Lake District National Park

5

Report from the Head of Development Management to Development Control Committee

Application number: 7/2026/5442
Application type: Full Planning application
Applicant: Mr Cross
Location: High Cross Lodge, Bridge Lane, Troutbeck, Windermere, LA23 1LA
Grid reference: 340639, 501392
Proposal: Alterations to existing domestic garage to facilitate use as ancillary annex in association with High Cross Lodge.
Report prepared by: Kelsey Blain, 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 before Committee as my recommendation to approve with conditions is contrary to the objections of Lakes Parish Council.

2.2 High Cross Lodge is a detached twentieth century dwelling located to the west of Bridge Lane near Troutbeck. The site is accessed directly from the highway and is served by a well sized driveway, large garden, and detached single storey garage.

2.3 This application seeks planning permission for extensions and alterations to the existing garage to facilitate use as an annex to be used in a way ancillary to the use of Highcross Lodge as a dwellinghouse.

2.4 During the determination of the application the applicant amended the description of development to remove reference to the occasional use of the building for holiday letting purposes. We have accepted this as a small change, in particular as it more accurately reflects the proposals.

3 Representations

3.1 Lakes Parish Council object to the application on the following grounds:

- The proposed accommodation does not appear to constitute a genuine ancillary unit.
- The existence of a separate website advertising the accommodation raises concerns that it is being operated as an independent holiday let.
- The proposals should be assessed against Policies 15 and 18.
- If the intention is to create a new independent accommodation unit it should be treated as a new dwelling and subject to the relevant local occupancy requirements.

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
- S3: Presumption in favour of sustainable development
- S5: Principle of development outside settlements
- DP3: Key principles for well-designed places
- P3: Living conditions and pollution

4.4 There is no community plan in this area.

5 Main issues and assessment

5.1 The main issues in this assessment are:

- Principle
- Character and appearance of the area
- Protected Species
- Other matters

Principle

5.2 The extension and alteration of an existing domestic garage to provide ancillary accommodation to serve the main house accords with the spatial strategy set out under Policy 02 and is acceptable in principle.

5.3 The main house with which the annex would be associated is an unfettered, three bedroom dwelling. The property is detached and set within a large garden with the closest neighbouring dwellings lying over 200 metres away. It is understood that the main house is sometimes used as a holiday let, something which would not require planning permission having regard to the scale and nature of the existing accommodation.

5.4 The proposed annex accommodation would provide one additional bedroom and associated facilities. The accommodation could be occupied in a way ancillary to the use of the main house whether being used as a dwellinghouse for permanent occupation or for the purposes of holiday letting accommodation.

5.5 When in use as holiday letting accommodation I do not consider that the provision of the annex would intensify that use to such an extent that it would constitute a material change of use of the dwellinghouse.

5.6 Were the annex to be occupied in a self-contained way, independently of the main house, either as a dwelling or a holiday let, this would constitute a breach of planning control. An informative is recommended to make clear to the applicant how the building can be used and how it cannot be used.

5.7 I am satisfied that the provision of an annex to provide ancillary accommodation to serve the main house would be acceptable in principle. As neither a new dwelling nor new holiday accommodation are being proposed Policies 15 and 18 are not relevant in this instance, despite the request from Lakes Parish Council that the proposals be assessed against these policies.

Character and appearance of the area

5.8 The existing dwelling is a detached twentieth century bungalow. Both the house and existing garage are finished in white painted render with a red clay roof, with red clay hanging tiles on the upper walls of the main house. The site occupies a slightly elevated position above the adjacent highway and sits within a wooded setting. While the design and form of the existing buildings do not follow the local vernacular, they are considered to be attractive, simple structures that make a positive contribution to the character and appearance of the area.

5.9 The existing detached single storey garage lies to the north of the main house. The proposals would utilise the existing building, with only a 0.05 metre increase in ridge height. An aluminium framed, glazed pergola is proposed above a timber composite decking to the rear (north) of the building, replacing an existing greenhouse. The existing clay roof would be replaced with local slate and vertical timber cladding and large glazed openings would be used to facilitate the proposed use and create architectural interest. The submitted information confirms that there will be no external level changes.

5.10 The proposals would be visible from the adjacent highway but are similar in scale to the existing and would appear ancillary to, and be seen in the context of, the main house. The design utilises a mixture of modern and vernacular materials to achieve interest while also reinforcing local distinctiveness. Given the slightly elevated roadside location and proximity to nearby woodland I consider it reasonable to control the installation of external lighting by condition to protect the character and appearance of the area and minimise light pollution.

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, the Design Code SPD and the NPPF.

Protected Species

5.12 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. The survey found no evidence of bats using the site, and very limited roosting potential. As such the development is considered of low risk in respect of protected species, satisfying the requirements of the NPPF and Local Plan Policy 04.

Other matters

5.13 The site lies within a wooded setting with several mature trees in close proximity to the proposed development. A tree protection plan has been provided to demonstrate that all trees will be retained and to outline appropriate tree protection measures. I am satisfied that subject to compliance with the submitted tree protection plan, the proposals would not have an unacceptable impact on trees.

5.14 The Parish Council have raised concerns that the annex is being advertised as an independent holiday let. We have not been able to find any such advertisement, and as highlighted above, the use of the annex as an independent dwelling or holiday let would be a breach of planning control against which enforcement action could be taken.

6 Conditions

6.1 I have attached the standard time and plans conditions for the avoidance of doubt. A pre-commencement condition is attached to secure compliance with the proposed tree protection measures and I have included a condition controlling the installation of external lighting to protect the character and appearance of the area and minimise light pollution.

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, 06, 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 received by the Local Planning Authority:

Drawing no. 25-228-3-01 - Location Plan
Drawing no. 25-228-3-12 - Proposed Site Plan
Drawing no. 25-228-3-13 - Proposed Plan, Elevations and Section

REASON: For the avoidance of doubt.

3 Prior to the commencement of the development hereby permitted, tree protection measures shall be put in place in accordance with Drawing no. LTC373-TPP - Tree Protection Plan. All tree protection measures shall be retained for the duration of works.

REASON: To minimise the risk of damage to nearby trees, protection measures need to be in place before work starts on site and maintained during the construction period in accordance with Policies 04, 05 and 06 of the Lake District National Park Local Plan 2020-2035.

4 Details of any external lighting shall be submitted to, and agreed in writing by, the Local Planning Authority prior to installation. Such lighting shall be maintained in accordance with the approved details thereafter.

REASON: In order to minimise the effects of external lighting upon the special qualities of the Lake District National Park, including the tranquillity and intrinsically dark landscape of the open countryside in accordance with Plan Policies 01 (national and international significance of the Lake District), 05 (protecting the spectacular landscape) and 06 (design and development) of the Lake District National Park Local Plan 2020-2035.

NPPF decision notice requirements

INFORMATIVE

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

Using the accommodation 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 accommodation 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

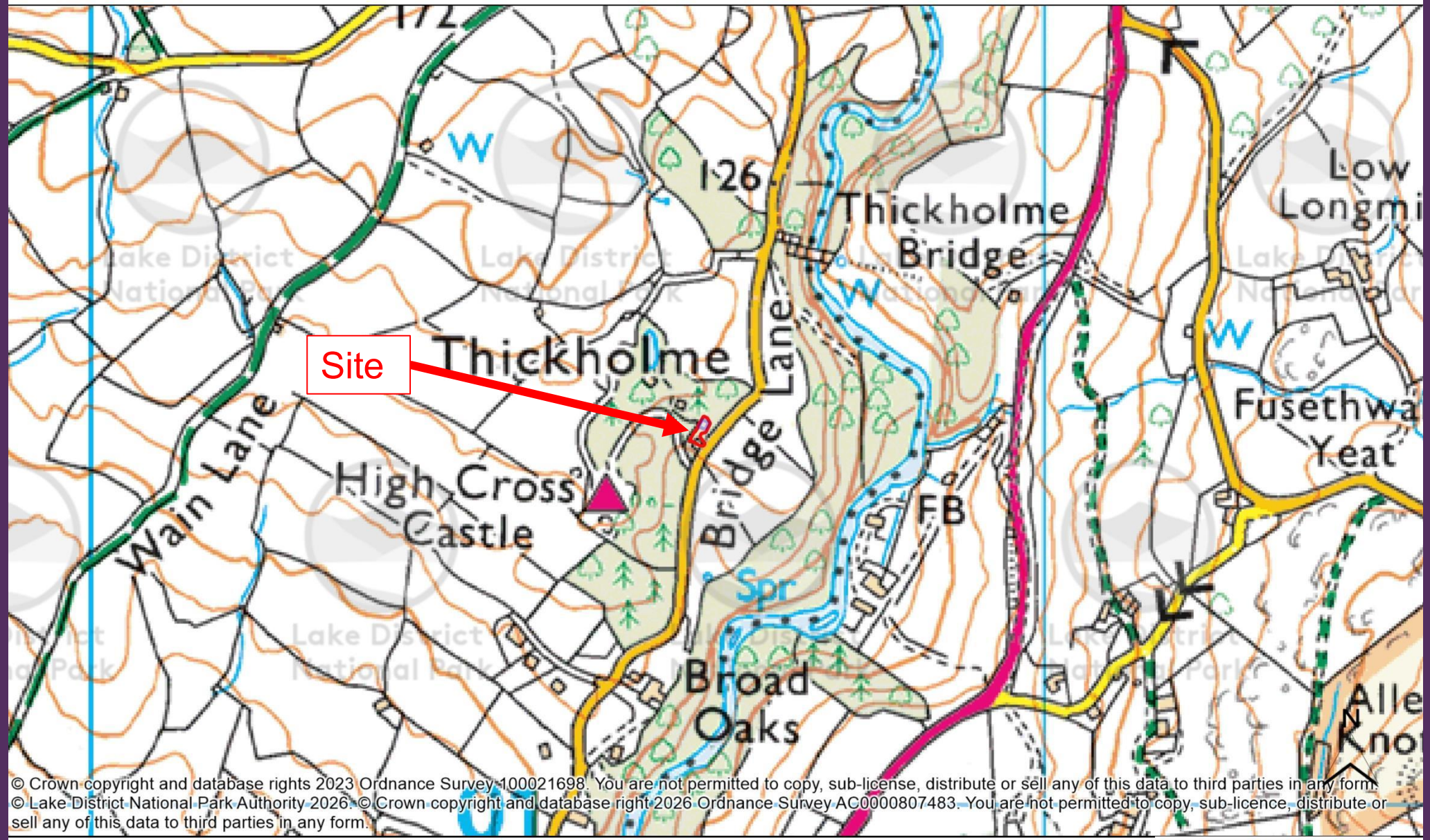
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

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High Cross Lodge, Bridge Lane, Troutbeck

Alterations to existing domestic garage to facilitate use as ancillary annex in association with High Cross Lodge

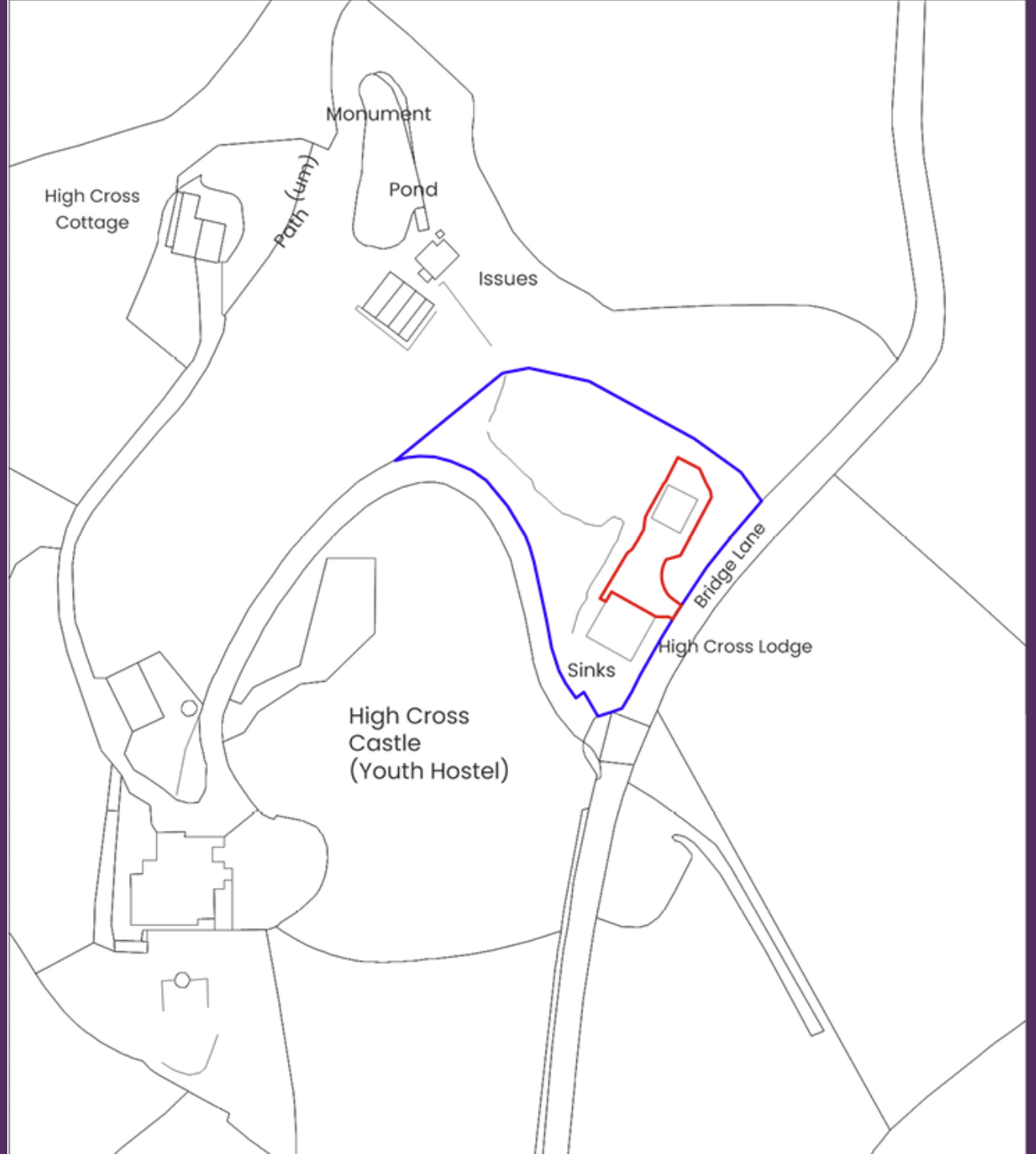


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Lake District National Park Authority


Monument
Pond
High Cross
Cottage
Path (um)
Issues
Bridge Lane
High Cross Lodge
Sinks
High Cross
Castle
(Youth Hostel)

Application Site









Proposed Site Plan



Proposed Floor Plan and Elevations



1 North West (Side) Elevation
Scale: 1:100



2 South East (Side) Elevation
Scale: 1:100



5 Plan
Scale: 1:100
0 2 3 4 5 M



Proposed Scots Pine PEFC Sustainably Sourced and naturally treated Timber Cladding i.e. Thermopine®

Existing red clay roofing replaced with local natural slate

Proprietary Anthracite Slate Dry verge with new anthrcite aluminium fascias

Smooth off white silicone based, self-coloured render

Athracite aluminium glazing, note satin (privacy) glazing to front elevation up to 2.1m above internal FFL

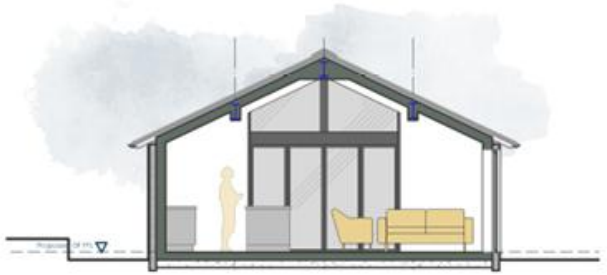
3 South West (Front) Elevation
Scale: 1:100



Antracite Aluminium, Pitched Roof Pergola with safety glazed roof to shelter outdoor seating area

Recycled plastic and Timber Composite Decking with authentic timber grain appearnace i.e. millboard * or equal

4 Rear Elevation
Scale: 1:100



6 Section A-A
Scale: 1:100

Rev.	Date	Initial	Comment

PROJECT High Cross Lodge Garage
STATUS ISSUE FOR PLANNING
DRAWING NO. 25-228 - 3-13
DRAWING TITLE Proposed Plan, Elevations and Section
SCALE 1:100 @ A3 Landscape
DRAWN BY RM/SM
DATE Sep-25

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Drawings are based upon survey data and may not accurately represent that which is physically present. All dimensions are to be verified on site before proceeding with any work. For the purpose of construction, fabrication and procurement do not scale from this drawing. All dimensions are in millimetres unless stated otherwise. Archihive Architects Ltd to be notified in writing of any discrepancies immediately.
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