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**17. FULL APPLICATION - CONVERSION OF STONE BUILT OUTBUILDING TO HOLIDAY ACCOMMODATION AT 1 THE CROSS, GREAT LONGSTONE. (NP/DDD/0116/0033, P2128, 419922 / 371844, 29/1/2016/SC)**

**APPLICANT: MR PETER HUNT**

**Site and Surroundings**

The application site is located in the centre of Great Longstone, on the south side of the junction of Station Road and Main Street. The site is within the designated Conservation Area. The application building comprises a part two-storey and part single storey outbuilding, constructed in rubble limestone under a blue slate roof. A private garden area, which was previously associated with 1 The Cross, is accessed through a stone built arch and via a passageway to the east of the outbuilding.

The outbuilding has external dimensions of approximately 12.2m by 3.7m. It has a pitched roof with eaves height varying from 6.6m at the front to 4.0m at the rear due to the rising land. The building is constructed of rubble limestone under a blue slate roof, which has been renewed in the recent past. The front of the outbuilding is accessed by an open forecourt to the north of the building. The forecourt has an open frontage to the highway, and whilst it widens to the rear, it is slightly narrower towards the front. The forecourt rises up increasingly from the highway to the outbuilding, with a clear length of approx.12m, when measured from the front access point to the front gable elevation of the outbuilding.

The site lies immediately to the east of a terrace of properties which front Station Road – No.1 The Cross, Lincoln Cottage and Greystones, with the Old Post Office to the south west. Lincoln Cottage and the Old Post Office both have doors and established access rights onto the open forecourt area adjacent to the north gable of the outbuilding. The occupiers of the Old Post Office use this approach as their primary access to the house, although an alternative is available onto Main Street. The access from Lincoln Cottage onto the forecourt area is via a rear door. The sole entry to the garden of the Old Post Office is accessed from this forecourt. There is also a door on the rear elevation of 1 The Cross, opening onto this area.

Both Lincoln Cottage and Greystones have windows that directly face the western elevation of the application building. At Greystones this window is at first floor level. Lincoln Cottage has ground floor windows serving the kitchen and first floor windows that face the north western corner of the application building. In addition, a ground floor kitchen window on the rear elevation of The Old Post Office faces directly towards the north east corner of the building. This is sited approximately 4.5m away (window to window), from the outbuilding, with the boundary between the two being separated by a stone wall/trellis and timber gate through which the rear garden of the Old Post Office can be accessed.

**Proposal**

Planning permission is sought to convert the outbuilding to a one bedroomed holiday let. The internal arrangements will be limited to the ground floor only and would comprise lounge and kitchen areas, a shower room and a single bedroom. The conversion would be carried out entirely within its shell and using the existing openings, with one doorway on the west elevation being converted into a window.

Amended plans have been submitted which show a reduction in the size of the front gable elevation windows and the external parking reduced to one parking space (provided on the forecourt area) and in line with the Highway Authority's car parking standards for a one bedroomed holiday let. The applicant has advised that the application should be determined on the basis of the amended plans.

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## **RECOMMENDATION:**

**That the revised application be APPROVED, subject to the following conditions:**

- 1. 3 Year Time Limit.**
- 2. Amended Plans.**
- 3. Removal of permitted development rights for extensions and outbuildings**
- 4. Minor design details including materials and obscured glazing, where required**
- 5. Secure parking provision prior to first occupation**
- 6. Holiday occupancy restriction**

## **Key Issues**

- Principle of conversion
- Design and Appearance
- Impact on the Conservation Area
- Amenity issues
- Highway safety and parking

## **Planning History**

In 2008 planning permission was refused for conversion of the outbuilding to a single holiday unit (NP/DDD/0608/0540). At this time, the outbuilding and garden area remained in the same ownership as 1 The Cross and therefore formed part of the same planning unit. The main issues to be considered were the effect on the living condition of occupiers of neighbouring properties, the living conditions of the occupiers of 1 The Cross and the proposed holiday unit, with particular regard to the provision of amenity space and the parking arrangements and highway safety.

