



**Lake District  
National Park**

**6**

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

Application number:	<b>7/2025/5424</b>
Application type:	S73 (Amend/Delete Condition)
Applicant:	Mr P Johnston
Location:	Land adjacent to Dixon Ground Farm, Coniston
Grid reference:	329913 497652
Proposal:	Siting of 4 shepherd's huts for use as holiday letting accommodation variation of conditions 2 (plans), 4 (location), 7 (parking), 8 (site management plan) and 9 (landscaping) on planning permission 7/2021/5151 - amendment to position of shepherds huts, hot tub for each hut, additional landscaping and external lighting
Report prepared by:	Jackie Ratcliffe, Area Planner
Report agreed by:	Kevin Richards, 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 This application is being reported to the Committee because my recommendation for approval is contrary to the views of Coniston Parish Council.
- 2.2 This Section 73 application seeks to amend condition number 2 (plans), to include the updated site plan, access for the accessible unit and hot tubs, on the original planning permission 7/2021/5151 for the siting of four shepherd's huts for use as holiday letting accommodation (farm diversification) at Dixon Ground Farm in Coniston. Condition numbers 4 (location) and 7 (parking) of the original planning permission will also need to be varied to refer to the updated site plan. In addition to varying the above conditions, the details required by condition numbers 8 (site management plan) and 9 (landscaping) on the original planning permission 7/2021/5151, have also been submitted. It is proposed that these conditions are varied to require compliance with the submitted details.
- 2.3 The amendments and details now sought relate to the positioning/ orientation of the shepherd's huts on the site, the provision of a hot tub for each hut, additional landscaping and external lighting.
- 2.4 Small changes have been submitted during the application relating to lighting, landscaping and the addition of a small canopy to the entrance of each hut.
- 2.5 At the time of my site visit works were taking place on the site and two of the huts and one hot tub had been installed. It was apparent that the amendments sought were being implemented. The original planning permission does not contain any pre-commencement conditions.

## **3 Representations**

- 3.1 Coniston Parish Council: When the original application (7/2021/5151) was considered, the Parish Council submitted a letter objecting to the proposal. Despite the fact that planning approval was granted the Parish Council believes that these objections are still relevant and, although I don't propose to reiterate the issues raised at that time, I would be grateful if you would consider those matters when considering this amendment.

In relation to the specifics raised in this application:

- Hot Tubs. The village has experience of hot tubs having been installed at holiday lets. These generate an unreasonable level of noise and nuisance for residents. The Parish Council believes that installation of several hot tubs in an area that visitors might perceive as isolated will create an unreasonable level of noise and disruptive behaviour. In addition, hot tubs do not contribute toward efficient energy use and long-term sustainability and responsible tourism. They are not compatible with the character and appearance of the village, nor are they a necessary component to a holiday let and so, as a peripheral feature, they should not be permitted.
  - Lighting. This is an area on the edge of the village where existing lighting has caused disruption to native wildlife. The proposed lighting is excessive and would create a nuisance to local wildlife and the overall natural lighting achieved by the rest of the village.
- 3.2 Local Highway Authority (LHA): No objection - as it is considered that it will not have a material effect on existing highway conditions.
- 3.3 Lead Local Flood Authority (LLFA): No objection - as it is considered that it will not increase the flood risk on the site or elsewhere.
- 3.4 One representation objecting to the amendments has been received from High Dixon Ground to the south of the site. It points out that the original planning permission was flawed as this was approved as a farm diversification proposal when in fact there is no farm business here. In addition, the applicant is applying for additional items that often were denied in the original process. Two main objections have been raised:
- Lighting: Object to the potential additional high intensity lighting. Before the existing high intensity flood lighting was installed at Dixon Ground there were resident owls in the farm's dark fields and trees. They have gone! We have, at our own expense and in conjunction with experts from The Woodland Trust, re-wilded one of our fields very near the Hut site in order to provide additional suitable owl habitat and hopefully reintroduce the owls. High intensity lighting at the Shepards hut site just 50-60 meters from these fields is unnecessary and would be detrimental.
  - Hot tubs: This was not permitted in the original approval as there are over 10 dwelling units within easy hearing distance of people enjoying an evening in a hot tub, at any and all hours. How many of you would like to have a hot tub facility next to or very near your dwelling unit? Folks enjoying a hot tub on holiday is not a crime but the potential for sounds carrying to the affected dwellings 25-80 meters from this site is totally inappropriate.

Request that you deny any changes to the originally approved plan and require that this commercial establishment utilise only low intensity lighting on this and all other structures.

#### **4 Development plan policies and other relevant guidance**

4.1 The relevant Development Plan comprises:

- The Lake District National Park Local Plan 2020-2035
- The Coniston Neighbourhood Plan 2015

4.2 The following Lake District National Park Local Plan policies are relevant to this application:

- Policy 01: National and international significance of the Lake District
- Policy 02: Spatial strategy
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development
- Policy 07: Historic environment
- Policy 18: Sustainable tourism and holiday accommodation
- Policy 19: Agricultural and land-based rural business diversification

4.3 The following policies in the Coniston Neighbourhood Plan 2015 are relevant to this application:

- Policy CNP 2 – Businesses: 2A Development proposals will be supported that will enable the expansion and retention of existing local Businesses. Support will also be given to development proposals for the establishment of new businesses that diversify and strengthen the local economy without significantly adversely affecting the local community
- Policy CNP 4 – Buildings, Structures and Sites of Historic Importance: Development proposals will seek to conserve and enhance the character, integrity and setting of the historic environment including - scheduled ancient monuments; listed buildings; locally important heritage assets
- Policy CNP 6 – Tourism: 6A The development of new tourist attractions that have no significant adverse impact on the local community and are of an appropriate scale will be supported

4.4 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 This application seeks to amend condition numbers 2, 4 and 7 on the approved planning application 7/2021/5151 and also seeks approval of the details required under conditions 8 and 9, as described above. We cannot re-visit the whole planning application but need to only address the amendments and details sought. In considering this application we need to re-impose or vary any relevant/extant conditions on the previous planning permission, as a new planning permission will be granted.

