



Planning applications refused by the Head of Development Management acting under delegated authority.

If Members wish to raise an issue with any of the following items, please contact the Head of Development Management before Committee

CUMBERLAND

7/2026/2134 S73 (Amend/Delete Condition)

13 Lakeland View, High Hill, Keswick, CA12 5NY

Variation of condition 3 (manager's accommodation) on planning permission

7/2023/2214 Change of use of guest house (Use Class C1) to a holiday let with managers accommodation (sui generis use) - removal of managers accommodation

Removal of condition 3 would result in the removal of on-site management oversight of the associated holiday letting accommodation.

Taking into account the specifics of the application building, specially its position below a first floor flat in separate ownership, the noise and activity associated with the holiday accommodation would result in an unacceptable impact on the residential amenity of no. 14.

In addition, given the restricted nature of parking available and the narrow nature of the access road which also serves neighbouring properties, unmanaged

parking associated with the holiday accommodation could impact on the amenity of neighbouring properties through nuisance and inconvenience.

For these reasons the proposed unmanaged holiday accommodation would result in an unacceptable impact on the residential amenity of the neighbouring properties, in conflict with Policy 06 and the Lake District National Park Local Plan 2020-2035 and the provisions of the NPPF.

WESTMORLAND & FURNESS

7/2026/3069 Full Planning application

23, Lowther Village, Lowther, Penrith, CA10 2HP

Replacement of all windows and doors

The application site is a Grade II* Listed Building, located within the Lowther Conservation Area, which is a small conservation area, covering the planned Lowther Village. The proposal would undermine the architectural integrity of the listed building and also disrupt the harmonious appearance of the whole terrace, and therefore be harmful to the character and appearance of the Lowther Conservation Area, by diminishing the historic and architectural qualities of a building that contributes positively to that area. The proposals would therefore harm rather than preserve or enhance the character of the Conservation Area.

The proposals would fail to maintain local distinctiveness and sense of place, fail to reinforce the importance of local character and fail to conserve and enhance the character of Windermere Conservation Area, contrary to Policies 01 (National and international significance of the Lake District), 02 (Spatial strategy), 06 (Design and development) and 07 (Historic Environment) of the Lake District National Park Local Plan 2020-2035, the Design Code Supplementary Planning Document, and Policies DP3, N4, HE6, HE8 and HE9 of the National Planning Policy Framework.

7/2026/3070 Listed Building Consent application

23, Lowther Village, Lowther, Penrith, CA10 2HP

Replacement of all windows and doors

The Grade II* significance of 23 Lowther Village is primarily architectural and historic, reinforced by strong evidential and aesthetic values. It forms the terminal house of Nos. 23–26, a curved terrace designed by Robert Adam for Sir James Lowther and built between 1766 and 1773 as one quadrant of an intended circus within the Lowther Estate’s model village. Its architectural interest lies in the disciplined curved plan, balanced massing and restrained classical treatment. Mixed sandstone rubble, red sandstone lintels and sills, graduated green-slate roofs and a tightly controlled palette of traditional materials give the terrace coherence, hierarchy and visual distinction.

Although the existing windows are later replacements, their single-glazed, flush timber casements and through glazing bars are consistent across both terraces and harmonise with the architectural character of the set-piece. This uniform fenestration is an important component of the listed building’s significance because it reinforces the crescent’s unity, symmetry and coherent architectural expression.

The proposed replacement windows and doors would erode the consistent fenestration, architectural unity and visual rhythm that are fundamental to the significance of the Grade II* listed terrace at 23–26 Lowther Village. The resulting harm would not preserve the building’s special architectural and historic interest. The limited private energy-efficiency benefits do not outweigh that harm. The proposal therefore fails to satisfy the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, the requirements of the NPPF, and conflicts with Local Plan Policy 07, which seeks to conserve and enhance the significance of heritage assets.

7/2026/5122 CLEUD - Certificate of Lawfulness of Existing Use or Development

Greenhowe Caravan Park, Great Langdale, Ambleside, LA22 9JU

Use of caravan site for up to 46 caravan units

Condition 2 of planning permission 7/2020/5381 requires that siting of the caravans at Greenhowe Caravan Park, shall not be carried out otherwise than in

conformity with the submitted plans and details. The relevant Site Plan (drawing number HT1411.1.101) shows 33 static caravans and 5 lodges, so any layout accommodating 46 caravans would be in breach of this condition and would therefore be unlawful.

7/2026/5220 S73 (Amend/Delete Condition)

1 Gallery Flat, Church Street, Ambleside, LA22 0BU

Amendment to local occupancy restriction (move clause from Gallery Flat to Hayloft Flat (in same building) variation of condition 3 (local occupancy) on planning permission 7/2019/5703 - change of use of first floor retail unit into a 1 bedroom flat

Policy 15 in conjunction with the Housing SPD seeks to achieve a balanced and resilient housing market with a high proportion of properties in permanent occupation, and a supply of new homes that meet people's needs. To achieve this, new homes will be secured in perpetuity for permanent occupation with eligibility restricted to a geography that is tailored to local circumstance. The removal of a local occupancy condition would therefore be contrary to the requirements of Policy 15 and the Housing SPD.

The proposals would result in the loss of a local occupancy dwelling that exceeds the requirements of the Nationally Described Space Standards, and replace it with a dwelling that falls below this standard. There would therefore be a material reduction in the standard of local occupancy housing within the locality contrary to the aims of Policy 15, the Housing SPD, the Design Code SPD and the requirements of the NPPF.

Due to the reduction in the standard of local occupancy housing within the locality and conflict with the aims of Policy 15, the Housing SPD and Design Code SPD, transferring the local occupancy condition from Gallery Flat to Hayloft Flat would not justify a departure from the development plan in this instance and would therefore be unacceptable in principle.

7/2026/5230 CLPUD - Certificate of Lawfulness of Proposed Use or Development

Tip Log, Skelwith Bridge, Ambleside, LA22 9NP

The provision within the curtilage of a dwelling house of a secured hard surface for any purpose incidental to the enjoyment of the dwelling house

Insufficient information has been provided to demonstrate that the area of hard surface indicated on the area coloured red on the submitted plan (dwg. no. HT1691.1.105) could perform the indicated function of providing a parking area for the dwellinghouse without the need for engineering operational development. The area coloured orange on the submitted plan (dwg. no. HT1691.1.105) is considered to lie outside the curtilage of the dwellinghouse and therefore the provision of a hard surface does not benefit from the permitted development rights conveyed by Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015. Insufficient information has been provided to demonstrate that the provision of a secured hard surface would not represent operational development.

7/2026/5284 Full Planning application

Brantside, Sun Hill Lane, Windermere, LA23 1HJ

Double garage and local needs flat for rental tenure above

The proposed flat would be located within the residential curtilage of Brantside, above a garage that would serve the main dwelling. It would be situated approximately 15m from the main dwelling at Brantside, which is a much larger building situated at a higher level. The flat would have no associated parking space, and limited to no garden or outside amenity space. As such, the proposed flat would be almost entirely surrounded by the garden at Brantside, with limited privacy and external amenity space afforded to the occupant. Due to this close relationship to Brantside, the proposal would fail to maintain an acceptable living standard for the occupant of the proposed flat.

The application would therefore have an unacceptable impact on the amenity of users of the development in conflict with Policy 06 (Design of development) of the

Lake District National Park Local Plan 2020-2025 and fails to maintain acceptable living standards for residents and neighbours as required by the National Planning Policy Framework Policy L2(1)(d).

7/2026/5369 Full Planning application

Barn at Causeway End, Haverthwaite, LA12 8JW

Conversion of barn to dwelling and associated works

The changes that would result from the proposed conversion of this building and the adjacent land to residential use would harm the character and appearance of the building and its setting. The changes include new window openings and rooflights, the provision of access, parking and turning facilities, and domestic garden and paraphernalia. The proposed development therefore fails to satisfy the requirements of Lake District National Park Local Plan (2020-2035) Policies 01, 02, 05, 06, 07, the Design Code SPD and the NPPF.

Major reconstruction would be required to facilitate the re-use of the building, and its contribution to the historic environment would be affected by the replacement of historic fabric and features. The benefits of converting the building as proposed would be outweighed by the adverse effects on the non-designated heritage asset and its contribution to the English Lake District World Heritage Site, as a result of the reconstruction works, residential use and associated works. The proposal does not therefore accord with Lake District National Park Local Plan (2020-2035) Policies 02 and 07, and the NPPF.

7/2026/5374 Full Planning application

7, Rayrigg Rise, Bowness-on-windermere, Windermere, LA23 3DR

Internal and external alterations; entrance canopy, flat roof dormer extension, balcony extension, replacement windows and doors and demolition of conservatory.

The presence of a protected species on an application site is a material consideration when determining a planning application according to the ODPM Circular 06/2005 paragraph 98 and as a Competent Authority the LPA must consider the likelihood of any necessary derogation licence being granted when determining the application.

The proposed development would be likely to result in the damage or destruction of a maternity roost site for soprano pipistrelles and a soprano pipistrelle day roost site. A maximum count of 120 bats was recorded using this roost, and as a maternity roost it is of high conservation value. The degree of disturbance would be such that it would likely exceed the threshold of an offence in the absence of the necessary derogation licence being obtained.

As a competent Authority, we have concluded, as required by law, that the proposals are not likely to meet the three tests for a derogation licence as required by the Conservation of Habitats and Species Regulations 2017. In particular, the significance of the roost, lack of overriding public interest, and lack of mitigation measures within the proposed plans means that a derogation licence is unlikely to be granted and the development would result in harm to the conservation status of a protected species.

The proposed development would therefore be contrary to the requirements of Lake District National Park Local Plan 2020-2035 Policy 04, National decision-making policy N2 of the National Planning Policy Framework, and the Conservation of Habitats and Species Regulations 2017.

7/2026/5393 CLPUD - Certificate of Lawfulness of Proposed Use or Development

Birkett Hill House, Birkett Hill, Bowness-On-Windermere, Windermere, LA23 3EZ

The property will remain a full residential property C3 use and will be a holiday let. It will be let out as a whole property only. It will only be for short term holiday lets (max 30 days)

Due to the size, capacity, outdoor space, shared access, elevated position, proximity to neighbouring dwellings and nature of the proposed use, on the balance of probabilities, the use of the application site as a short term holiday let would be materially different from its use as a dwellinghouse. The material change of use of the site would constitute an act of development.

The development does not have planning permission either from the express

grant of a planning permission or by virtue of the Town and Country Planning (General Permitted Development) (England) Order (2015)(as amended) and therefore the application for the issue of a certificate of lawfulness should be refused.

7/2026/5397 Notice of Intention (Agricultural, Q6g)

Low Foulshaw Farm, Levens, Kendal, LA8 8ET

Slurry tank and cover

The proposed slurry tank would be sited within 400m of the curtilage of two protected buildings (1 and 2 Middle Foulshaw Cottages). As such, the development would not comply with condition A.1 (i) of the The Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore cannot be determined under a prior approval application.

7/2026/5410 Full Planning application

Brown Sugar, Main Road, Windermere, Cumbria, LA23 1DY

Erection of Glazed Extension at front to replace outdoor seating area

The application building sits prominently within the Windermere Conservation Area set between Main Road and Crescent Road two of the primary shopping streets within the town. Defined in the Windermere Conservation Area Appraisal as a building of special character the narrow and characterful building positively contributes to the historic appearance of the area and is widely visible from the public realm.

The proposed glazed extension as a result of its large size, prominent position on the building and within the public realm, and contemporary design would be harmful to the appearance of the building and streetscene of this part of Windermere. The development would therefore harm rather than preserve or enhance the character of the Conservation Area.

This harm would not be outweighed by public benefit.

The proposals would fail to maintain local distinctiveness and sense of place, fail

to reinforce the importance of local character and fail to conserve and enhance the character of Windermere Conservation Area, contrary to Policies 01 (National and international significance of the Lake District), 02 (Spatial strategy), 06 (Design and development) and 07 (Historic Environment) of the Lake District National Park Local Plan 2020-2035, the Design Code Supplementary Planning Document, and Policies DP3, DP4, N4, HE6 and HE9 of the National Planning Policy Framework.