The scheme was refused on the grounds that whilst the proposed conversion was acceptable in principle, the conversion would have a significant impact arising from noise, disturbance, overlooking and loss of privacy on the reasonable enjoyment of those dwellings that were situated in close proximity to the development. In addition, due to the existing building being within the curtilage of the existing dwelling house, there would be an over intensive use of the private amenity space, detrimental to both the occupiers of the dwelling and any future occupants of the holiday unit. Moreover, this would result in car parking taking place in the highway, in an area where off street parking facilities were limited, to the detriment and possible safety of other highway users.

The decision was subsequently appealed (2009) and dismissed by the Inspector stating: *'I have regard to all other matters raised, including the undisputed benefit of bringing this underused building into use, but this, nor any other matter, would outweigh the unacceptable living conditions that the proposal would bring to residents of neighbouring properties, the unsatisfactory shared arrangement and over-intensive use of the amenity space, and the inadequate provision for on-site parking with consequent detriment to the convenience of*

*neighbours accessing their properties and potential harm to highway safety that the proposed development would cause*.

In 2012 a further planning application for the conversion of the outbuilding to a single holiday unit was withdrawn, as officers advised that they considered it was too similar to the preceding appeal scheme and therefore did not overcome the previous reasons for refusal (NP/DDD/0212/0135).

In 2015 a planning application for the conversion of the stone outbuilding to an open market dwelling was refused (NP/DDD/1114/1164). At this point, the dwelling (1 The Cross) had been severed from the outbuilding and garden area and was now in separate ownership. The main issues were whether or not the proposed residential conversion would be acceptable, having particular regard to local planning policies which seek to restrict new open market housing, the effect of the proposal on the living conditions of neighbouring residents, having particular regard to privacy; and whether or not the space available for residents parking would be sufficient, having particular regard to the effect of additional on-street parking on highway safety.

The application was refused on the grounds that the building was not a 'valued vernacular building' and its conversion to an open market house was 'not required' because the building already had a viable use as an ancillary domestic outbuilding, so it did not meet policy requirements in HC1(C). In addition, by virtue of the outbuilding's close relationship to neighbouring residential properties, it was considered the proposed dwelling would cause harm to their privacy and amenity. Furthermore, the property known as 1 The Cross, would be left without any private amenity space and therefore parking for this property would be displaced onto the street. This would cause harm to the amenity of the property and cause pressure for on-street parking detrimental to the character and appearance of the Great Longstone Conservation Area.

The decision was subsequently appealed and dismissed by the Inspector who stated, '*The proposal would not result in a harmful loss of privacy for the occupants of neighbouring property, directly cause any significant additional on-street car parking or result in the loss of private outdoor space associated with no.1 The Cross. It would also preserve the character and appearance of the Great Longstone Conservation Area. Nevertheless, based on the evidence provided the new open market dwelling proposed is not required to secure the conservation or enhancement of the building*'. For this reason, and having had regard to all other matters raised, I conclude that the appeal should be dismissed

### **Consultations**

County Council (DCC Highways) - No objections

District Council – No response

Parish Council – Objects for the following reasons:

1. *Layout and density of buildings.*
2. *Planning history of the site.*
3. *Overshadowing/overbearing presence near a common boundary that is detriment to neighbours.*
4. *Overlooking/loss of privacy.*
5. *Highway issues: traffic generation, vehicle access, road safety.*

6. *Car parking provision.*
7. *Noise and disturbance resulting from use.*
8. *Ensuring equal access to buildings/sites.*

### **Representations**

There have been 8 letters of objection to the application, the main points made by the authors of these letters are summarised below:

- Loss of amenity - overlooking/overbearing, noise and disturbance.
- Highway safety issues - poor access/visibility, lack of parking, danger to schoolchildren.
- Over development of outbuilding.
- Impact on the layout and density of surrounding buildings.

### **Main Policies**

Policy HC1 of the Core Strategy only allows the conversion of a traditional building to an open market house in exceptional circumstances whereas policy RT2 states that the change of use of a traditional building of historic or vernacular merit to holiday accommodation will be permitted. Policy DS1 of the Core Strategy also supports conversion or change of use of buildings to visitor accommodation, preferably by re use of traditional buildings but LR6 states that where self-catering accommodation is acceptable, its use will be restricted to holiday accommodation by way of a planning condition.

Saved Local Plan policy LC8 states that conversion of a building of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that it can accommodate the new use without changes that would adversely affect its character. Policy L3 of the Core strategy is also relevant and says that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. LC5 states, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

Policies GSP1, GSP2 and GSP3 of the Core Strategy jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets. GSP3 and saved Local Plan policy LC4 also seek to ensure that where development is permitted its detailed treatment is to a high standard that respects, conserves and, where possible, enhances the landscape, built environment and other valued characteristics of the area. Further design guidance is provided in three separate design guides adopted in 1987, 2007 and 2014.

Saved Local Plan policy LT11 of the requires the design and number of parking spaces associated with residential development, including any communal residential parking, to respect the valued characteristics of the area, particularly in Conservation Areas. LT18 includes a requirement for the provision of a safe means of access in association any development.

These policies are consistent with national planning policies in the Framework (the National Planning Policy Framework) because core planning principles in the Framework require local planning authorities to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Policies in the Framework and the emerging policies in the Development Plan Document also support the conversion and re-use of existing buildings to provide holiday accommodation in rural areas.

## **Assessment**

### **Background**

In this case, the most recent appeal decision carries significant weight in the determination of this application. The Inspector considered the building to be a traditional building with some vernacular merit, that the conversion of the building to a residential use could be achieved without being unneighbourly, and that the proposed house could be provided with adequate access and parking provision.

Compared to the scheme assessed by the Inspector in the previous appeal, the current application has been revised and the amended plans now show a scheme that includes some enhancement to the building by replacing two existing large windows with more traditional replacements. The living space is also now restricted to the ground floor of the building only so there would be no opportunity for future occupants to look out of the upper gable window, therefore negating the issue of overlooking that the applicant previously sought to address by the use of obscured glazing.

Therefore, the revised application proposes a scheme that can be compared favourably to the proposals assessed by the Inspector in the most recent appeal, and this appeal was only dismissed on the grounds that the Inspector did not consider that the impetus of open market values was required to conserve or enhance the building contrary to the provisions of policy HC1 of the Core Strategy. The current application now proposes conversion of the building to holiday accommodation rather than to an open market house.

### **Principle**

Policies DS1 and RT2 of the Core Strategy support the current application because they are permissive of the conversion of traditional buildings to holiday accommodation. However, as clearly established in the most recent appeal decision, conversion of an open market house to meet general demand would be contrary to policy HC1 of the Core Strategy. Therefore, there are no overriding objections to the principle of converting the subject building to a holiday let subject to a holiday occupancy restriction, which would also be required by saved Local Plan policy LR6 if permission were to be granted for the revised application.

### **Design**

In accordance with the Authority's adopted design guidance, the proposed conversion would use the existing shell of the building and utilise existing openings. Currently, the front (north facing) elevation is harmed by two window openings that appear overly large in relation to the modest proportions of the building; white uPVC frames also draw attention to these openings. As noted above, amended plans have since been submitted, which show a reduction in the size of these windows and their replacement with more appropriate timber frames. The other elevations of the building, whilst not noticeable from public vantage points, would remain largely unchanged, apart from one doorway on the west elevation being converted into a window.

It is considered that the amended window/door detailing would improve the appearance of the north gable elevation and the overall character of the existing building. Therefore, the revised application is considered acceptable in terms of design and meets the requirements of design policies GSP3, LC4 and LC8 and accord with the Authority's adopted design guidance.