5.2 With the amendments and details sought this would not have any impact on the previous assessment with regard to the principle of the development

and the tying of the use of the huts to the farm business, heritage interests or highways and access. I do not therefore intend to re-address these issues in this report.

5.3 The main issues in this case are:

- Appearance and landscape impact
- Amenity

Appearance and landscape impact

- 5.4 Policy 01 seeks to conserve and enhance the extraordinary harmony and beauty of the Lake District landscape and its Special Qualities, including the attributes of Outstanding Universal Value. Local Plan Policy 05 (as implemented through the Landscape Character SPD) requires the highest level of protection for the landscape in assessing development proposals within the National Park, and expects development to be of a type, design, scale and level of activity which maintains local distinctiveness, sense of place, and where appropriate, tranquillity. Policy 06 seeks high quality design appropriate to its context.
- 5.5 The site, a former field, is immediately adjacent to the boundary of Coniston and is within a mixed area which includes the Coniston Coppermines service buildings, a joinery workshop, large electricity sub-station and several dwellings. At the time of the original application much of the site boundary planting had been implemented and since then it has grown and matured into an effective natural screen, so much so that the site is not readily visible from any public vantage points, including from the footpath (FP 512023) which runs along the northern boundary of the site or from the Walna Scar Road. Where the site is glimpsed it is within the context of other buildings and development, and it does not appear as isolated. There would be a view directly into the site from the footpath where an accessible hut is located and is to be accessed, but this is very limited.
- 5.6 The positioning of the huts on the site have been amended, with three of them being turned through 90 degrees, and the fourth through 180 degrees. The supporting letter submitted with the application states that this would provide private areas for each of the huts. This would be reinforced by additional landscape planting within the site between the huts. Each hut would also be provided with a small canopy over the entrance doors in order to provide some shelter from the weather when accessing the units. An access to the northernmost unit has also been shown from the footpath/track in order to gain access to an accessible hut.
- 5.7 In addition, a hot tub is to be provided for each hut and they have been sited to the rear or side of each of the huts. They would have a timber screen fence to a height of 2 meters around part of the tub, where one fixed downlight would be installed. They would not be readily visible from outside of the site.
- 5.8 Details have been submitted under conditions 8 and 9 of the original planning permission. Condition 8 (Management Plan) requires details of: external lighting; measures to be employed to manage and maintain the

condition of the land around the huts, including details of any chattels to be provided or prohibited on the land; and measures to be employed to ensure the availability of car parking to users of the site within the locations identified on the site layout plan, and to prevent parking within the field and northern farm yard.

- 5.9 The external lighting proposed includes three wall lantern lights for each hut (two either side of the entrance doors and one to each rear door) and a fixed wall light for each hot tub, fixed to the screen fencing. The light units on the huts themselves would be a lantern with a projecting top cowl. These would have a colour temperature of 2700 Kelvins. The fixed downlight for each hot tub would have a colour temperature of 2800 Kelvins. The two lanterns at the main entrance doors have been lowered slightly and they are now situated under the small canopies proposed.
- 5.10 A colour temperature of 2700 Kelvins is acceptable as stated in our Good Lighting Technical Advice Note. The design of the lanterns on the huts is not ideal, however, they do have a cowl top, are located in a lower position on the huts, and they are underneath the canopies. This together with the fact that the huts are largely not viewed from outside of the site (apart from the accessible hut) leads me to conclude that with appropriate light levels the lighting scheme is acceptable and would not result in unnecessary light pollution which would be disruptive to amenity or wildlife. A condition would be required, and is recommended, in order to achieve the appropriate light levels.
- 5.11 Also under condition 8 the applicant has stated that the land around the huts will be maintained by his employees. General maintenance will be undertaken on a regular basis. In addition, the site will be inspected between bookings and any maintenance work undertaken as soon as is practical. With regard to car parking, when customers book the accommodation they will be provided with details of where they can park and where parking is not allowed. The applicant's employees will advise customers to move their vehicles to the designated parking spaces, should they park elsewhere. I am satisfied that this meets the requirements of condition 8. This condition will need to be amended to ensure compliance with the submitted details.
- 5.12 Condition 9 of the original planning permission requires landscaping of the site to be undertaken in accordance with the details of a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. It then requires replacement of planting within five years in the event that it fails and requires a management plan for its maintenance. Much of the planting has already been completed, particularly on the boundaries of the site. The planting consists of a mix of species, with trees interspersed within the hedgerow. Species on the site include birch, mountain ash and hawthorn. This planting on the boundary has matured well and is effective, and is acceptable. It is also proposed to repeat this hedge and tree planting between the huts. As some of the planting has not yet been implemented this condition will need to be amended to ensure the planting is completed within the next planting season and a management plan is also still required.

- 5.9 Subject to the recommended condition regarding lighting levels and the revised conditions as set out above, the reorientation of the huts on the site, the new access, lighting, hot tubs and the canopies would not have any detrimental impact on the appearance of the development or the landscape character of the surrounding area as they would not be readily visible in any close or long-distance views of the site. I am therefore satisfied that in terms of appearance and landscape impact the amended proposals are acceptable and are in accordance with the requirements of Policies 01, 05 and 06 of the Local Plan

#### Amenity

- 5.10 Policy 06 (Design and development) indicates that development must not have an unacceptable impact on the amenity of adjoining residents and users of the proposed development, due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts.
- 5.11 There are three existing nearby properties that could be impacted by these proposals – High Dixon Ground, Dixon Ground Farmhouse and Ushers Joinery.
- 5.12 There is also a current planning application (7/2025/5489) on behalf of the applicant for the erection of a building for staff accommodation (two 2-bed units) and laundry facility following the demolition of the existing building, on the site immediately abutting the shepherd huts site to the south-east. I have taken this into account in my assessment, but as the huts and the staff accommodation are under the same control I am not concerned by the relationship with this proposed building.
- 5.13 Objections have been raised particularly concerning the addition of the hot tubs and the potential for increased noise and disruptive behaviour from their use, and the addition of lighting being disruptive to wildlife (this has been addressed above).
- 5.14 One hot tub has been proposed for each of the huts. Each hut only has one double bed in an open plan kitchen/dining/living/bed space. In my opinion they can only accommodate two adults at a time. This being the case the hot tubs would only be used by two people at a time. Given the distance from the nearest residential properties and the fact that they are either downhill from other dwellings or they have other buildings in between, I am satisfied that the use of the hot tubs would not result in impacts on amenity sufficient to refuse planning permission.
- 5.15 For the same reasons of distance from the nearest residential properties and the fact that they are either downhill from other dwellings or they have other buildings in between, I consider the lighting proposals to be appropriate for the area, subject to the light level condition recommended.

