



Report from the Head of Development Management to Development Control Committee

Application number: 7/2026/5327

Application type: Full Planning application

Applicant: Mr & Mrs Paul & Jacqui Riding

Location: Levens Reach, Cartmel in Staveley, Ulverston, LA12 8NL

Grid reference: 337989, 486642

Proposal: Modification of summerhouse approved under planning application 7/2023/5146 and submission of proposed landscape scheme

Report prepared by: Michael Morris, Planner (Enf)

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 Levens Reach is a newly constructed five bedroomed detached replacement dwelling granted under planning permission 7/2023/5146. The permission includes a single storey summerhouse with timber boarding and stone facing under a local slate roof. The summerhouse has not yet been constructed. The remaining recent planning history on this site is summarised below:

- 7/2024/5255 - Non-material amendment to planning application 7/2023/5146 - Approved Unconditionally.
- 7/2024/5441 – Section 73 (S73) Variation of condition 3 (slates) on planning permission 7/2023/5146 - Approved with Conditions
- 7/2025/5506 - Section 73 (S73) variation of condition 2 (plans) of planning permission 7/2023/5146 to amend summerhouse design and removal of a group of trees – Refused

2.2 Application 7/2025/5506 to amend the approved summerhouse design was refused for the following reason:

- The proposed amendments to the permission would result in an overly dominant development adversely impacting landscape character in the

open countryside of the Lake District National Park which benefits from the highest levels of landscape protection. The development would therefore be contrary to Policies 01, 02, 05 and 06 of the Lake District National Park Local Plan 2020-2035, the Lake District Design Code SPD and the NPPF

- 2.3 The proposed summerhouse would be in a similar position to that approved and would have two garden rooms with a bathroom to the ground floor including a garden store to the lower ground floor. There would be a veranda and decked sitting area to the west facing elevation. The summerhouse would have a Natural Lakeland slate roof, golden oak coloured vertical composite boarding to the walls to match the existing dwelling, powder coated anthracite aluminium window frames and doors to match the existing dwelling, grey conservation roof lights and local stone facing to the lower part of the walls to match the existing dwelling. This is a full application and not a variation of the plans approved under permission 7/2023/5146.
- 2.4 Whatever the outcome of this application the approved summerhouse would continue to have the benefit of planning permission. If permission were to be granted, either the currently approved or the proposed summerhouse could be lawfully developed, but it would not be possible to build both.
- 2.5 The application is being reported to committee as my recommendation of approval is contrary to the objections of Staveley-in-Cartmel Parish Council.

3 Representations

- 3.1 Staveley-in-Cartmel Parish Council – object to this application for the following reasons:
- The plans submitted represent a similar structure to that which was refused under planning application 7/2025/5506

- The proposed summerhouse would be twice the size of that approved under planning permission 7/2023/5146 and overly dominant
- It will be prominent in the landscape following the removal of boundary trees
- No details have been provided relating to the size or use of the underground void
- There are no details of how the wastewater will be channelled
- Landscaping details not provided

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 04: Biodiversity and geodiversity
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development
- 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. Development plan policies materially inconsistent with NPPF policies should be given very little weight. The following NPPF decision-making policies are relevant to the determination of this application:

- DM3: Determining development proposals
- DM6: Use of planning conditions and obligations
- DM8: Unauthorised development and enforcement

- S3: Presumption in favour of sustainable development
- S5: Principle of development outside settlements
- DP3: Key principles for well-designed places
- DP4: The design process
- P3: Living conditions and pollution
- N2: Improving the natural environment
- N3: Trees in new development
- N4: Protected Landscapes
- HE8: World Heritage Sites

4.4 Staveley in Cartmel Community Plan is not adopted as a Neighbourhood Plan and has not been updated since 2016. The design expectations within the Plan align with Local Plan Policy 06 and the Design Code SPD in any case.

5 Main issues and assessment

The proposals are in accordance with the spatial strategy set out in Policy 02 and are acceptable in principle. The main issues are:

- Impact on the character and appearance of the area
- Impact on the amenity of neighbours
- Trees

Impact on the character and appearance of the area

5.1 Levens Reach is visible from public views from the road to the west of the dwelling and from the A592 to the north and west. The grounds of the dwelling slope steeply from northeast to southwest and therefore the highest part of the proposed summerhouse would measure 3.3 metres in height. The proposed footprint of the summerhouse would be similar to that approved under planning permission 7/2023/5146. Although there would be an additional storey, it would only sit approximately 0.59 meters higher than the

approved as the lower storey would be built into the slope. As a result it would appear similar in size and scale to the approved from public views.