### **Impact on Conservation Area**

The outbuilding is set back approximately 12 metres from the highway and visible from the street and together with the adjoining cottages appears as an attractive cluster of traditional limestone dwellings and outbuildings. The amended details show some improvement to the external facade of the building that faces the road and the changes to the large windows in this gable would clearly make a positive contribution to the Conservation Area. The minor changes to the rest of the building would preserve its traditional character and appearance and would maintain the special qualities of the surrounding Conservation Area. Therefore, the revised application is in conformity with policies LC5 and L3 because the proposed development would not harm the significance of any designated or non-designated heritage asset.

### **Neighbourliness**

Policies GSP3 and LC4 require the impact of development proposals on the living conditions of occupants of nearby residential properties to be carefully assessed. In this case, it is not considered that a relatively small one-bedroomed holiday unit would be such an intensive use of the building that the revised proposals would harm the living conditions of the nearby residential properties also taking into account the very tightly knit pattern of development in this part of Great Longstone. This view was supported by the Inspector in the most recent appeal decision who also noted the close relationship between the building and the neighbouring properties.

The Inspector also noted that The Old Post Office had a rear facing ground floor kitchen window, close to the shared boundary with the building to be converted and that the introduction of a bedroom window at first floor on the front elevation of the outbuilding, would allow potential future occupants to look down into the kitchen at very close quarters, leading to a harmful loss of privacy. To address this particular concern, revised plans were submitted in support of the previous appeal illustrating the use of obscure glazing in this first floor window. With regard to these amended plans, the Inspector concluded that with the obscure glazing and the oblique angle between the two windows, privacy of both properties would be maintained, and overall conversion of the building to a residential use would not result in any harmful loss of privacy to the detriment of neighbouring residents.

The current plans show no accommodation at first floor level, as all rooms are now at ground floor only, therefore any perception of overlooking is taken away, as the upper gable window would only be used to afford natural light into the internal space of the building. In addition, the amended plans show a reduction in the size of this first floor window opening, which would further reduce the impression of a perceived loss of privacy by adjacent properties, with only a ground floor window on the west elevation (facing Greystones) now needing to be obscured glazed to prevent any intervisibility between windows in the building to be converted and windows in the neighbouring properties.

It is therefore considered that the revised application conforms to GSP3 and LC4 because the amenity of neighbouring dwellings would not be adversely affected by the development subject to securing compliance with the amended plans and subject to the removal of permitted development rights to safeguard the amenities of the neighbouring properties and to ensure any future changes to the completed development would not undermine the enhancements to the road facing gable as shown on the amended plans, and to ensure any changes to the building preserved the character and appearance of the surrounding Conservation Area.

## **Access and Parking**

The amended plans show one off-road parking space would be provided within the forecourt of the building. As this land is within the curtilage of the building, and the building is no longer in the ownership of 1 The Cross, it is hard to argue that the use of the space by holiday visitors would displace cars belonging to the owner/occupants of 1 The Cross on to the public highway. This use of the parking space would not obstruct the existing right of pedestrian access to the neighbouring properties across the forecourt and the Highway Authority has no objections to the revised application. It is therefore considered that the proposed holiday accommodation would be provided with adequate access and parking provision, in accordance with LT18 and LT11 and would not exacerbate problems with on-street parking that already exists within the locality.

## **Conclusion**

In conclusion, the proposed use of the building for holiday accommodation is supported by the Authority's planning policies and the amended plans show a scheme that will help enhance the traditional character and appearance of the outbuilding and allow it to more positively contribute to the special qualities of the Conservation Area within which it is sited. Moreover, the revised proposals will have no adverse effect on the amenities of any of neighbouring properties whilst adequate space for parking of vehicles associated with the proposed development would be provided. It is therefore concluded that the revised application accords with the Authority's adopted design guidance and the relevant policies in the Development Plan subject to appropriate planning conditions as set out in the above report.

Accordingly, the current application is recommended for conditional approval.

## **Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil