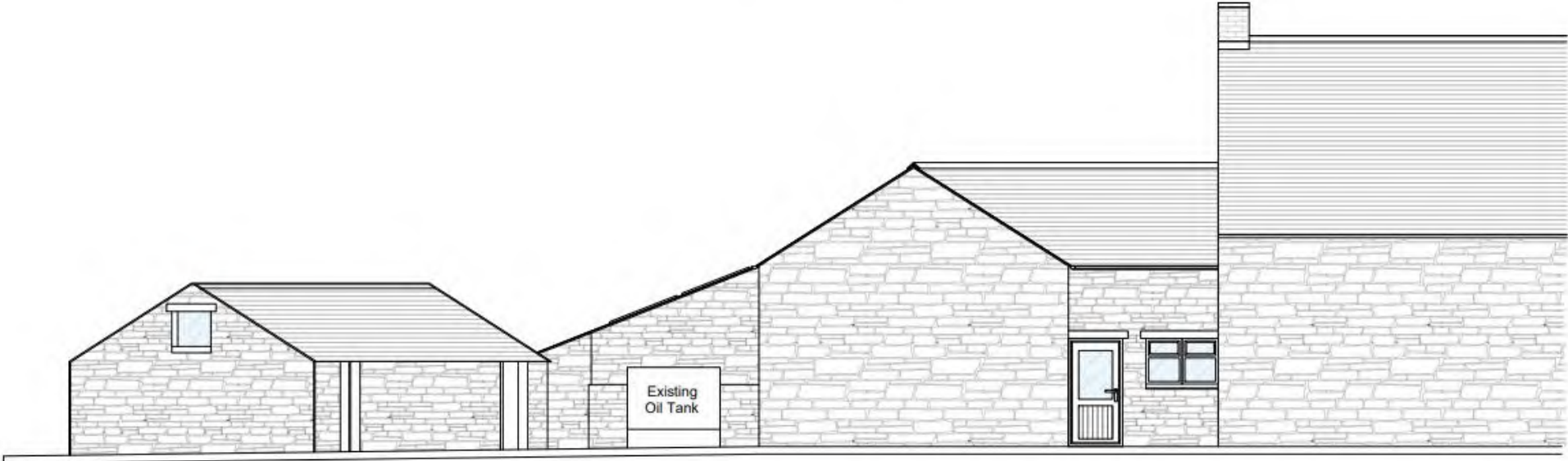
Section A-A



Proposed Elevations



North West Elevation

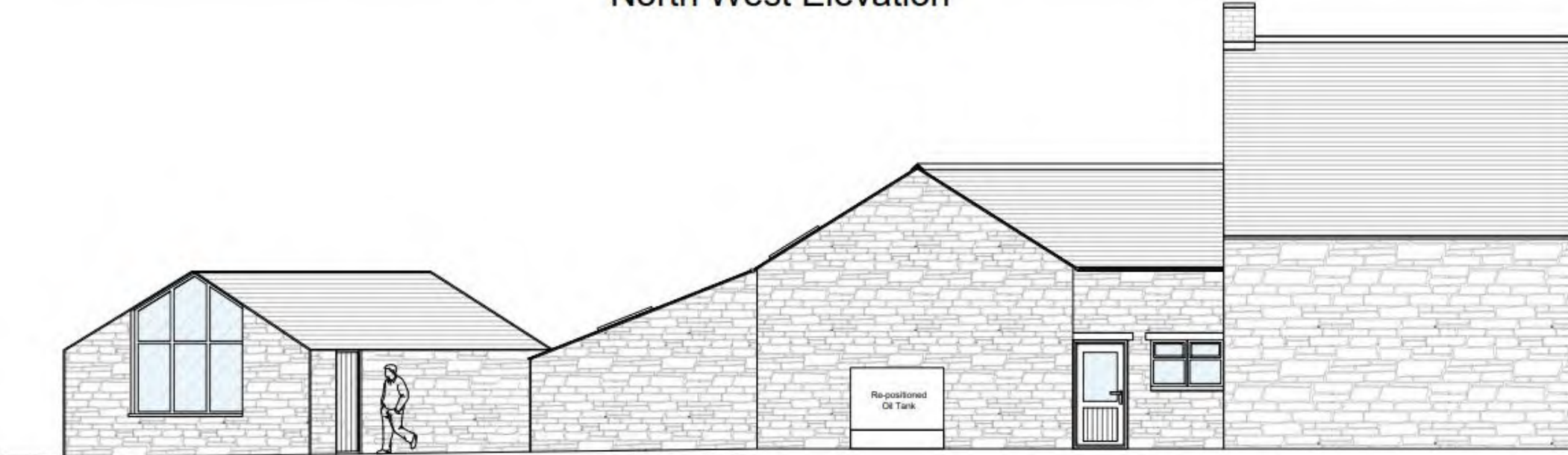


South East Elevation

Proposed Elevations



North West Elevation



South East Elevation