- 5.16 I am satisfied that the residential amenities of the adjacent dwellings will not be unduly compromised and that the proposed amendments are in accordance with Policy 06 in this respect.

Other matters

- 5.17 Planning permission 7/2021/5151 contained conditions. I have reviewed these conditions and consider that:
- Condition number 1 (Standard time limit) can be deleted as the development has commenced
  - Condition number 2 (Approved plans and details) needs to be amended to take account of the plans and details to now be approved
  - Condition number 3 (Occupancy – short term holiday letting) is still relevant and needs to be reimposed
  - Condition number 4 (Site layout plan) needs to be amended to take account of the new site layout plan
  - Condition number 5 (Design of hut) needs to be amended to take account of the new canopies
  - Condition number 6 (Planning unit) is still relevant and needs to be reimposed
  - Condition number 7 (Parking layout) needs to be amended to take account of the new site layout plan
  - Condition number 8 (Site management plan) needs to be amended to ensure compliance with the submitted Management Plan
  - Condition number 9 (Landscaping) needs to be amended to ensure the planting is completed within the next planting season and a management plan is submitted.

An additional condition is required regarding the maximum light levels for the lights.

## **6 Conclusion**

- 6.1 The amendments and details sought are considered to be acceptable in terms of their appearance and impact on the landscape and impact on amenity.
- 6.2 Having regard to the provisions of the Development Plan, in particular policies 1, 2, 5, 6, 7, 18 and 19 of the Lake District National Park Local Plan 2020 - 2035, and other material considerations (including the provisions of the NPPF and The Coniston Neighbourhood Plan), the amendments and details sought are considered to be acceptable, subject to the revised conditions recommended.

**RECOMMENDATION: APPROVE with conditions**

**Conditions/Reasons**

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

- Drawing number: SK2414-003 Revision B (Site Layout as Proposed)
- Drawing: Typical Hot Tub Section
- Canopy and Lighting Photos
- Lighting Specification
- Planning Note - Details of hot tub and access ramp
- Covering Letter, prepared by Mc Donald Wilkinson Tonge (Ref: 24001-01-LPA), dated 24 July 2025

And the following plans and details approved under planning application 7/2021/5151:

- Drawing no. 2414-001 (Location Plan)
- Drawing no. 2414-100 (Plan and Elevations as Proposed)
- Drawing no. 2414-101 (Plan and Elevations as Proposed)
- Tree Survey prepared by ARBTECH dated 3 November 2020 (Ref: Land at Dixon Ground Farm - Arbtch TSR 01)
- Planning and Heritage Statement prepared by Steven Abbott Associates LLP dated March 2021 (Ref: 3554-SH rev A)

REASON: For the avoidance of doubt.

2 The development hereby permitted shall not be occupied other than for short-term holiday letting purposes, and no person, group of persons, or family shall occupy the shepherd huts for a period or periods exceeding 28 days in any three month period.

REASON: The accommodation is inadequate for permanent residential use and permitting permanent residential accommodation in this open countryside location would be contrary to Policies 02 and 15 of the Lake District National Park Local Plan 2020-2035, and for the avoidance of doubt.

3 Not more than four units shall be placed on the site. No unit shall be sited other than in the locations as shown on the approved Site Layout Plan as Proposed (Drawing number: SK2414-003 Revision B).

REASON: For the avoidance of doubt and to ensure an appropriate level of development in accordance with Lake District National Park Local Plan Policies 01, 02, 05, 06, 07, 18 and 19.

4 No unit shall be sited on the land other than of a type which is in accordance with details shown on drawing 2414-100 (plan and elevations as proposed), as amended by the front door canopies received on 7 November 2025.

REASON: Permission has been granted on the basis that the proposed shepherd huts would have limited landscape impact. Their replacement with caravans or other more intrusive structures could have a more significant impact

and would be contrary to Lake District National Park Local Plan Policies 01, 02, 05, 06, 07, 18 and 19.

5 The development hereby permitted shall only be used in association with the land known as Dixon Ground Farm (trading as Coppermines Farms). The units hereby approved shall at no time be operated separately from Dixon Ground Farm. In the event that the land or accommodation is sold separately from the Farm as identified above, or the farming operation ceases to trade as such, then within a period of nine months: the use shall cease; the units shall be removed from the land; and the land shall be restored in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority.

REASON: Planning permission has been granted for a dwelling under the provisions of Policies 18 and 19 of the Lake District National Park Local Plan 2020-2035 as an exception to the policies in respect of housing development in the open countryside on the grounds that the proposal is designed to sustain the farm business as part of a farm diversification scheme.

6 Prior to the first use of the development hereby permitted, vehicular parking for the development shall be provided in accordance with the details as shown drawing SK2414-003 Revision B (Site Layout as Proposed).

REASON: In the interests of protecting the amenity of the adjoining public right of way, and the residential amenities of nearby dwellings in accordance with Policy 06 of the Lake District National Park Local Plan 2020-2035.

7 The development hereby approved shall be operated and maintained in accordance with the Management Plan (required under condition number 8 of planning permission 7/2021/5151) contained within the approved Covering Letter, prepared by McDonald Wilkinson Tonge (Ref: 24001-01-LPA), dated 24 July 2025.

REASON: For the avoidance of doubt and to safeguard the visual amenities of the area and the residential amenities of nearby residential properties in accordance with the provisions of Lake District National Park Local Plan Policies 02, 05 and 06.

8 Landscaping of the site shall be undertaken within the next planting season (by November 2026) in accordance with the details contained within the approved Covering Letter, prepared by McDonald Wilkinson Tonge (Ref: 24001-01-LPA), dated 24 July 2025.

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

The planting shall thereafter be maintained in accordance with a management plan which has first been submitted to and approved in writing by the Local Planning Authority, or such management plan as the Local Planning Authority may from time to time approve thereafter. The first management scheme shall be

submitted to the Local Planning Authority not later than 12 months from the planting being completed

REASON: To safeguard the visual amenities of the area.

9 The maximum colour temperature of the bulbs to be used in the light units hereby approved shall be 2700 Kelvins, or lower.

REASON: For the avoidance of doubt and in the interests of protecting the amenity of the surrounding area, in accordance with Policy 06 of the Lake District National Park Local Plan 2020-2035.

### **NPPF decision notice requirements**

INFORMATIVE:

The applicant is advised that any physical alterations to the washing facilities building on the site will require planning permission and a further planning application will be required for this work prior to any alterations being made.

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 based on seeking solutions to problems arising in relation to dealing with the application by seeking additional information regarding the layout and lighting proposals.

### **Background papers**

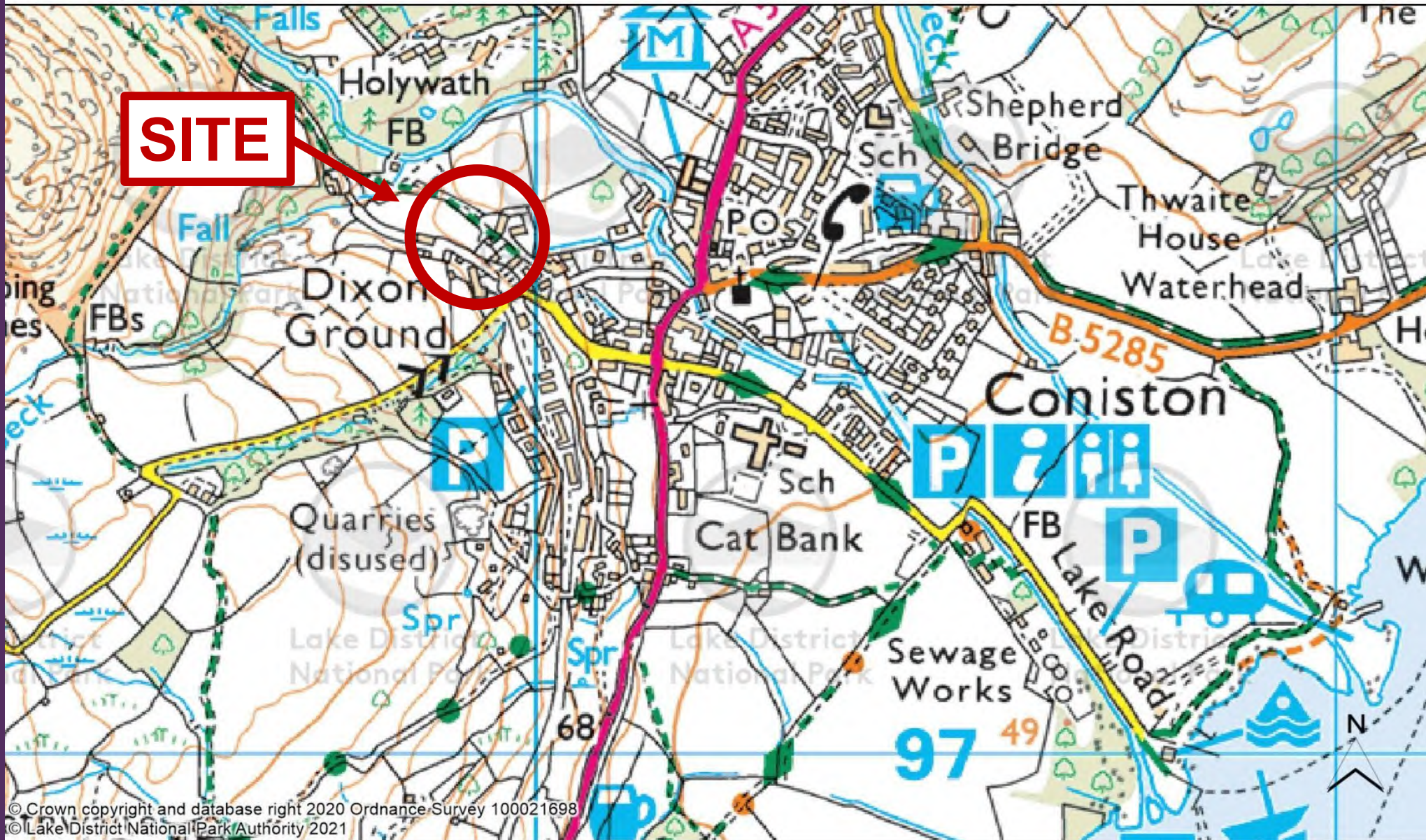
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2025/5424

Land adjacent to Dixon Ground Farm, Coniston

Siting of 4 shepherd's huts for use as holiday letting accommodation variation of conditions 2 (plans), 4 (location), 7 (parking), 8 (site management plan) and 9 (landscaping) on planning permission 7/2021/5151 - position of shepherds huts, hot tub for each hut, additional landscaping and external lighting

# Location Plan

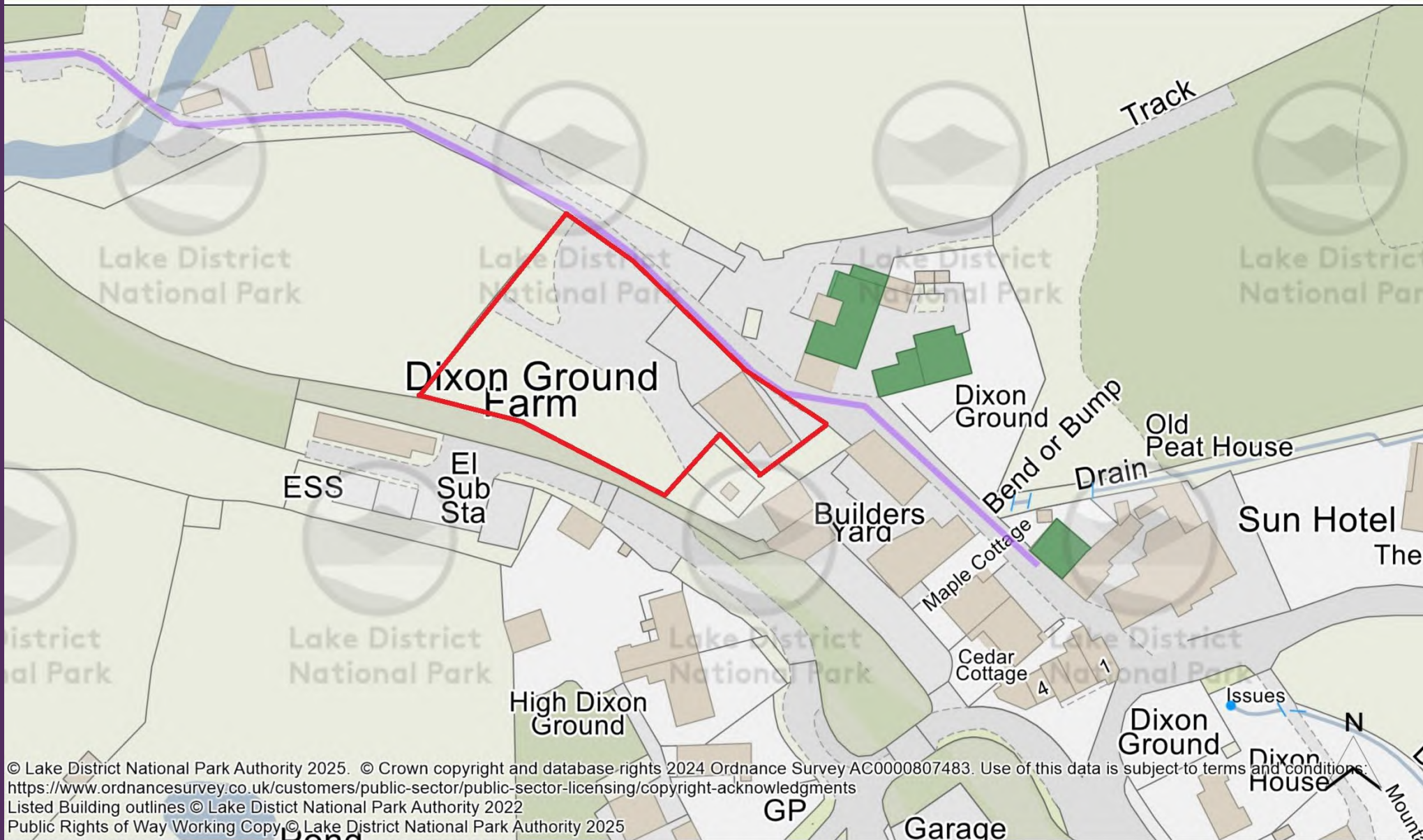


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# Context and Constraints



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# Aerial Photograph

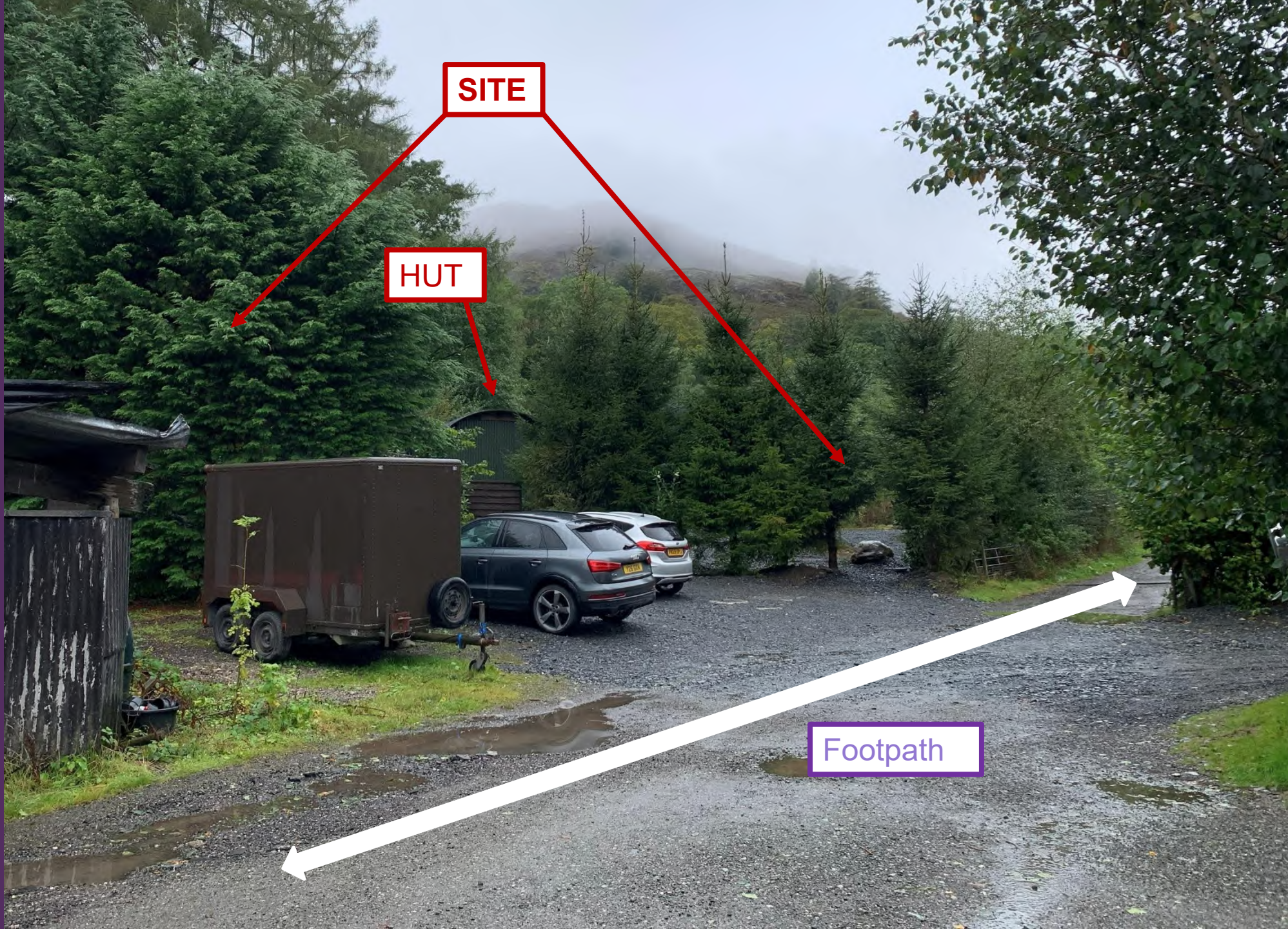


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**Lake District**  
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SITE

HUT

Footpath

Looking east across site from the public footpath



North  
boundary  
of the site  
with the  
footpath –  
looking  
northwest

Site Boundary

Footpath



Northwest  
boundary to  
the site

Northern  
access to  
the site

Site entrance  
for accessible  
unit

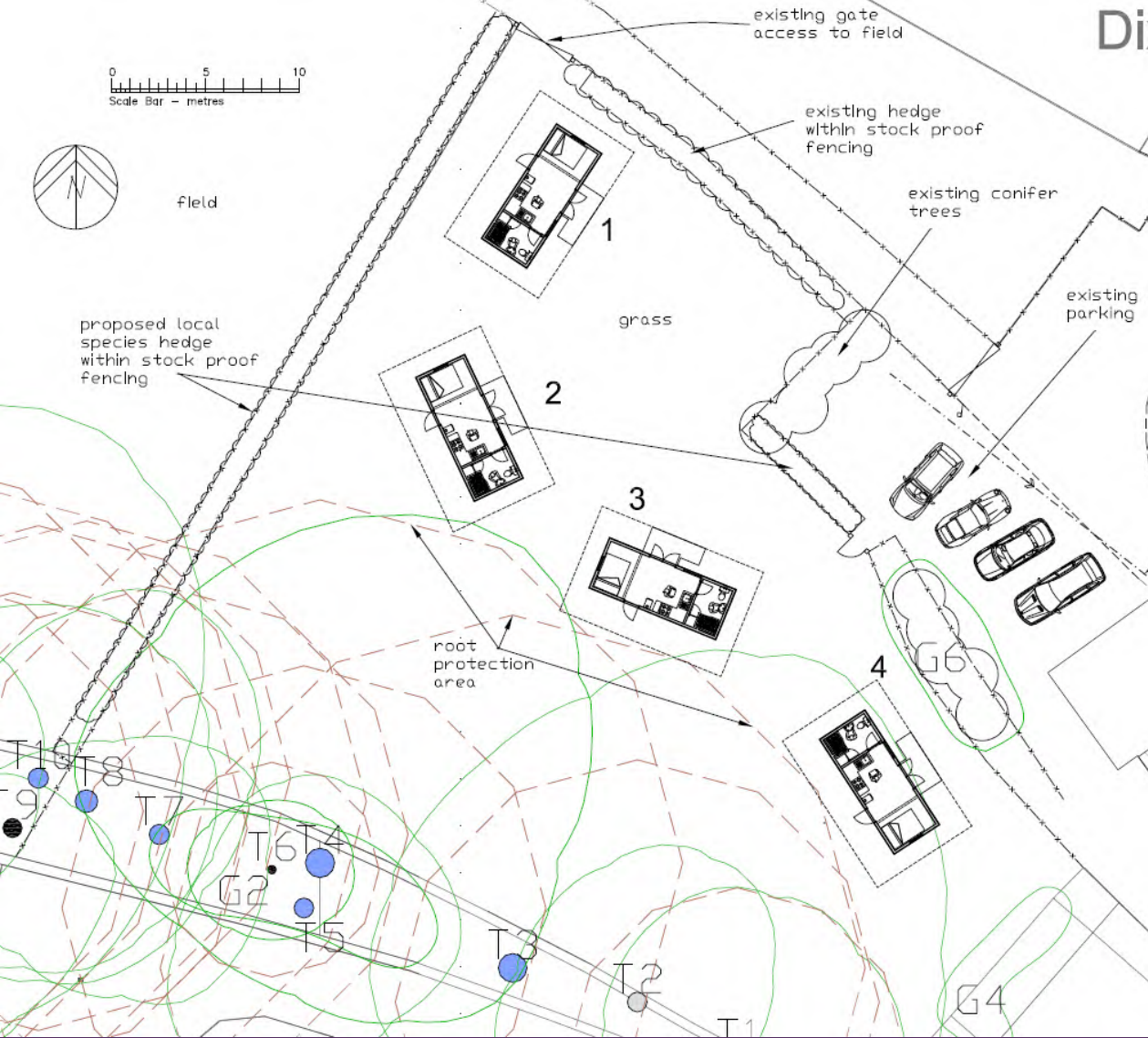


Footpath

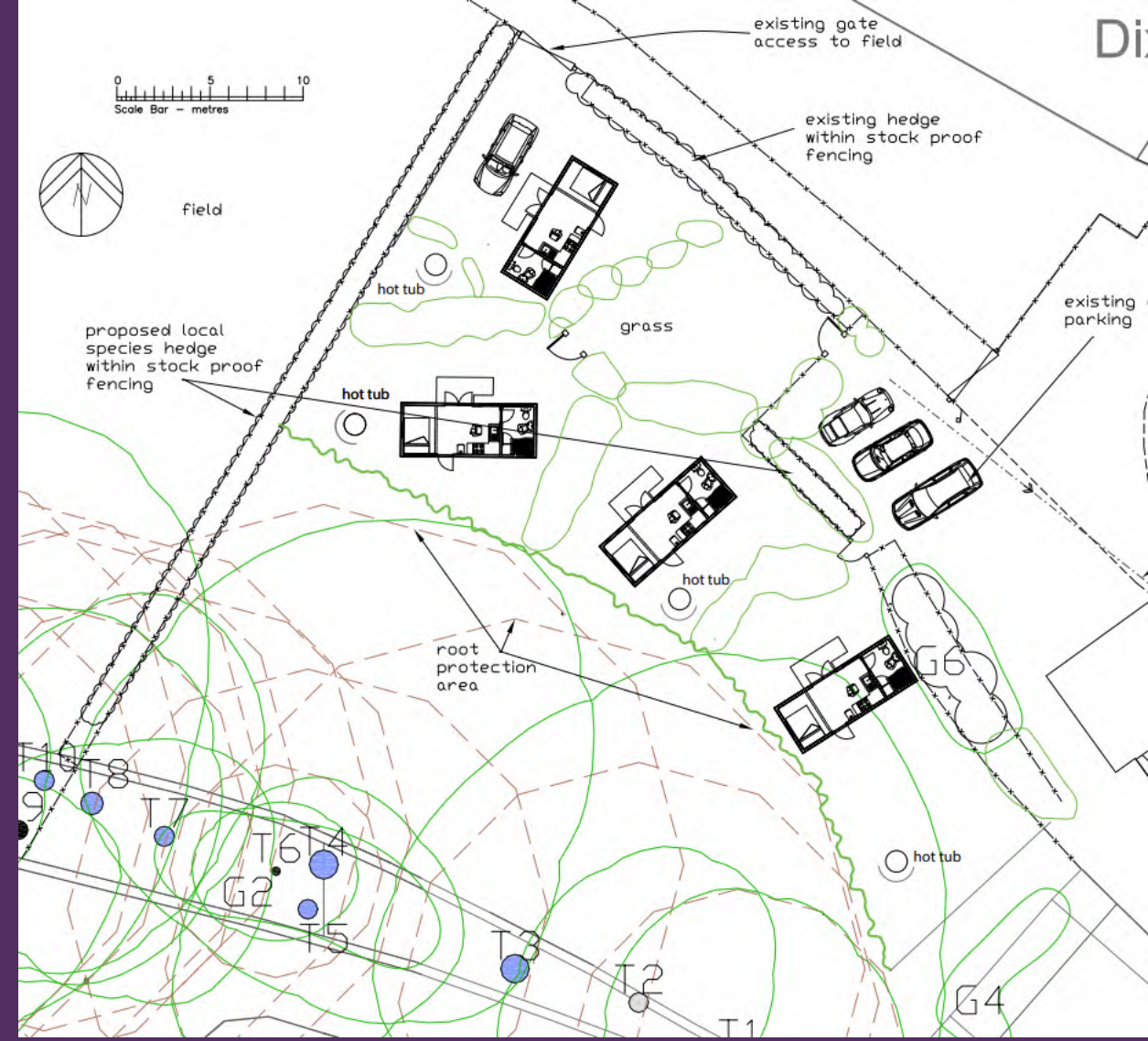


Looking  
southeast  
along  
footpath



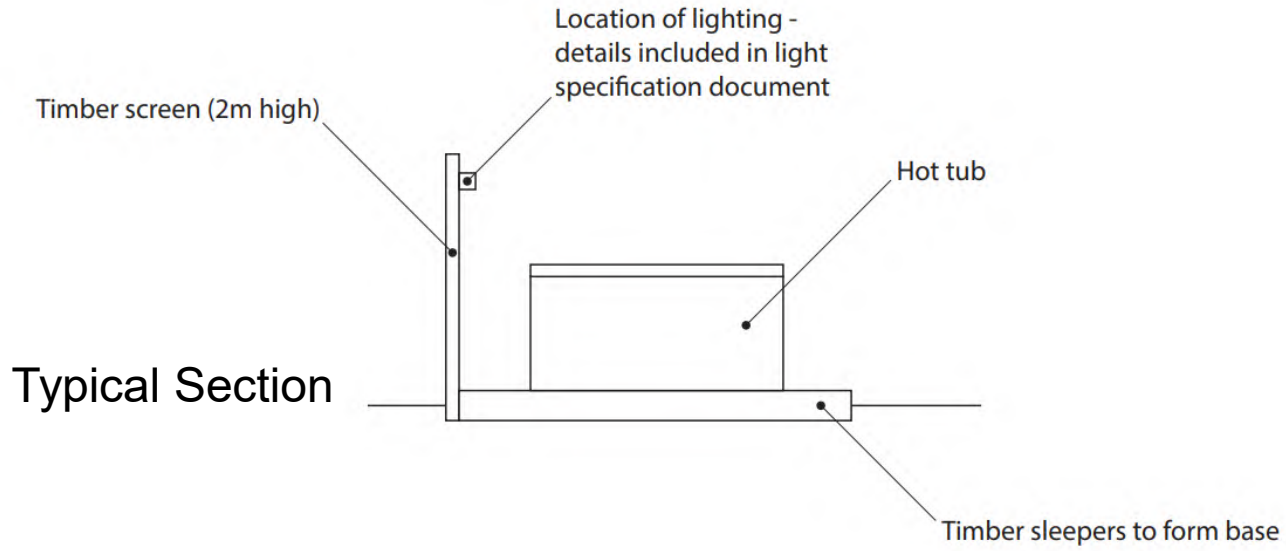


Approved Site Layout



Proposed Site Layout

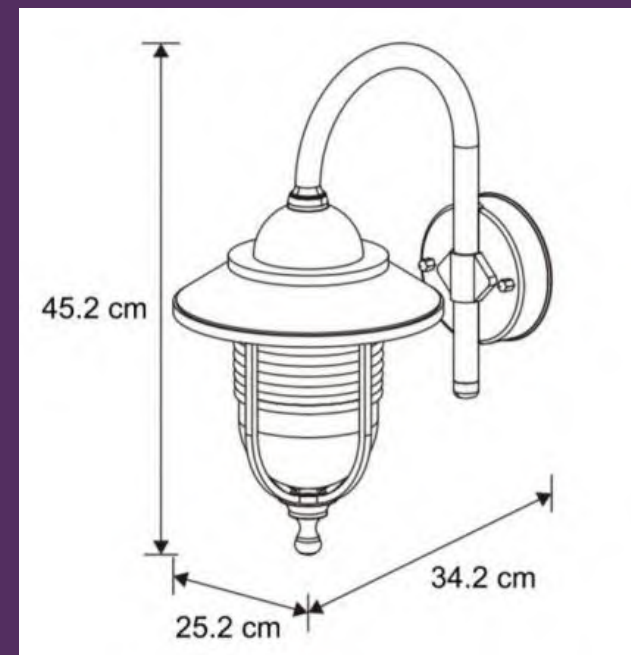
# Hot Tub and Lighting Details



Projection from wall: 92.5mm  
Total height: 95mm  
Fixed – not movable  
2800 Kelvins

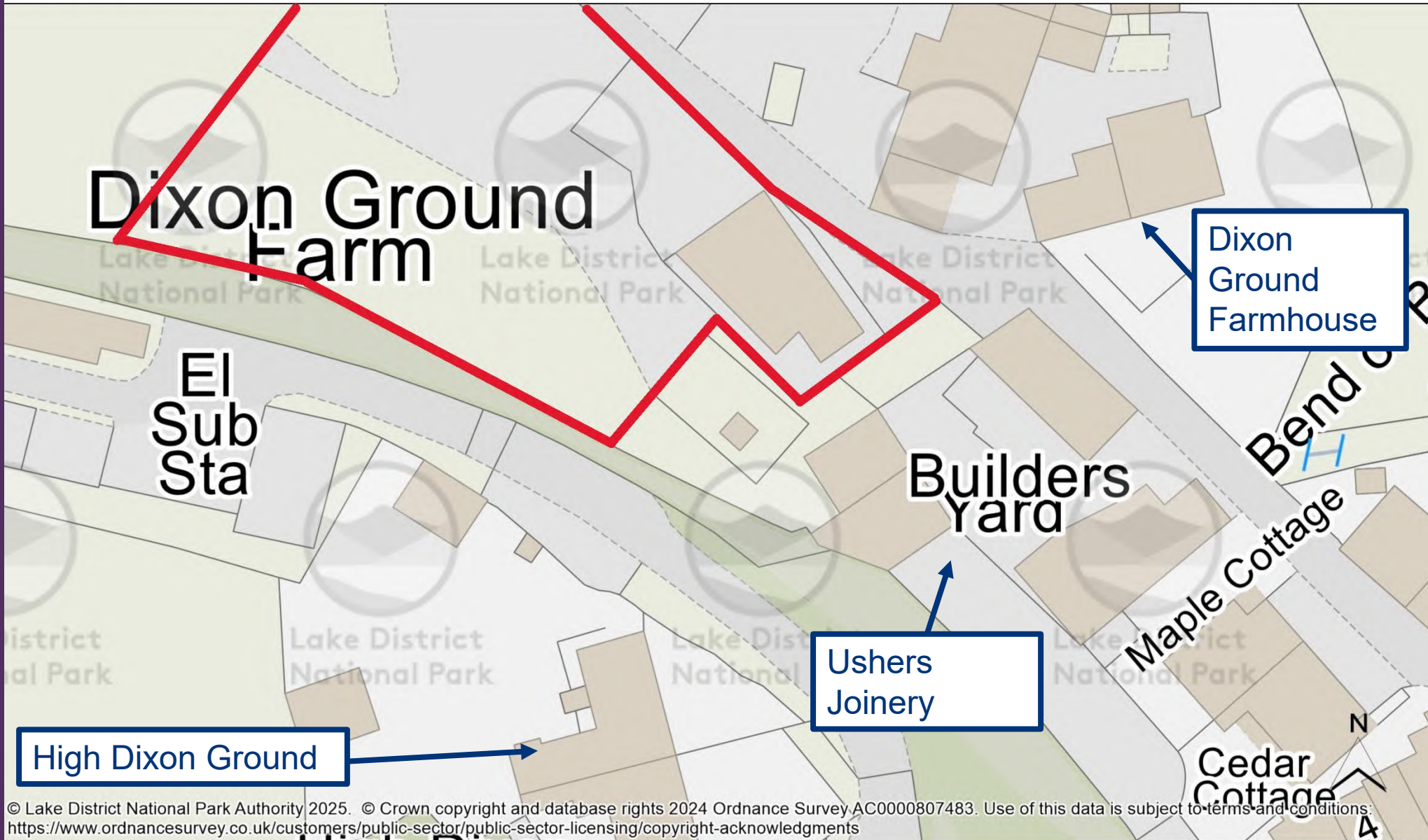


# Lighting and canopy



Warm White – 2700 Kelvins

# Relationship with Neighbours



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High Dixon  
Ground



View from the  
site towards  
High Dixon  
Ground

Southern boundary  
of the site



High Dixon Ground



Southern boundary of the site



Looking westwards along driveway to High Dixon Ground



# Looking north from High Dixon Ground driveway



**SITE**

(Behind hedge  
and at lower  
level)

Next view from here

# View from outside utility area at High Dixon Ground

