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Report from the Head of Development Management to Development Control Committee

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Application number: 7/2026/5407
Application type: Full Planning application
Applicant: Dr Petrina Mallinder
Location: Burn Knott, Bouth, Cumbria, LA12 8JF
Grid reference: 332841, 486082
Proposal: Conversion of outbuilding to short term self-catering holiday letting unit
Report prepared by: Emma Kearsey, 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 I am reporting this application to Committee because the recommendation to approve conflicts with the objection from Colton Parish Council.

2.2 Burn Knott is a house located approximately 450 metres to the north of the centre of Bouth. The application site comprises a traditional stone and slate former agricultural barn currently used for domestic storage associated with Burn Knott.

2.3 Planning permission is sought for the conversion of the barn to holiday letting accommodation. External alterations include:

- A single-storey extension of the western elevation.
- Alterations to the fenestration, including insertion of roof lights on the north-facing roof slope, insertion of windows into former openings on the southern elevation, and replacement of doors.
- Installation of air source heat pump unit on the western elevation.

- Insertion of matt black flue on the north facing roof slope.

2.4 The originally submitted plans included solar panels on the south-facing roof slope. Following concerns about the visual impact on the non-designated heritage asset, amended plans were submitted omitting the solar panels from the scheme.

3 Representations

3.1 Colton Parish Council: Object on the following grounds:

- Already an excessive amount of holiday accommodation and second homes in Bouth with holiday accommodation reportedly exceeding the number of permanent dwellings.
- There is a shortage of affordable and suitable housing for local people, it would therefore be more beneficial to the community if the conversion were for permanent or rented accommodation for local people.
- Concerns about the cumulative impact of another holiday let on the local highway network.
- Loss of bat roosts.
- Accuracy of the existing drainage and sewage arrangements.
- Impact on the neighbouring residential properties, particularly traffic and drainage.

3.2 Local Highway Authority / Lead Local Flood Authority: No objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

3.3 Environmental Health: No objection to the proposals on environmental health grounds.

3.4 Two letters of representation have been received with concerns around the compliance of the existing septic tank because it drains onto the neighbouring field and therefore its capacity to hold further foul water.

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
- Policy 07: Historic environment
- Policy 15: Housing
- Policy 18: Sustainable tourism and holiday accommodation
- Policy 20: Renewable and low carbon energy

- 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
- S3: Presumption in favour of sustainable development
- S5: Principle of development outside settlements

- HO7: Meeting the need for homes
- E4: Rural business development
- DP3: Key principles for well-designed places
- P3: Living conditions and pollution
- N2: Improving the natural environment
- N6: Areas of particular importance for biodiversity and geodiversity
- N4: Protected Landscapes
- HE4: Securing the conservation of heritage assets
- HE6: Proposals affecting designated heritage assets
- HE7: Decisions on non-designated heritage assets
- HE8: World Heritage Sites

5 Main issues and assessment

5.1 The main issues in this assessment are:

- Principle of development
- Alternative uses
- Impact on the character and appearance of the area
- Highways and access
- Drainage
- Protected species

Principle of development

5.2 The application site is located within the open countryside as defined by Policy 02 (Spatial strategy) of the Local Plan. Policy 02 states that we will only support proposals for development in the open countryside where the application demonstrates:

- an essential need for a rural location; or
- the location is necessary for the provision of public utilities and infrastructure; or
- that it helps to sustain an existing business; or

- it is necessary for and designed to support agricultural or forestry use; or
- an appropriate extension, or reuse of an existing building.

5.3 In respect of the reuse of buildings Policy 02 states that we will support the reuse of buildings for business or residential use where the building:

- contributes to the landscape character or historic environment, and
- is structurally sound and capable of conversion, and
- the development would not result in an unacceptable change to its character, and
- is large enough to accommodate the use proposed without the necessity of major alteration, extension or reconstruction, and
- is easily accessible to the existing road network and suitable access arrangements can be secured.

5.4 Local Plan Policy 18 (Sustainable tourism and holiday accommodation) states that we will only support proposals for the reuse of existing buildings (excluding guest houses) for short term holiday letting where they would:

- not utilise a building that is suitable for providing local need or affordable needs housing; and
- not utilise a building which is suitable for providing employment use; or
- form part of an agricultural or land-based rural business diversification proposal (see Policy 19).

5.5 The application building sits immediately on the roadside and as a largely unaltered vernacular barn it makes a positive contribution to landscape character and historic environment. As such the proposals find support from Policy 02 and from Policy 18, subject to demonstration that the building is not suitable for delivering a housing or employment use.