- 5.2 The northwest, southeast and northeast elevations are similar in appearance to the approved summerhouse. The proposal also shows a reduction in size of the canopy to the southwest elevation which would reduce the visual impact to a degree.
- 5.3 A landscaping scheme has also been provided designed to minimise the impact of the summerhouse from public views from the adjacent minor road, the A592 and from the exit of Fell Foot - which is an extremely busy National Trust tourist destination. The scheme will also retain a number of trees along with a monkey puzzle tree close to the summerhouse which was identified for removal in the approved scheme.
- 5.4 It is accepted that the new dwelling is more prominent in the landscape than the original dwelling but it is important to recognise that we are considering a new application for the summerhouse and landscaping only. The replacement dwelling is almost complete and therefore we have the benefit of seeing more clearly the impact that the proposed summerhouse and landscaping will have.
- 5.5 The currently proposed summerhouse is different in size, scale and form to the refused summerhouse under planning application 7/2025/5506. It was determined that the refused summerhouse was overly dominant and provided a much larger floorspace, but the current proposal is similar in appearance to that approved and sits on the same footprint. Due to its size and scale, it would appear subservient to the new dwelling and be clearly read as an ancillary garden building. I therefore consider that the current proposal would be less dominant and closer in appearance to that which has already been approved.
- 5.6 The landscaping by way of its terraced design and stepped levels from east to west follows the natural fall of the land and this will help reduce the visual

impact of both the summerhouse and the new dwelling from public viewpoints.

- 5.7 I am therefore satisfied that the development is acceptable in terms of its' impact on the character and appearance of the area, has overcome the reasons for refusal under reference 7/2025/5506 and satisfies the requirements of Local Plan Policies 01, 02, 05, 06 and the NPPF.

Impact on the amenity of neighbours

- 5.8 The nearest dwellings to Levens Reach are Head's Wood Cottage, Tall Trees, and The Oak House, located approximately 44 metres to the southeast, 27 metres to the east, and 40 metres to the southwest of the site of the proposed summerhouse respectively.
- 5.9 The summerhouse would be used for ancillary purposes in association with Levens Reach. I have no reason to suppose that its use would adversely impact neighbouring properties, and in any event the level of noise and use associated with the summerhouse would be a similar level to the approved summerhouse.
- 5.10 The summerhouse would be located to the north of the dwelling and therefore screened from views from Head's Wood Cottage. The structure would therefore not appear overbearing when viewed from Head's Wood Cottage and would not overlook this property. Even if no screening existed the separation distance is such that residential amenity would be preserved.
- 5.11 The summerhouse would be located at a lower elevation to the dwellings known as Tall Trees and The Oak House. One small window is proposed in the northeast elevation of the summerhouse which would face towards Tall Trees and The Oak House. Due to the distance from Tall Trees and The Oak House, the boundary treatments, and the intervening road, I do not consider this would cause unacceptable overlooking. Nor would it result in an overbearing appearance or cause a loss of light.

5.12 In summary I consider the proposed summerhouse would cause no harm to the amenity of neighbouring properties, and would have similar impacts to that of the consented scheme. The proposal complies with Local Plan Policy 06 in this respect.

Trees

5.13 The trees within the garden of Levens Reach are not protected by a Tree Preservation Order, however they are visible from public viewpoints from the roads and help to screen dwellings from public views. Several trees, along with the trees along the boundary, have been recently felled.

5.14 The monkey puzzle tree, located near to the proposed summerhouse, is visible from public views from the road and will now be retained as part of the landscaping scheme. This tree was identified in the approved planning permission for removal. Three other trees are identified for retention within the landscaping scheme.

5.15 There is a large beech tree to the west of the dwelling. Wastewater from the summerhouse will be channelled into the existing system from the dwelling house as detailed in the amended plans submitted. Therefore, no development will take place within the root protection area of the tree. Under the extant planning permission the majority of the development works have already taken place on the site and therefore there will be minimal risks to the trees.

5.16 I do not consider therefore that the development would cause harm to established trees and thus the proposal satisfies the requirements of Local Plan Policies 04 and the NPPF.

Other matters

- 5.17 This application is for a summerhouse and landscaping scheme only; it does not replace the approved permission under reference 7/2023/5146 nor is it a modification of that permission.

Intentional unauthorised development

- 5.18 DM8(2) of the National Planning Policy Framework states “if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission”.
- 5.19 There is no guidance or definition of ‘intentional unauthorised development’. Because it is impossible to know what was in a particular person’s mind at a particular moment in time, we must construct a picture and reach a view of the weight to be attributed to this issue, based on the information and evidence available around any individual retrospective case.
- 5.20 It appears that there was a misunderstanding by the builders from the plans they were working from. Following advice that the works were unauthorised, works to the summerhouse stopped.
- 5.21 As I have established no intent on the applicant’s part to proceed with the development in the knowledge that it was unlawful, I afford Policy DM no weight in this case.

6 Conditions

- 6.1 Standard time and plans conditions are recommended for the avoidance of doubt. The stone and slate used on the summerhouse should be conditioned to match the main house to ensure a satisfactory standard of appearance. The landscaping scheme submitted should be conditioned to safeguard the visual amenity of the area.

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 and 06) 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:

- Block plan – Drawing No. 3302 – 03
- Proposed Landscape Scheme – Drawing No. 3302 – 03
- Proposed Landscape Scheme – Cross Sections - Drawing No. 3302 – 04
- Proposed Summerhouse Elevations - Drawing No. 3302 – 05
- Proposed Summerhouse Elevations - Drawing No. 3302 – 06
- Cross Sections with Existing Planning Approval - Drawing No. 3302 – 07
- Proposed Underground Garden Store Floor Plan - Drawing No. 3302 – 08
- Proposed Service Plan Wastewater Drainage - Drawing No. 3302 – 09

REASON: For the avoidance of doubt.

3 The slate and stone used on the summerhouse hereby permitted shall match those used on the existing dwelling known as Levens Reach.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with the provisions of Policies 05 and 06 of the Lake District National Park Local Plan 2020-2035.

NPPF decision notice requirements

INFORMATIVE

The summerhouse has been approved as ancillary to the main house and must be used for this purpose only. The summerhouse is part of a single planning unit together with the main house.

Using the summerhouse separately from the main house would amount to a material change of use that requires planning permission. For example, a separate use could include use as a holiday let or occupation as a self-contained house. If a material change of use takes place without planning permission the use will be unauthorised and at risk of formal action. If an enforcement notice needs to be issued it would be served on everyone with an interest in the land. This would include any mortgagee. In assessing whether to take further action we can consider whether intentional unauthorised development has taken place.

If you have questions about how you can use the approved summerhouse please contact us.

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.

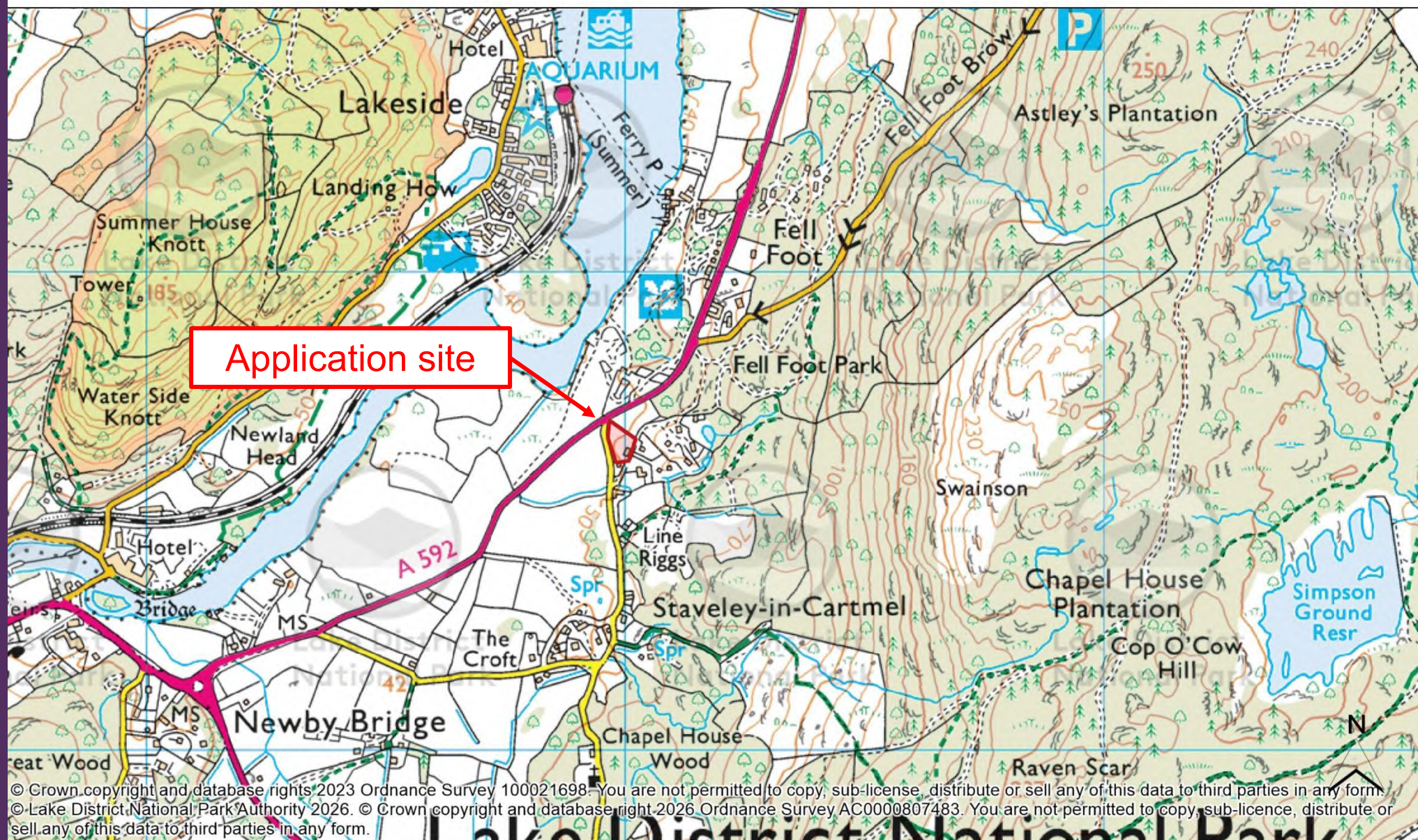
Background papers

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.

7/2026/5327

Levens Reach, Cartmel in Staveley,
Ulverston, LA12 8NL

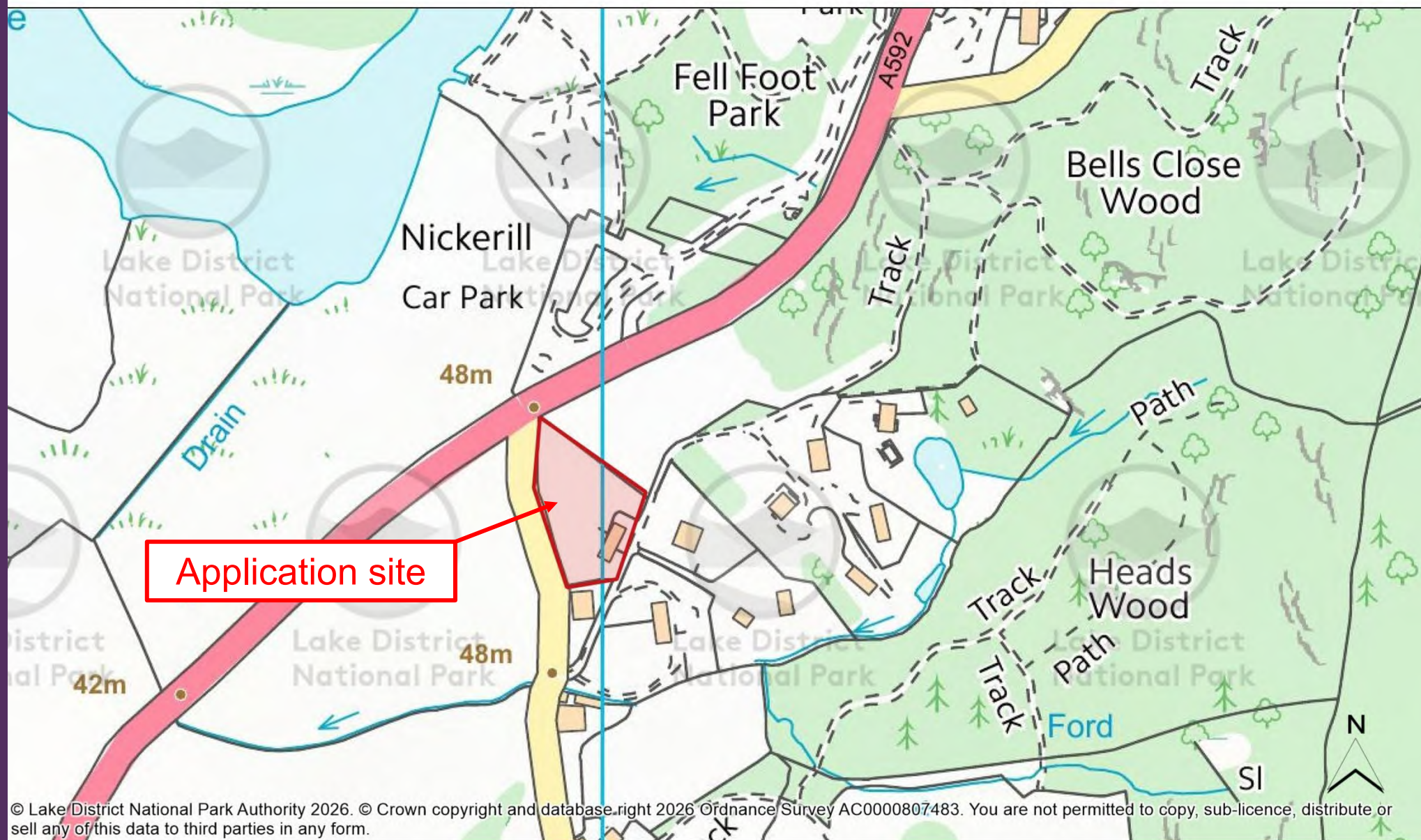
Summerhouse with amended design and
landscaping scheme



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Lake District
National Park Authority



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South-west elevation

Approved



Proposed



The image displays a set of architectural drawings for a house, organized into four quadrants. The top-left quadrant shows a north-east elevation of a single-story house with a gabled roof, a stone base, and a small porch. The top-right quadrant shows a north-west elevation of the same house, highlighting a larger porch area. The bottom-left quadrant shows a south-west elevation, featuring a large glass door and a stone base. The bottom-right quadrant shows a south-east elevation, with a central door and a stone base. To the right of the elevations are two floor plans. The upper floor plan shows a layout with a living area, kitchen, and bedrooms, with dimensions and a level marker of +53.000. The lower floor plan shows a garden store and a level marker of 50.500. The drawings are rendered in a clean, technical style with black lines on a white background.

north east

north west

UPPER GROUND FLOOR

aluminium patio door & windows
paved footpath
local stone facing
inter plank door

south west

south east

local stone roofing laid in diminishing courses
"Golden Oak" full-oak cladding

garden store
50.500

LOWER GROUND FLOOR

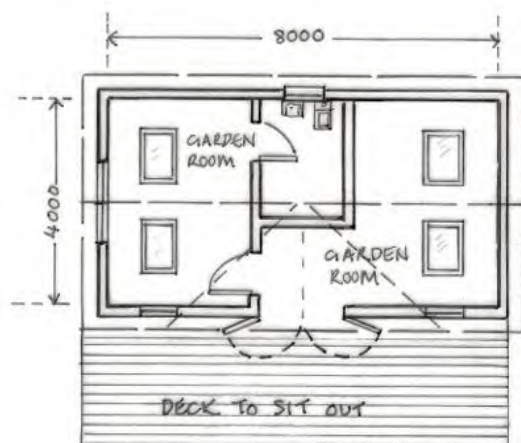
north west

south west

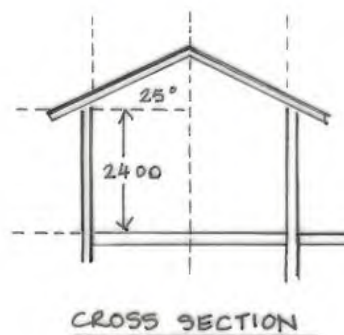
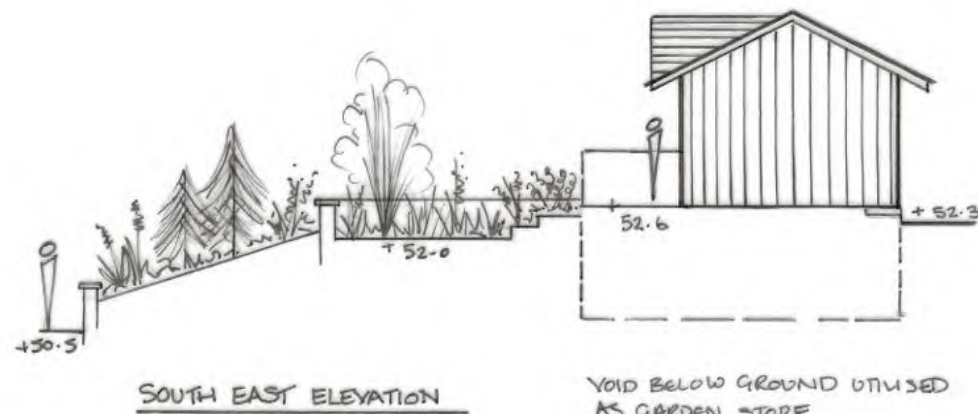
south east

LOWER GROUND FLOOR

Proposed elevations and floorplan

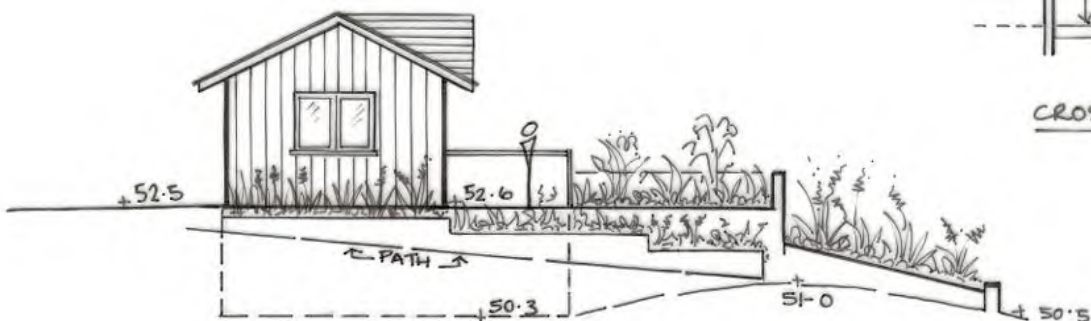


FLOOR PLAN



Materials:

- Roof:** Natural Lakeland slate.
- Walls:** Composite boarding/Millboard colour golden oak (to match main house).
- Window Frames:** Powder-coated aluminium frames colour Anthracite (to match main house).
- Doors:** Powder-coated aluminium frames, colour anthracite with glazing.
- Roof Lights:** Low lying grey conservation roof lights.



Levens Reach Cartmel in Staveley

Proposed Summer House – Plan & Elevations (1 of 2)

Client : Paul & Jacqui Riding

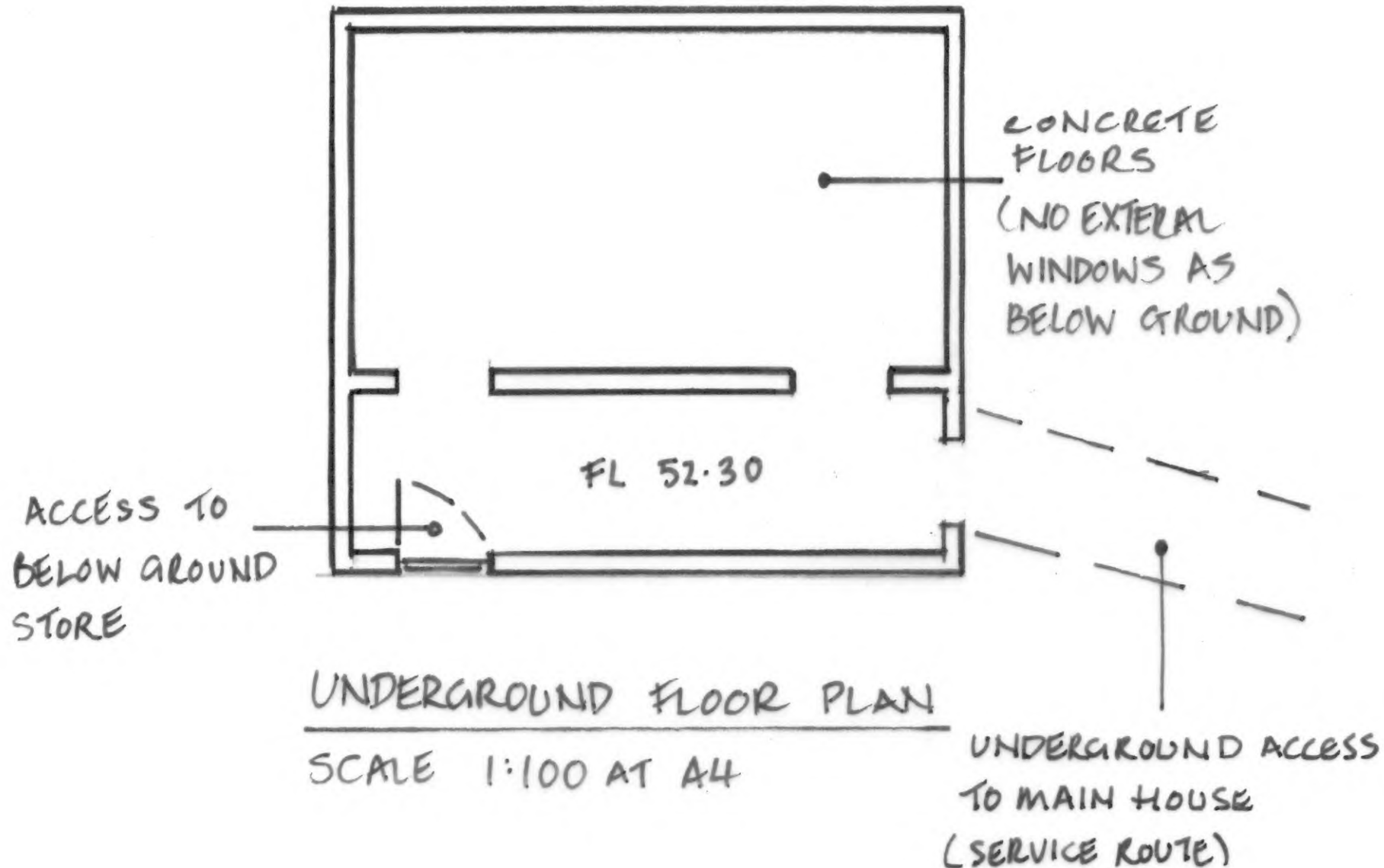
Scale 1:100 at A3

June 2026

Drawing Number : 3302 - 05

Allison Read Landscape Design

Lower ground level floorplan



Levens Reach Cartmel in Staveley

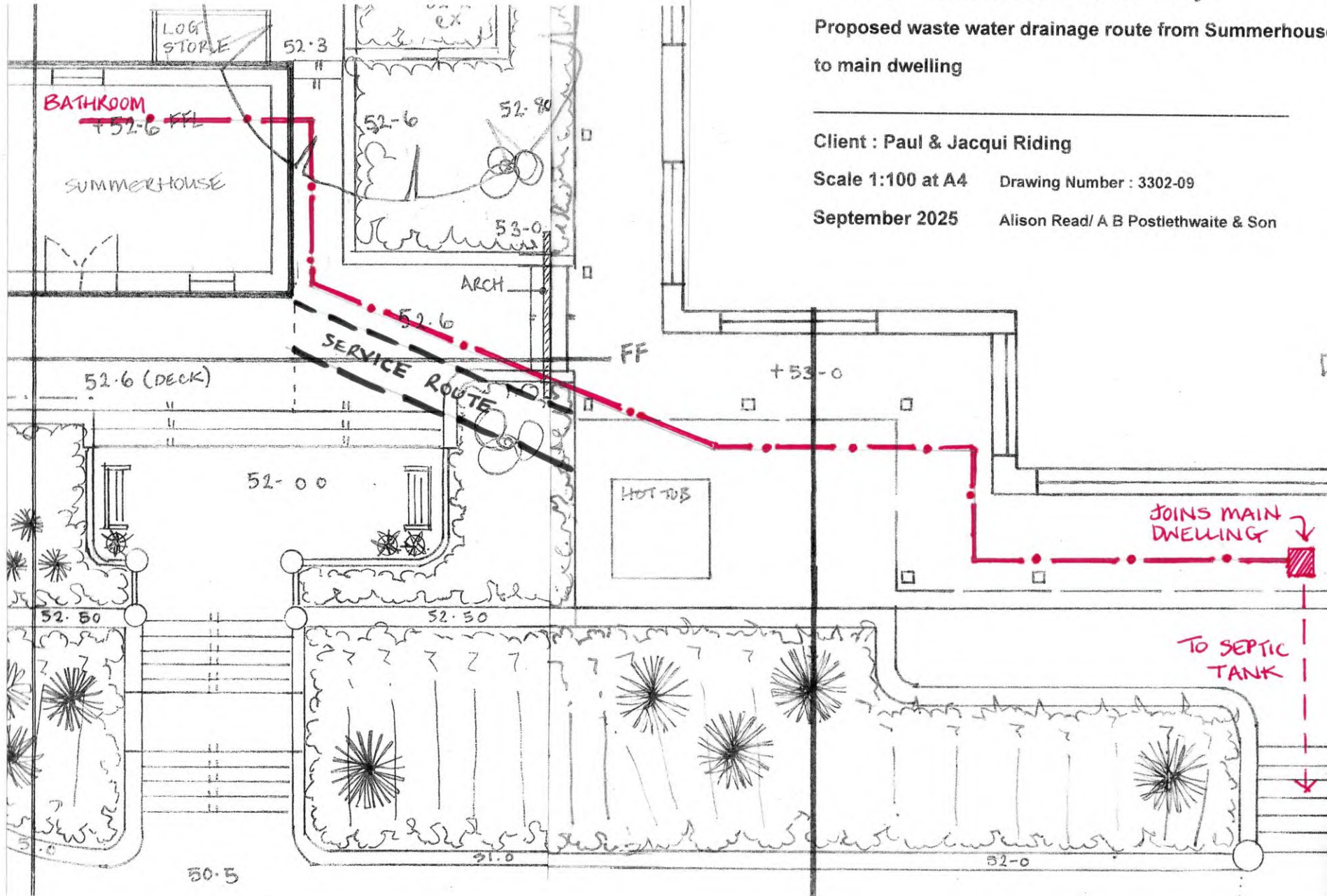
Proposed waste water drainage route from Summerhouse
to main dwelling

Client : Paul & Jacqui Riding

Scale 1:100 at A4 Drawing Number : 3302-09

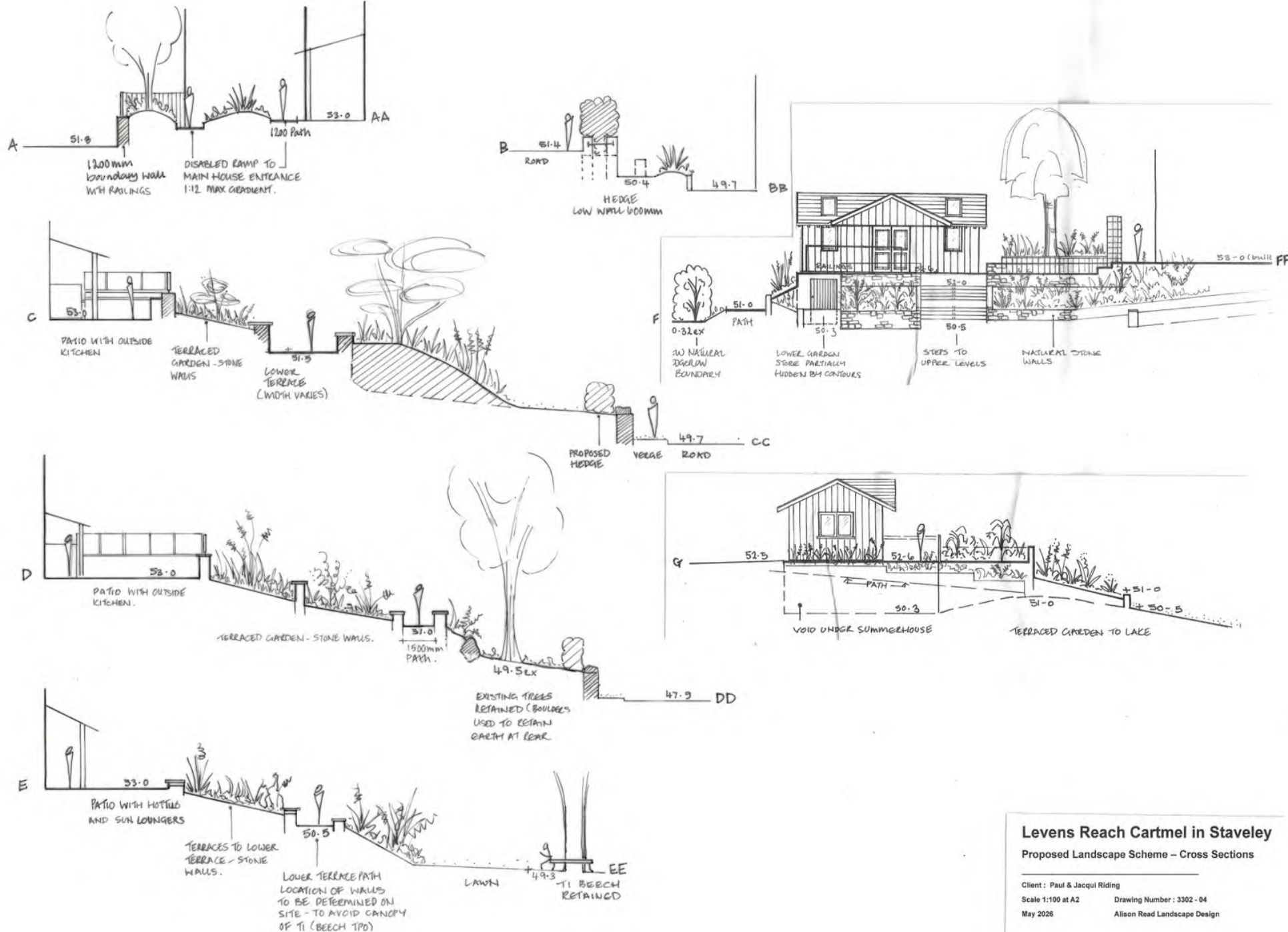
September 2025

Alison Read/ A B Postlethwaite & Son



Lower
ground level
wastewater
service plan

Landscaping cross sections



Levens Reach Cartmel in Staveley Proposed Landscape Scheme - Cross Sections

Client : Paul & Jacqui Riding

Scale 1:100 at A2

May 2026

Drawing Number : 3302 - 04

Alison Read Landscape Design

Summerhouse

Levens
Reach

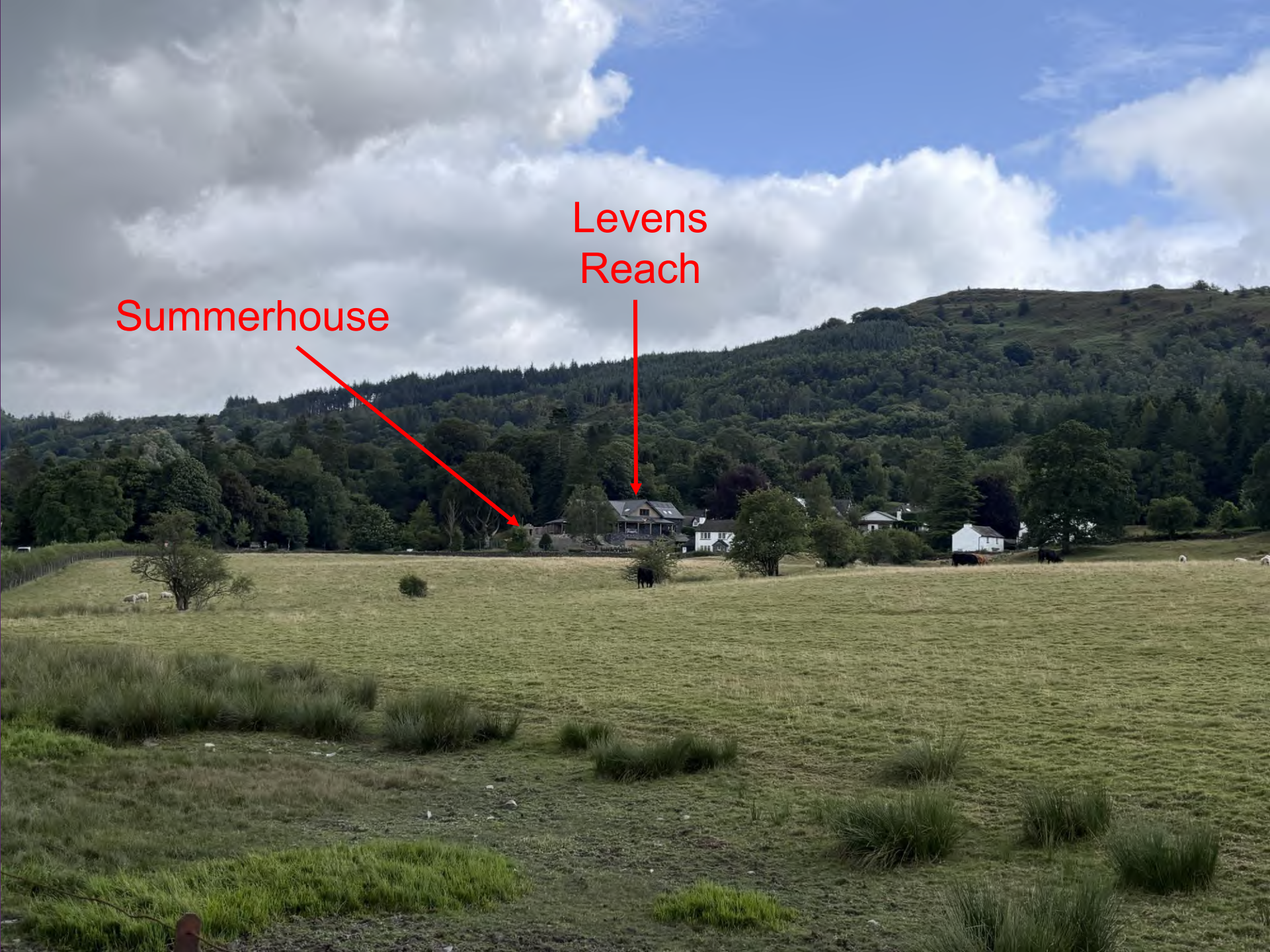






Summerhouse

Levens
Reach



Summerhouse

Levens
Reach

