

## **PLANNING APPLICATIONS REFUSED BY THE HEAD OF DEVELOPMENT MANAGEMENT ACTING UNDER DELEGATED AUTHORITY**

7/2018/5656 Full Planning application

Fallbarrow Caravan Site, Rayrigg Road, Windermere, Cumbria, LA23 3DL

Change of use of land to site 2 caravan lodges

The siting of the proposed lodges would harm the setting of the Grade 2 listed building, Fallbarrow Hall, by impacting on views to and from the building. For similar reasons it would adversely affect an attribute of the Outstanding Universal Value of the English Lake District World Heritage Site by interrupting views of a landscape designed to complement the siting of the villa. There are no public benefits of sufficient weight to outweigh the identified harm to designated heritage assets. The proposal is therefore contrary to Lake District National Park Core Strategy (Local Plan Part One) Policy CS27 and paragraphs 193-196 of the NPPF.

The proposed lodges and the ancillary requirements for parking, space around the building, and lighting would impose on an area of open space within the Fallbarrow Caravan Park currently devoid of caravans. The proposal, and the consequent removal of trees to accommodate the lodges, would therefore detract from the landscape character of the area and views of Fallbarrow Hall from the lake.

The proposals therefore do not represent sustainable development and are contrary to the provisions of the Development Plan, in particular Lake District National Park Core Strategy (Local Plan Part One) Policies CS01, CS02, CS10, CS11, CS25 and CS27.

The application site lies within Flood Risk Zone 2 and therefore development should only be permitted where there are no alternative sites in lower flood risk areas. Other sequentially preferable sites are likely to be available and no evidence to the contrary has been provided. The proposal therefore fails the Sequential Test requirements set out in the National Planning Policy Framework and is contrary to the provisions of the Lake District National Park Core Strategy (Local Plan Part One) Policy CS17 with regard to reducing flood risk.

The proposal would undermine the amenity value of the woodland group (W8) within the Fallbarrow Park TPO by removing a significant proportion of existing healthy trees including a category B tree; and would directly impact on two category A trees within the woodland as a result of building within their root protection zone. In addition the siting of lodges so close to protected trees would jeopardise their long term survival and lead to increased pressure to carry out further work. The need for the proposal does not outweigh the harm caused which cannot be addressed by the use of planning conditions and therefore the proposal is contrary to Lake District National Park Local Plan Saved Policy NE12.

7/2019/5207 Certificate of Lawfulness of Proposed Use or Development  
Lea Barn, Far Sawrey, Ambleside, LA22 0LL

Proposed use of Lea Barn, Far Sawrey, as a dwelling occupied by persons as described in the application

The information submitted with this application is insufficient to establish that the persons described in the application would comply with the terms of condition 6 on planning permission reference 7/2001/5591 because it is not shown that they are a person employed, about to be employed or last employed in Cumbria or that they are a person who has, for the period of three years immediately preceding occupation, had their only or principal residence in Cumbria. It cannot therefore be established that occupation would be lawful.

T/2019/0059 TPO application

2. Beechwood Close, Bowness-on-windermere, Windermere, LA23 3AB

Remove 1 sycamore, reduce in height 1 holly

T/2019/0069 Tree Work in Conservation Area

Oakburn, Thornbarrow Road, Windermere, LA23 2DQ

Removal of 1 No. Thuja tree