5.6 The barn sits only 5m from Burn Knott, the house with which it is associated and within the curtilage of which it sits. Proposed and existing windows would sit at a similar distance away from each other and whilst at an oblique angle, the separation distances are significantly below the requirements of the Design Code SPD.

5.7 For use as either employment space or an independently occupied house, there is likely to be additional requirements for separate parking space, garden and amenity space in respect of use as a house and circulation space around the building which would be likely to lead to unacceptable impacts on the amenities of the occupants of both buildings in terms of overlooking and the nature, level and proximity of activity associated with a use unconnected with the existing house at Burn Knott.

5.8 Whilst the building would be theoretically large enough to provide a local needs house, the close association with Burn Knott would lead to an unacceptable impact on the amenities of the occupants of both Burn Knott and the dwelling which would be created through the conversion of the barn.

5.9 Given this close relationship, use for holiday letting accommodation would only be acceptable where the occupants of Burn Knott retained control over the use and occupants of the barn and as such I am recommending a condition which would require the buildings to be used together as one planning unit only and that in the event that they are sold or otherwise disposed of separately they are not to be occupied pursuant to any permission.

5.10 Whilst I acknowledge the concerns of the Parish Council in respect of the priority which should be given to local needs housing over holiday letting accommodation, this is not, in my view, a lost opportunity for providing permanent housing and the proposed holiday letting use

would find an appropriate new use for the building, given its contribution to landscape character and historic environment, in accordance with Policy 02 and Policy 18.

Impact on the character and appearance of the area

5.11 The Local Plan reflects the legal framework and affords great weight to the conservation and enhancement of the natural beauty and landscape of the National Park. Local Plan Policy 01 expects the extraordinary harmony and beauty of the Lake District landscape and its Special Qualities (including distinctive buildings and settlement character) and the attributes of the English Lake District World Heritage Site's Outstanding Universal Value, to be conserved and enhanced.

5.12 Policy N4 (1) (Protected Landscapes) of the NPPF states that development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.

5.13 Local Plan Policy 05 requires that development maintains local distinctiveness and sense of place. Local Plan Policy 06 and NPPF Policy DP3 require high-quality design that responds positively to local character, reinforces local distinctiveness, makes appropriate use of scale, layout, materials and appearance, and integrates or reuses existing buildings and heritage assets where possible.

5.14 The Design Code SPD sets the principles to be followed when approaching the conversion of traditional buildings including that the original function of traditional buildings remains legible once converted and that the fundamental plan and massing must be maintained, with

the insertion of new openings or blocking of existing features, kept to a minimum.

5.15 Local Plan Policy 07 and NPPF Policies HE4, HE6, HE7 and HE8 seek the conservation and enhancement of heritage assets and their settings.

5.16 The application site lies within the Coniston Valley as described and defined in the English Lake District World Heritage Site Nomination Document. As a former agricultural building, constructed from vernacular materials and retaining a traditional character and appearance, the application site displays components of attributes Outstanding Universal Value, in relation to Theme 1: A landscape of exceptional beauty, shaped by persistent and distinctive agro-pastoral and local industry which gives it special character.

5.17 The site lies within Area of Distinctive Character (ADC) 63: Rusland and Crake Valleys, typology K: Low Fell, L: Low Fell Fringe and M: Lowland Valley as identified in the Landscape Character Assessment (LCA). This landscape has a predominantly rural character of rolling small hills and hidden valleys, criss-crossed by a series of narrow roads, which link nucleated settlements, nestled amongst patches of mostly deciduous woodlands. Associated with the farms are relatively large stone barns or shippons.

5.18 The application site comprises a traditional former agricultural barn which appears to be structurally sound. The immediate area has a residential character with the traditional former agricultural buildings evidencing the former agricultural association. The southern elevation of the former barn forms the boundary with an unclassified public road (reference U5203) and is prominent to public view. The stone elevations and unaltered roofscape are visible across the fields from the nearby road network. The simple form and local stone and slate materials of the traditional former barn contribute strongly to the

traditional character of the rural landscape and more widely to the farming history and traditions of the National Park and World Heritage Site. Internally, there is a single exposed oak truss timber purlin roof structure. I consider that the building is a non-designated heritage asset for the purposes of the NPPF and contributes to the significance of the World Heritage Site.

5.19 A proposed extension to the building would measure approximately 3.3 metres in width by 1.3 metres in depth by 2.5 metres in height. I consider that the single-storey scale of the proposed extension to be very small and that it would main building. I consider that the proposed new openings and new glazing in the existing openings on the elevations could be accommodated within the elevations because a high solid-to-void ratio would be maintained. The irregular positioning of the openings would maintain the former barn character. Whilst the five proposed roof lights are regularly positioned on the northern facing roof slope and at the expense of much of the slate roof, the roof slope faces into the site and screened in wider views by nearby existing buildings and undulating topography. A proposed matt black flue would protrude from the elevation facing into the site; it would be visible above the ridge but in my view, due to the colour and the finish it would not appear prominent. The applicant intends to retain the existing roof trusses, subject to repair and maintenance and they would remain visible.

5.20 Overall, I consider that the proposed development would conserve the significance of the traditional former agricultural barn and would meet the requirements of Local Plan Policies 01, 02, 05, 06, 07, the Design Code SPD and the NPPF.

Impact on the amenity of neighbours

5.21 I have considered impacts on Burn Knott itself above, in assessing the principle of development. There are two other houses nearby; 2 Burn

Knott and Briar Bank, 35 metres and 80 metres away respectively. Given these distances, the development is unlikely to give rise to any material impacts on the amenities of the occupants of 2 Burn Knott or Briar Bank, satisfying the requirements of Local Plan Policy 06, the Design Code SPD and the NPPF.

Impact on highway safety

5.22 Vehicular access to the proposed holiday let would share the existing residential access to Burn Knott. I am satisfied that the vehicle movements associated with a one-bedroom holiday let combined with the existing dwelling would not adversely impact highway safety.

5.23 The Cumbria Development Design Guide recommends the provision of one parking space for one bed dwellings. The proposal includes space for two cars within the existing sizable residential driveway. I am therefore satisfied that an adequate provision of off-street parking for both properties would be retained.

5.24 In view of the above, I consider that the development is acceptable in terms of its impact on highway safety and satisfies the requirements of Local Plan Policy 06, the Design Code SPD and the NPPF.

Drainage

5.25 The application site has no mains sewer connection and a new connection would not be possible in this location. The applicant has stated that they would connect the proposal to the existing non-mains foul drainage system (a septic tank). A Tank Survey and Report has been submitted with the planning application. The report concludes that the capacity is sufficient for its current load and whilst the report states that there is some considerable headroom in the capacity of the tank, it does not directly consider the capacity of the tank to accommodate the

increase proposed by the development. In addition we have received representations questioning the capacity of the existing septic tank.

5.26 Planning Practice Guidance, Environment Agency Standing advice and Building Regulations set out a hierarchy for foul drainage connections.

5.27 Having regard to the technical information received as well as the representations it would be reasonable to require final details of a non-mains system to serve the development. This would also allow for consideration as to the most appropriate system, having regard to the hierarchy. Given the extent of land in the applicant's ownership, I am confident that there is sufficient space within the site to accommodate a new system if one was demonstrated to be necessary.

Protected species

5.28 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 bat surveys which were submitted with the application. The surveys found two soprano pipistrelles and one Myotis bat (probable whiskered/ brandt’s) emerging from various locations within the roof of the barn. Several small identified day roosts would be lost because of the proposed building works, and as such a protected species mitigation licence is required.

5.29 From the information available I am satisfied that the tests of derogation required by the Habitat Regulations are likely to be met in the application for a European Protected Species License, in particular because of the appropriate new use for a building which contributes to the the landscape character and historic environment of the National Park and World Heritage Site and having regard to the small number of bats and roosts affected, the species affected and the likely impact on the favourable conversation status of the species.

5.30 Considering the above conclusions, the proposals would satisfy the requirements of Policy 04 and the NPPF.

Other matters

5.31 Renewable energy – It is proposed to install an Air Source Heat Pump with the unit against the western elevation. The unit would be screened from public view by the boundary stone wall.

6 Conditions

6.1 A standard time limit requiring development commence within three years is necessary in accordance with section 91 of the Act. A condition requiring the development to be carried out in accordance with the plans and details which form part of the planning permission is necessary for the avoidance of doubt.

6.2 Conditions requiring the stone walls and the slate roof of the extension to match the existing building is necessary in the interests of using traditional materials. Conditions requiring any alterations to the existing walls are carried out in accordance with the submitted Heritage, Design and Access Statement and the removal of permitted development rights are necessary to maintain the character of the former barn.

6.3 A condition requiring the air source heat pump to be installed and retained as operational is necessary. A condition restricting the occupancy of the building to short-term holiday letting use is necessary. A condition to ensure that the accommodation remains as a single planning unit to safeguard the amenities of both the accommodation permitted and Burn Knott is also necessary.

6.4 Finally, details such as landscaping and the colour of windows and doors are absent from the application and conditions are required in this respect as it the condition discussed above in respect of foul drainage.

7 Conclusion

7.1 The proposals would utilise a building that is not suitable for providing employment, local needs or affordable housing, given the close relationship with Burn Knott and therefore the proposed holiday letting use is supported by Policies 02, 15 and 18, finding a new use for this non-designated heritage asset and a building which contributes to both landscape character and historic environment, in accordance with relevant development plan and NPPF policies.

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:
- Site Location Plan
- Drawing no’s 6235-02E (Plans and elevations) and 6235-03D (Site plan)
- Planning Statement
- Heritage, Design and Access Statement (notwithstanding references to solar panels)

- Energy Statement (notwithstanding references to solar panels)
- Bat and Barn Owl Survey

REASON: For the avoidance of doubt.

3 The roof of the development hereby permitted shall be covered and maintained in slate to match that used in the construction of the existing building. Such slates shall be laid in diminishing courses from eaves to ridge.

REASON: To ensure a satisfactory standard of appearance of the development by the use of traditional materials in accordance with Policies 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035.

4 The stone faced external walls of the building hereby permitted shall be faced in natural stone of a type to match (in terms of size, method of laying, pointing and jointing details) the appearance, character, colour and texture of the main building.

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, 06 and 07 of the Lake District National Park Local Plan 2020-2035.

5 Any alterations to the existing walls shall be carried out in accordance with the submitted Heritage, Design and Access Statement.

REASON: For the avoidance of doubt and to maintain the traditional character of the former barn to meet the provisions of Policies 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035 and NPPF Policy DP3.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no material external alterations or extensions shall be carried out to the barn conversion hereby permitted without application to, and the grant of permission by, the Local Planning Authority.

REASON: The Local Planning Authority considers that such development should be subject to formal control in order to maintain the traditional character of the former barn to meet the provisions of Policies 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035 and NPPF Policy DP3.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no building, enclosure, container, pool, structure, hardstanding, gate fence or wall or other means of enclosure shall be constructed or materially altered on the land to which this permission relates, without application to, and the grant of permission by, the Local Planning Authority.

REASON: To maintain the relationship between the barn the subject of this application and Burn Knott, which is an important part of the contribution which the buildings make to landscape character and historic environment and in accordance with the provisions of Policies 02, 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035 NPPF Policy DP3.

8 Prior to the first use of the development hereby permitted the approved air source heat pump shown on drawing no. 6235-03D shall be operational and shall be retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of increasing the proportion of energy generated through renewable and low carbon sources in accordance with Policy 20 of the Lake District National Park Local Plan 2020-2035.

9 The accommodation hereby permitted shall only be occupied for the purposes of short-term holiday letting, and shall not be occupied by any one individual, family or group for a period exceeding 35 days in any calendar year.

A register of occupants shall be maintained by the owner, the content of which shall be provided to the Local Planning Authority within 14 days of a written request by the Local Planning Authority.

REASON: To ensure that the accommodation hereby permitted is secured as short-term holiday accommodation in accordance with Policy 18 of the Lake District National Park Local Plan 2020-2035.

10 The development hereby approved shall only be used in association with the dwellinghouse known as Burn Knott, Bouth, shall be ooccupied as a single planning unit and shall at no time be operated or managed separately from Burn Knott. In the event that the buildings are sold separately the development shall not be used pursuant to this planning permission.

REASON: To safeguard the amenities of both the accommodation hereby permitted and Burn Knott in accordance with Policy 06 of the Lake District National Park Local Plan 2020-2035 and the provisions of the National Planning Policy Framework having regard to the former barn's unsuitability for conversion into an independent dwellinghouse.

11 Not later than 12 months from the substantial completion of the development, landscaping of the site shall 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. The said scheme

shall include details of hard and soft landscaping proposals and boundary treatments.

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.

REASON: To safeguard the visual amenities of the area in accordance with Policies 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035.

12 Prior to their installation into the barn conversion hereby permitted, the colours or window frames and doors shall be suibmitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of appearance for the building the subject of this permission, in accordance with the provisions of Policies 02, 05, 06 and 07 of the Lake District National Park Local Plan 2020-2035 NPPF Policy DP3.

13 Prior to the first occupation of the development hereby permitted a detailed foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Where connection to a public foul sewer has been demonstrated to be unfeasible, the submitted scheme shall follow the foul drainage hierarchy set out in national Planning Practice Guidance, Building Regulations Approved Document H and Environment Agency Standing Advice.

Connection to the approved system shall take place prior to first occupation and shall be maintained thereafter.

REASON: To ensure satisfactory foul drainage arrangements, prevent pollution of the water environment and ensure compliance with the foul drainage hierarchy in accordance with Policy 06 of Lake District National Park Local Plan 2020-2035 and the NPPF.

NPPF decision notice requirements

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 by seeking solutions to problems arising in relation to dealing with the application by accepting amended plans with the solar panels omitted.

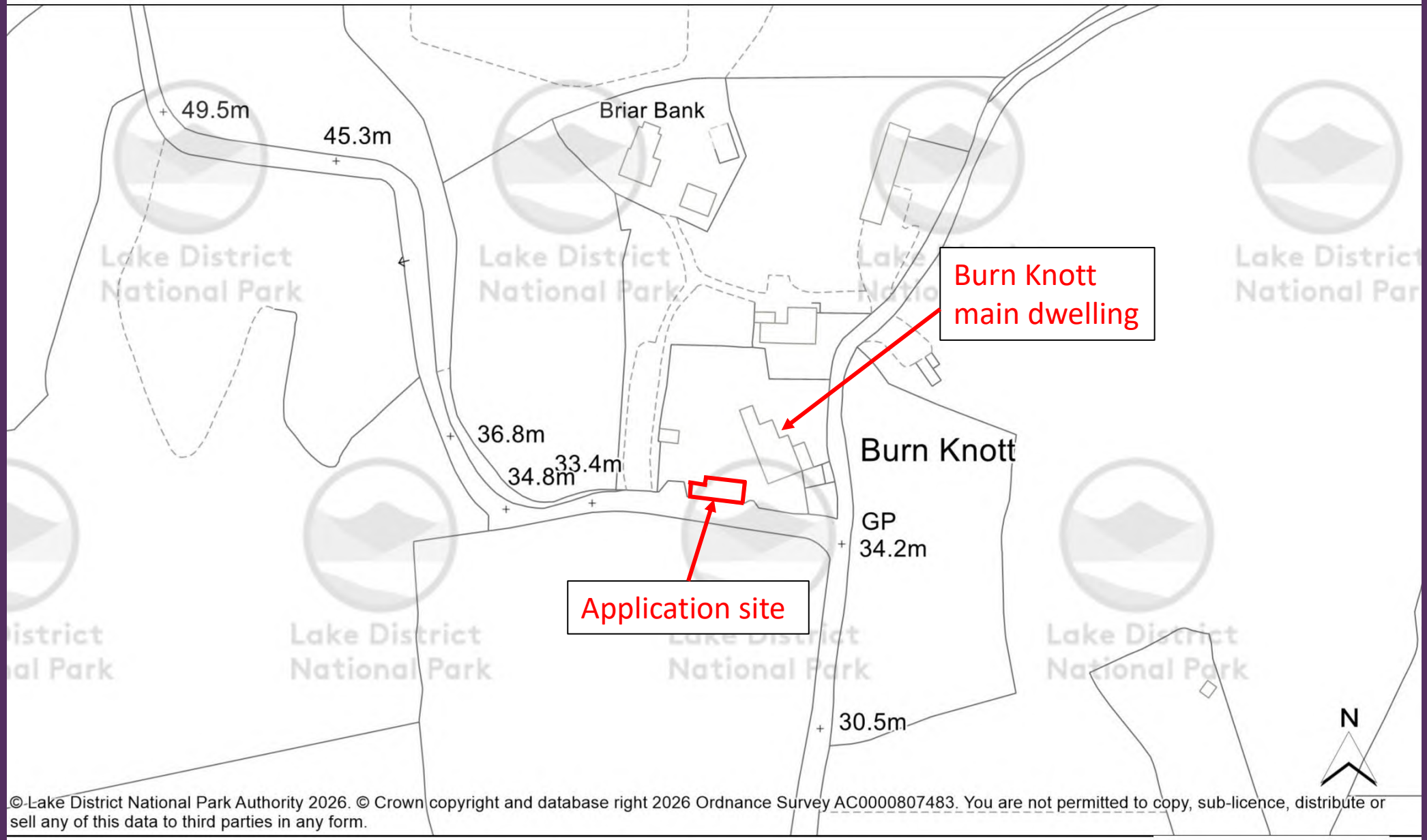
Background papers

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.

7/2026/5407

Burn Knott, Bouth

Conversion of outbuilding to short term self-catering holiday letting unit



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Lake District
National Park Authority



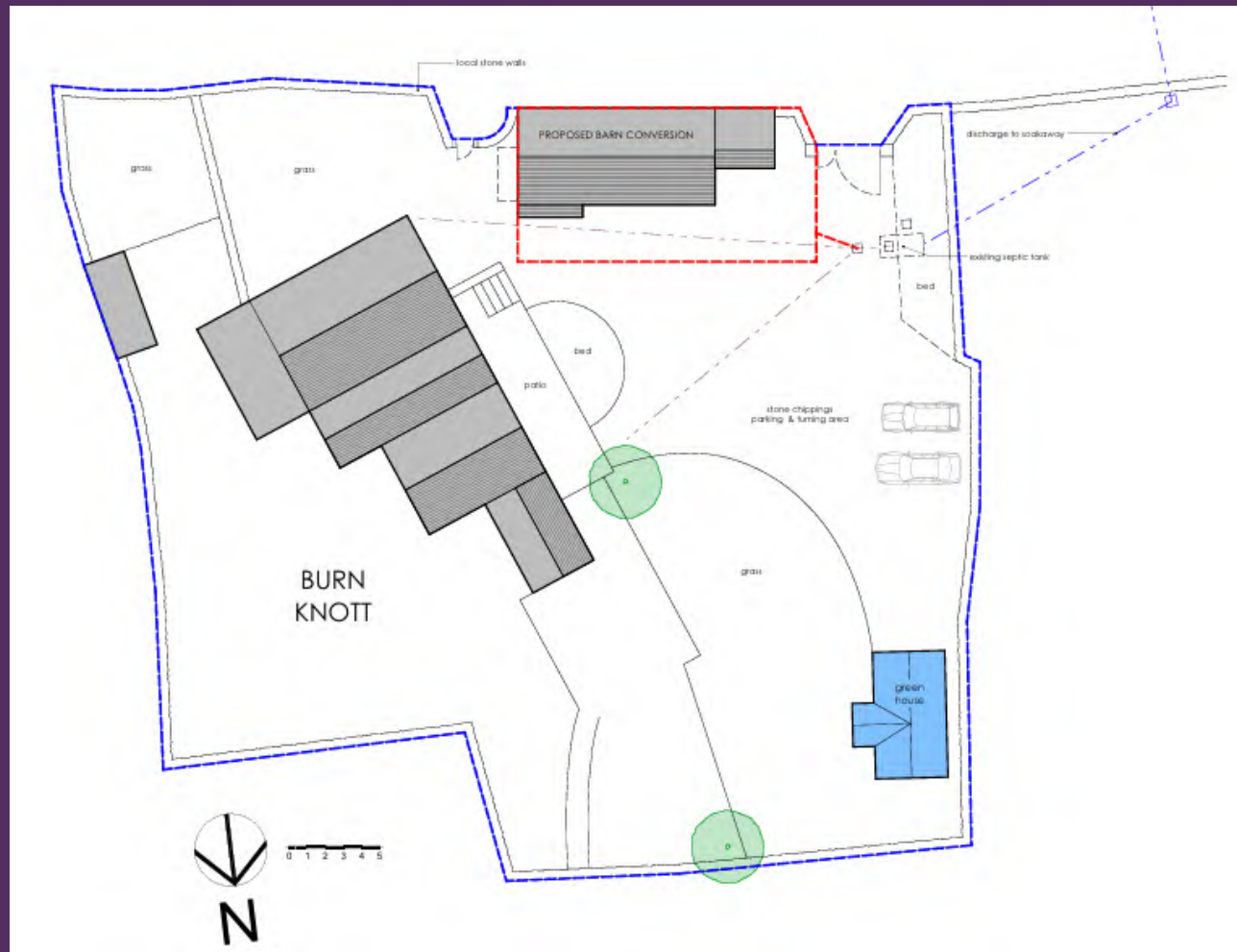

Burn Knott

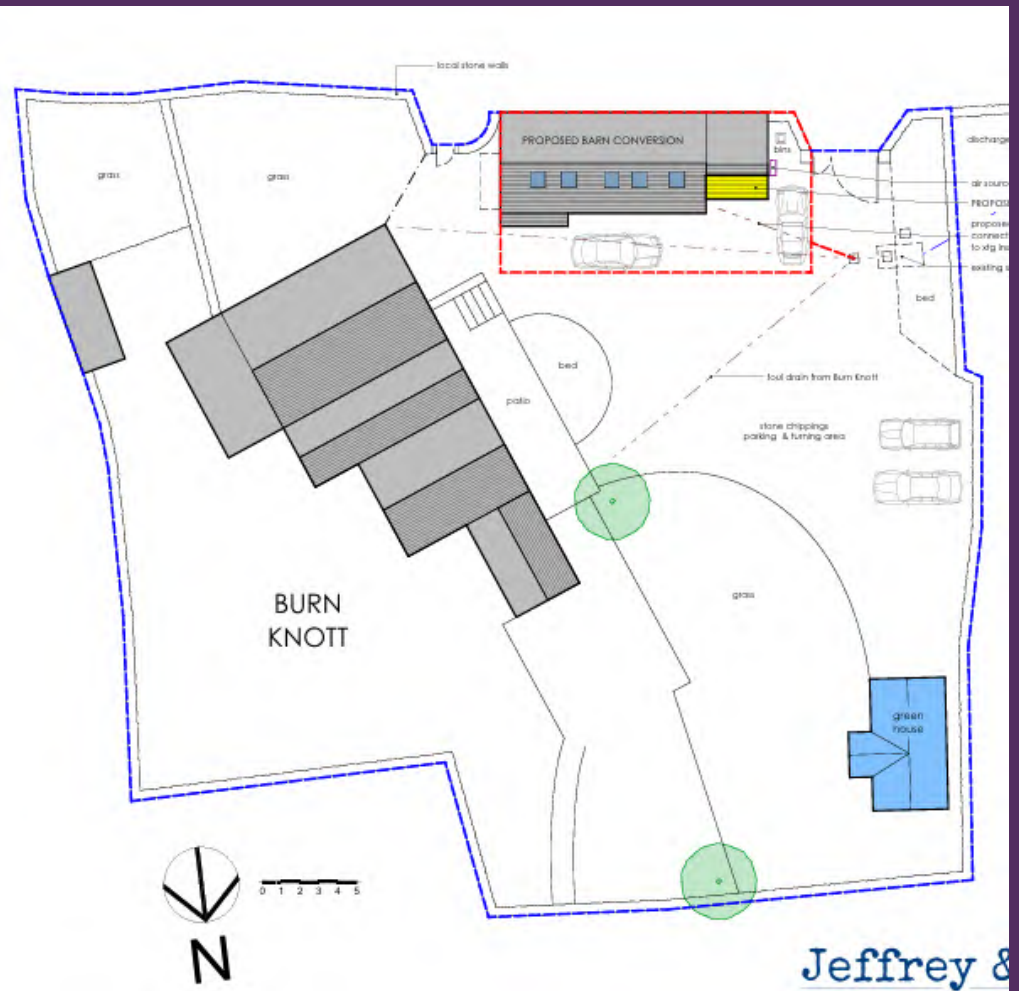




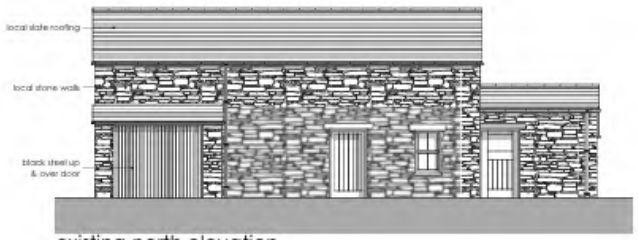


Existing and Proposed Site Plan

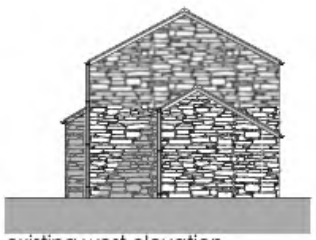


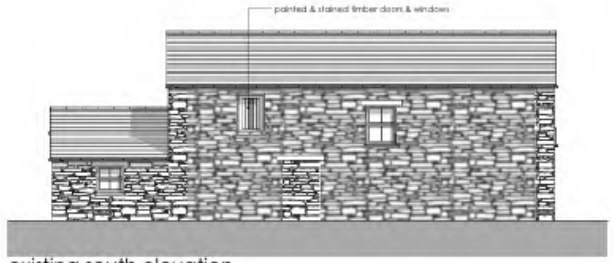


Existing and Proposed Elevations



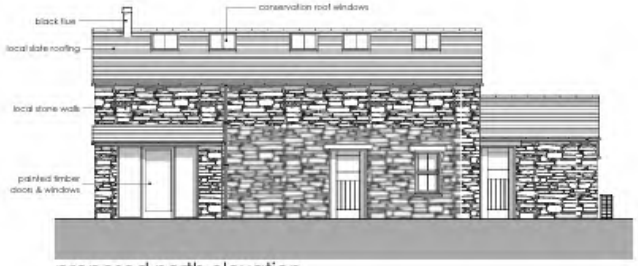
existing north elevation


existing west elevation

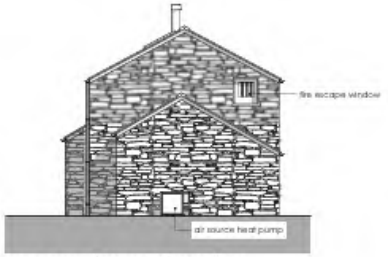


existing south elevation

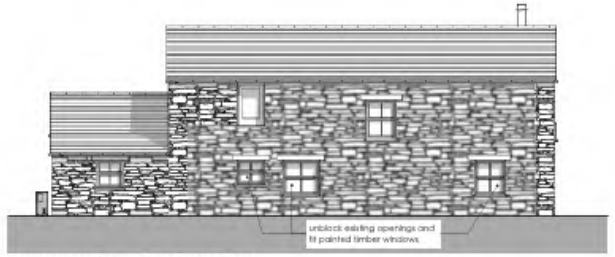

existing east elevation



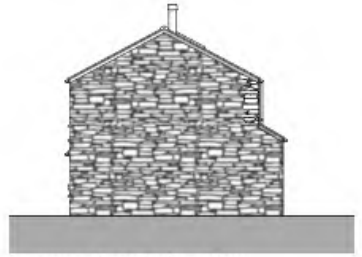
proposed north elevation



proposed west elevation



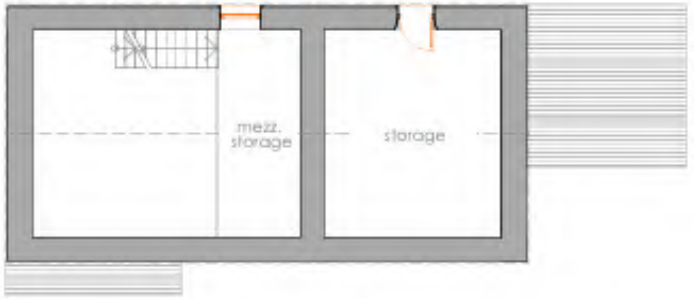
proposed south elevation


proposed east elevation

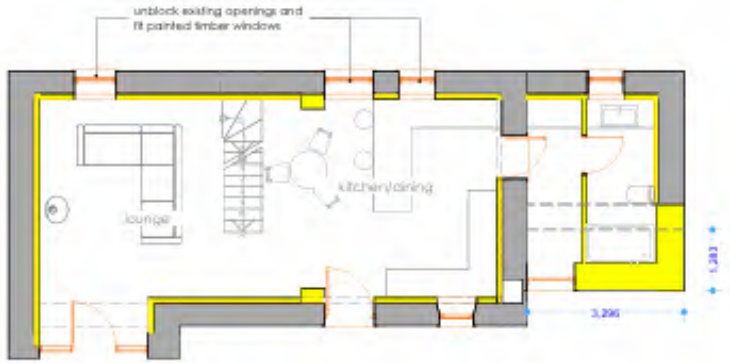
Existing and Proposed Floor Plans



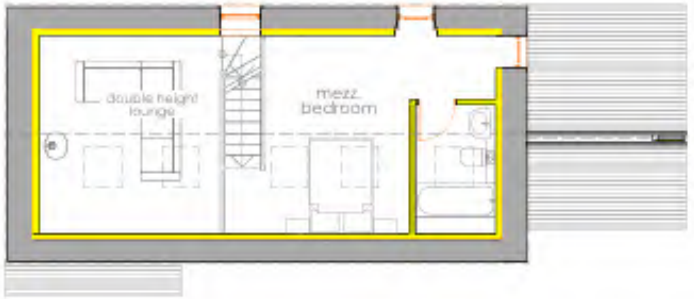
EXISTING GROUND FLOOR



EXISTING FIRST FLOOR



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR