



**Lake District
National Park**

7

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

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| Application number: | 7/2025/5491 |
| Application type: | Full Planning application |
| Applicant: | Mr Martin Hawthorne |
| Location: | 1 The Old Vicarage, Far Sawrey, Ambleside, LA22 0LQ |
| Grid reference: | 337762 495691 |
| Proposal: | Creation of a swim pond (5 x 12 m 1.5 m deep) |
| Report prepared by: | Abigail Holt, 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 Committee because the recommendation of approval is contrary to objection from Claife Parish Council.
- 2.2 The application site is 1 The Old Vicarage; one of six apartments within a converted Victorian vicarage located in Far Sawrey. The site is accessed from Cuckoo Brow Lane, where there is a public right of way (BW510014), and connects to the B5285. The site is located within Far Sawrey conservation area.
- 2.3 This application seeks permission for the creation of a swim pond in the rear garden.

3 Representations

- 3.1 Claife Parish Council - Object for the following reasons:
 - The drawings provided are inadequate
 - There is no drainage plan in place to deal with the excess water during periods of heavy rainfall and there is a risk of overflow down the steep bank to Cuckoo Brow Lane. The bank has no capacity to absorb extra water and thus creating a risk of flooding to the Scutcheon House commercial units on the lane.
- 3.2 One letter of support has been received. It outlines that three streams pass through Scutcheon House, however these are maintained and have not exceeded capacity in recent years. Historical flooding issues have been resolved, and the proposed pond will not increase runoff or flood risk. It also outlines that the submitted drawings are similar to plans regularly accepted.

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 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.

5 Procedural matters

- 5.1 As part of their objection, the Parish Council commented that the drawings provided are inadequate. No further explanation was provided specifying why the drawings are inadequate. In my views the plans are sufficient to assess the acceptability of the proposals.

6 Main issues and assessment

- 6.1 The proposals are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle. The main issues are:
- Character and appearance of the conservation area
 - Neighbouring amenity
 - Flood risk

Character and appearance of the conservation area

- 6.2 Policy 06 states that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials.
- 6.3 This site is in Far Sawrey Conservation Area, and therefore any impacts on the character of the historic environment must be considered. Lake District National Park Local Plan 2020-2035 Policy 07: Historic environment states that development proposals will seek to conserve and enhance the character, authenticity, integrity, setting and views of the historic environment. This is derived from the test set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in the exercise, with respect to any buildings in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (Section 72(1)).
- 6.4 The Far Sawrey Conservation Area is characterised by buildings which predominantly date from the 17th, 18th and 19th centuries and include good examples of the vernacular tradition, together with buildings in the Arts and Crafts and the Vernacular Revival styles. The palette of building materials reflects the underlying geology, being carboniferous limestone and slatestone, and domestic buildings are typically constructed from rubble stone concealed beneath a render coat, or from slatestone with ashlar dressings. The Old Vicarage is included within the Far Sawrey Conservation Area Townscape Appraisal map as a building of special character and is described as having architectural and historic significance within Far Sawrey.
- 6.5 The application site is located within a converted Victorian vicarage constructed of a local slate roof, local stone walls, and timber windows and doors. To the rear, there is a landscaped garden which slopes up towards the northeast, containing dwarf dry-stone retaining walls.

- 6.6 The proposed swim pond would consist of a small header pond with a stream to follow the natural slope of the land, feeding into the main pond. The header pond would be circular, with a diameter of 2.2m and a depth of 0.5m. It would be formed using an existing rocky basin and located in the northeastern corner of the garden. The header pond and stream would be planted up to provide natural filtration.
- 6.7 The main pond would be located centrally within the garden, measuring 5m by 12m with a depth of 1.5m. There would be concrete steps at the southern end, with a shallower pebble area to the northwest. Along the northeastern side, a shallow channel is proposed to hold gravel and plants to provide natural filtration, with natural stone or concrete pavers around the entire pond edge. There is also a new retaining wall proposed in the garden which would connect to the existing.
- 6.8 The rear garden has some public visibility from the B5285 at a distance of over 150m; however, the visibility of the swim pond would be limited as it would be flush with the ground level. The views from an adjacent right of way would be limited due to the steep slope of the land and the screening from retaining walls and vegetation. The proposed design would be relatively simple and reflective of the traditional character and materials of the area with plants to soften the appearance of development within the landscape. For these reasons, and the fact that the existing garden has a landscaped appearance, I consider that the character of the conservation area would be preserved and that the proposed development would be acceptable.
- 6.9 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.

Neighbouring amenity

- 6.10 Policy 06 states 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.
- 6.11 The application site forms one of the six apartments located at The Old Vicarage. To the east of the site is Jemima Cottage. The rear gardens at these sites are relatively open with limited privacy from each other, as they are separated by a low hedge. Due to the slope of the land, the garden area at Jemima Cottage sits higher than that at The Old Vicarage.
- 6.12 The proposed pond would be located flush with the ground and would largely be at a lower level than the neighbouring garden area due to the slope of the land. As such, it would not result in any overbearing effect, overshadowing, or overlooking towards the neighbouring garden space.

- 6.13 I am satisfied that the development would not have an unacceptable impact on amenity due to visual intrusion, overlooking, overshadowing, overbearing effect, noise, light pollution or other adverse impacts. A high standard of amenity for existing and future users of the building and neighbours would be maintained.
- 6.14 The development is acceptable in terms of its impact on amenity and satisfies the requirements of Local Plan Policy 06, the Design Code SPD and the NPPF.

Flood risk

- 6.15 The Parish Council raised concern that excess water may overflow down Cuckoo Brow Lane, resulting in a flood risk on the lane and at Scutcheon House. Currently, there is grass in the location of the proposed pond, which will have some degree of permeability. The proposed pond, when full, would be impermeable. Excess water is likely to run downhill towards Cuckoo Brow Lane, however there is no recorded risk of surface water flooding on the stretch of lane directly downhill of the application site.
- 6.16 The owner and resident at Scutcheon House has confirmed that the streams on site are maintained and have not exceeded capacity in recent years.
- 6.17 Due to the relatively small size of the pond, and the 30 metres of open field that lies between the site and the lane where water would infiltrate, it is unlikely that the proposed development would result in flooding on the lane. I am therefore satisfied that the development meets the requirements of Local Plan Policy 03 in respect of flood risk.

7 Conclusion

- 7.1 Having regard to the provisions of the development plan, in particular Lake District National Park Local Plan Policies 01, 02, 03, 05, 06, 07, 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:

- Proposed sections
- Site layout plan
- Location plan
- Design, Access and Ecological Statement
- Design, Heritage, Access and Ecological Statement

REASON: For the avoidance of doubt.

NPPF decision notice requirements

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

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

Background papers

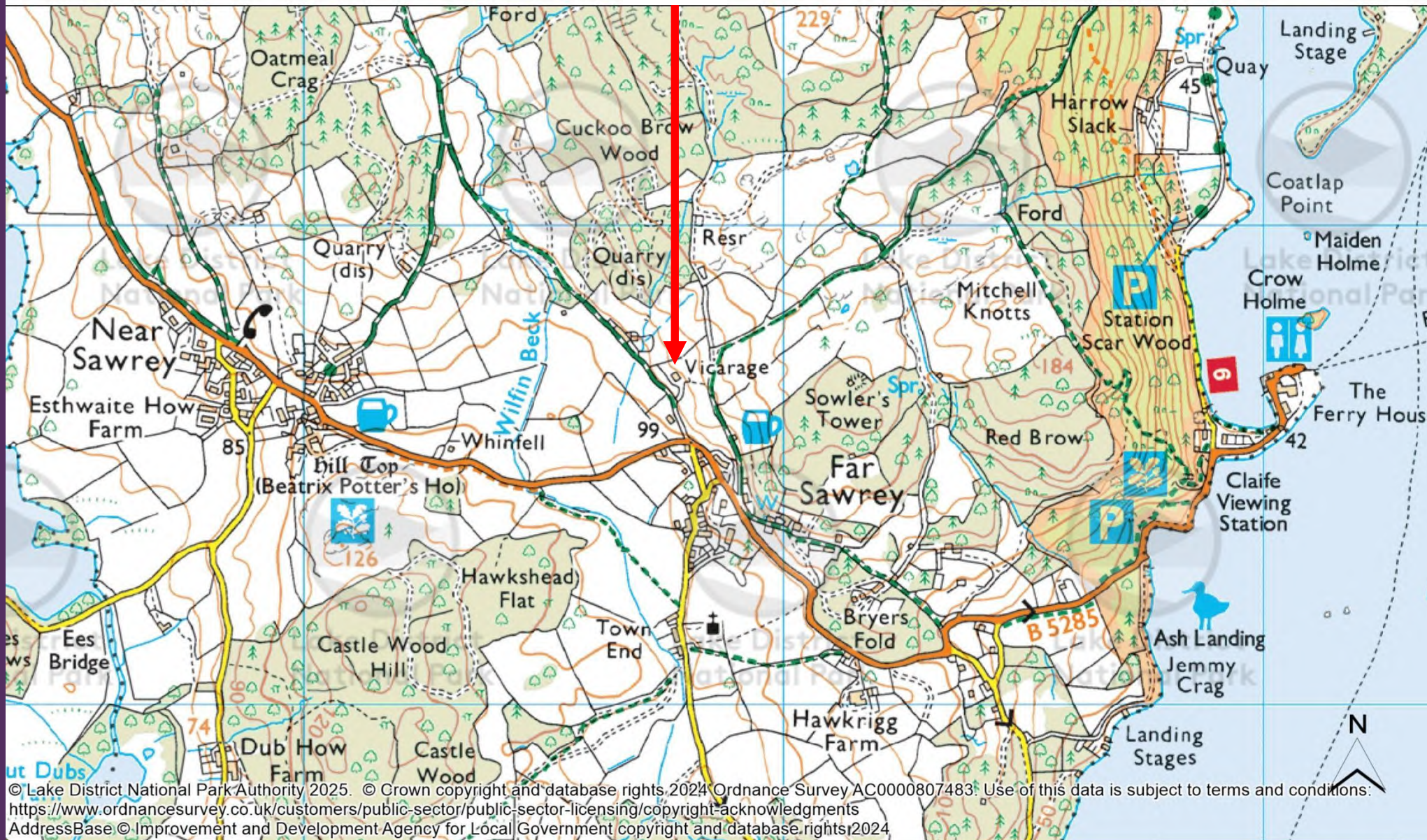
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2025/5491

1 The Old Vicarage, Far Sawrey, Ambleside, LA22
0LQ

Creation of a swim pond (5 x 12 m 1.5 m deep)

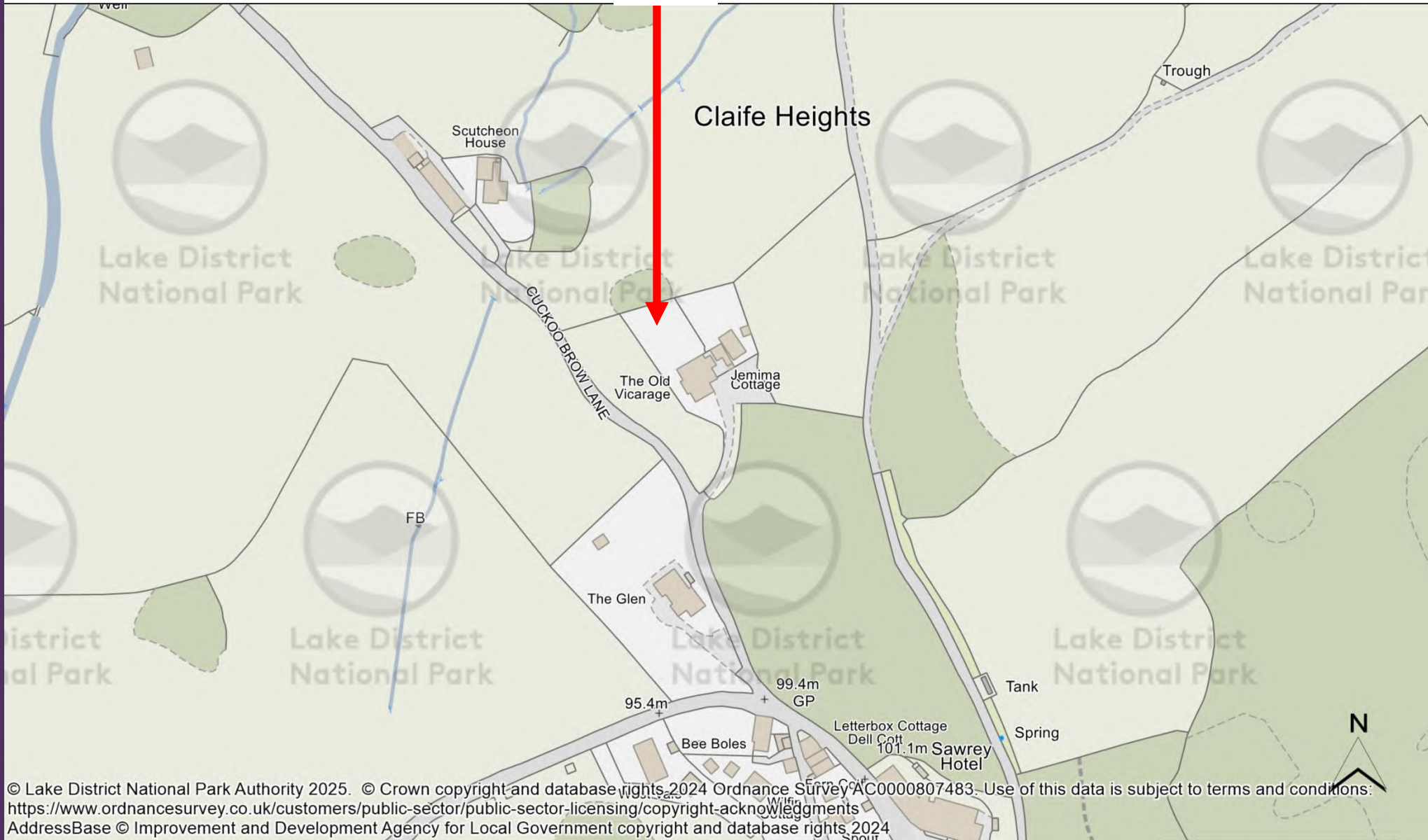
Site



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Site

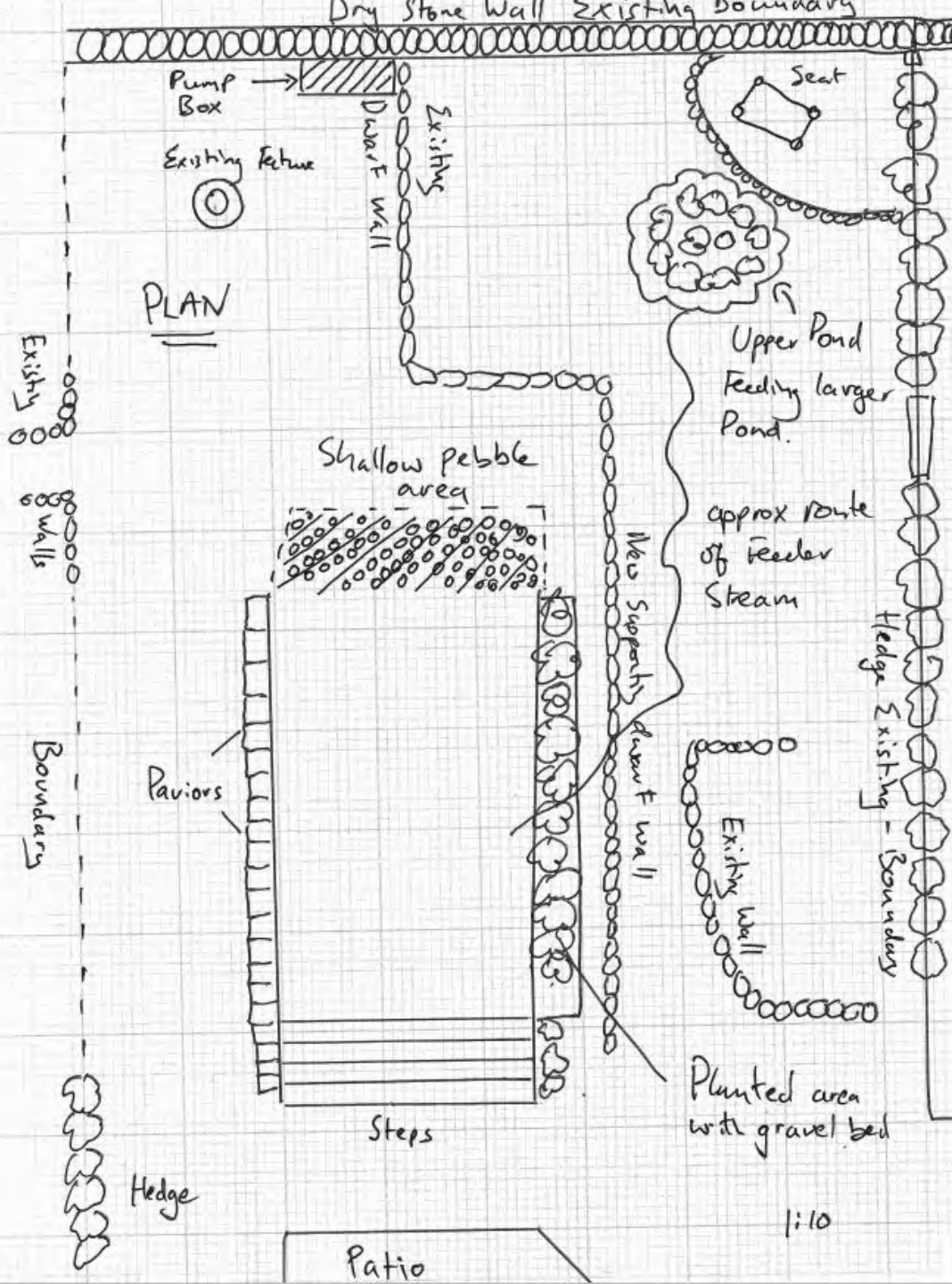


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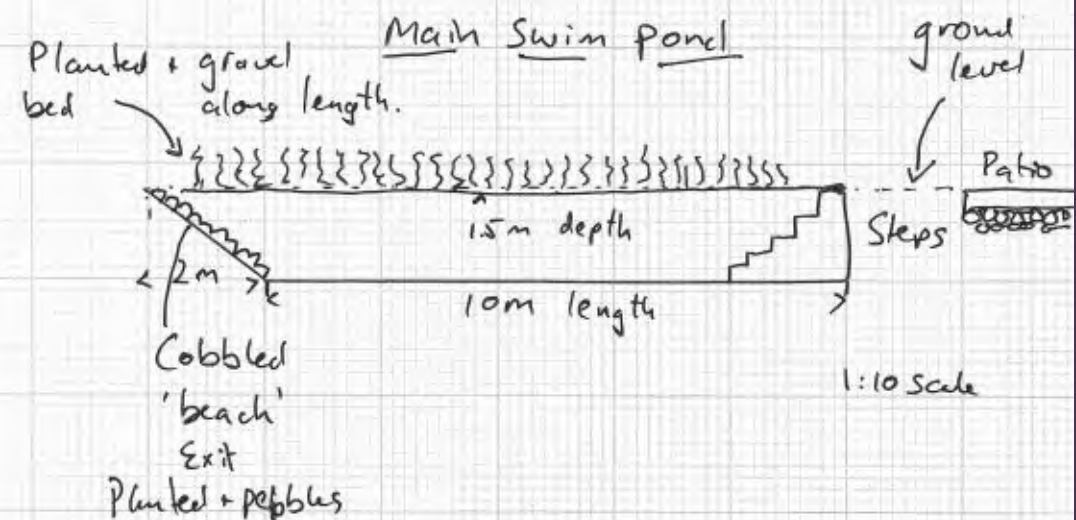
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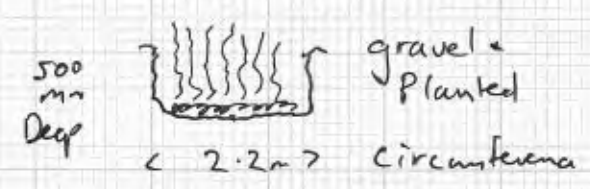
Lake District
National Park Authority



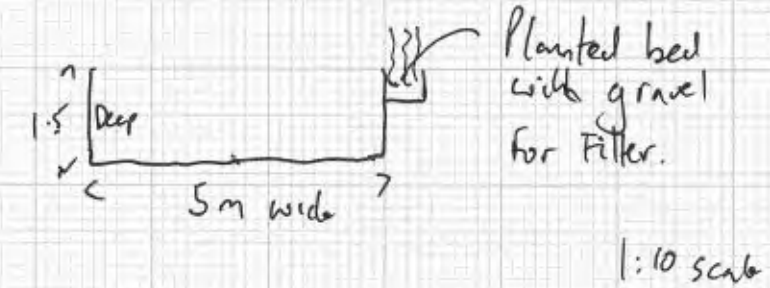
Sections



Upper Feeder Pond



Cross Section





Jemima
Cottage



B5285



PROW



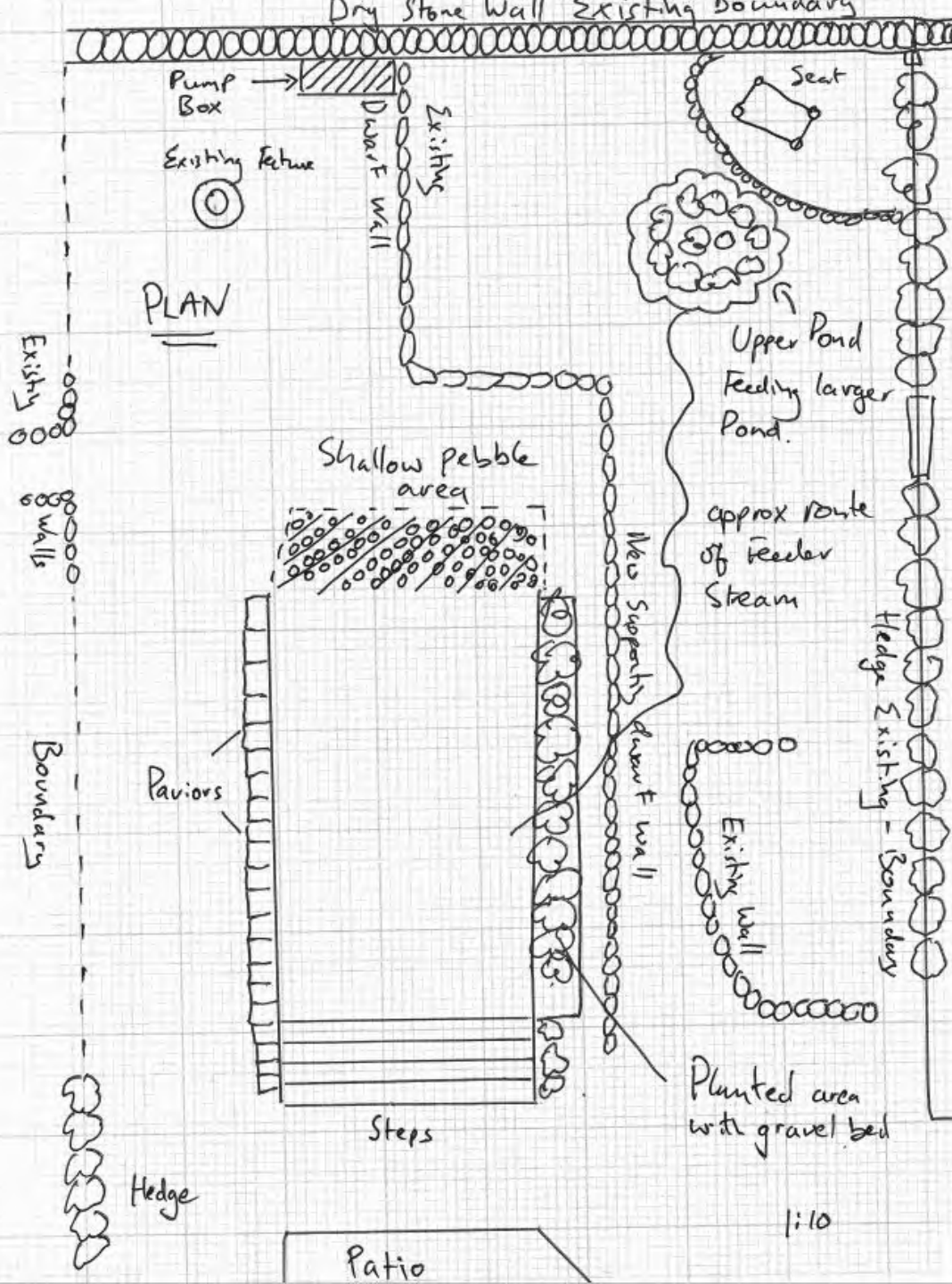


B5285

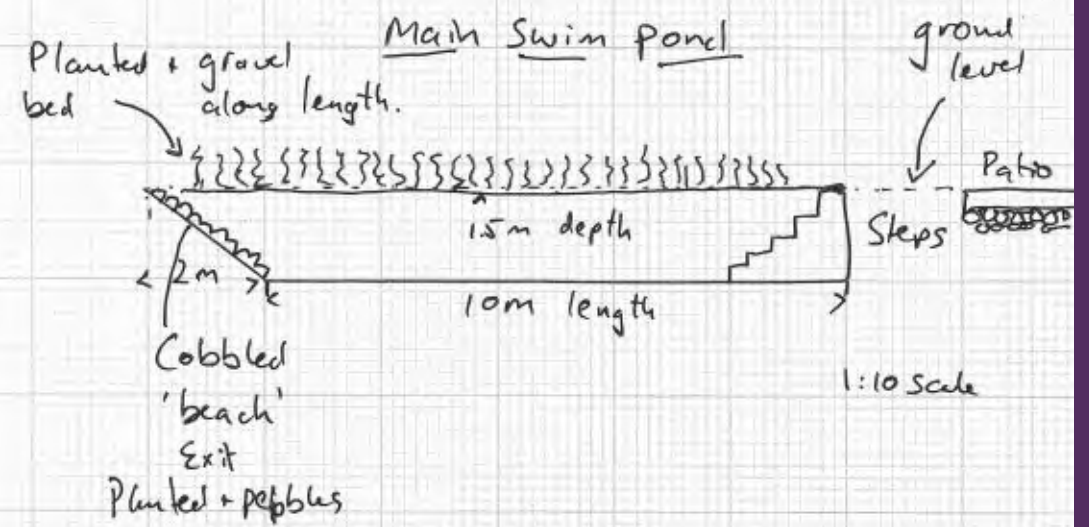
PROW

Garden at
Jemima Cottage

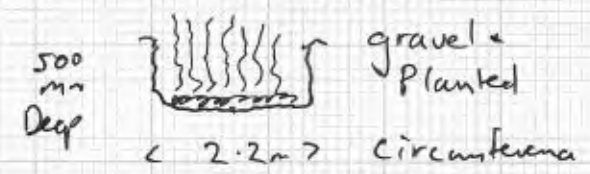




Sections



Upper Feeder Pond



Cross Section

