
13. VARIATION OF CONDITIONS APPLICATION – TO VARY THE DESIGN OF THE HOLIDAY ACCOMMODATION APPROVED UNDER PERMISSION NP/HPK/0915/0891 – 2 SPEEDWELL HOUSE, BUXTON ROAD, CASTLETON (NP/HPK/0117/0047, P.4693, 18/1/2017, 414852 / 382959, MN)

APPLICANT: Mr and Mrs Wilde

Site and Surroundings

2 Speedwell House is located within Castleton approximately 160m to the north-west of St Edmund's Church. The site is located outside of the designated Castleton Conservation Area. A small strip of land within the rear garden of the property is located within Flood Zone 2, whilst the rest of the site is located within Flood Zone 1.

The property comprises a semi-detached three bedroom dwelling with access off Buxton Road, a small walled front garden and a larger rear garden. To the rear of the rear garden are a range of stone and slate outbuildings which are built up and form part of the boundary wall to Castleton Methodist Church which is set at a higher level. In 2015 the house was granted permission for conversion to a guest house and the outbuildings were granted permission for conversion to holiday accommodation.

The nearest neighbouring properties are the Methodist Church to the west and 1 Speedwell House and Orchard House to the east. Orchard House is set back from Buxton Road such that the openings to its west facing side elevation face over the rear gardens of 1 and 2 Speedwell House.

Proposal

To make changes to the design of the approved holiday let conversion.

This permission was granted in 2015 and gave permission for the conversion of the range of stone outbuildings to the rear of the house to holiday accommodation. Specifically, this application proposes to rebuild and re-align the front walls of part of the outbuildings subject to conversion, which includes changes to their detailing and the roof positions above.

The works have been partially undertaken and so the application is partly retrospective.

RECOMMENDATION:

That the application is APPROVED subject to the following conditions:

- 1. 3 year time limit from 7 December 2015.**
- 2. Development to proceed only in accordance with the approved plans.**
- 3. Landscaping and planting to be carried within the first planting seasons following completion or occupation of the development.**
- 4. The proposed 1.2m high timber fence to be installed prior to the first occupation of the approved accommodation and to be maintained throughout the lifetime of the development.**
- 5. All timberwork to be constructed and installed in accordance with approved plans and the specification approved under discharge application NP/DIS/0316/0259.**

6. All new stonework shall be in natural limestone faced, laid and pointed to match the existing stonework.
7. The pointing to be bag or brush-rubbed and slightly recessed from the external face of the stonework.
8. Roof lights fitted flush with the roof slope.
9. All pipework, other than rainwater goods, to be completely internal within the building.
10. The metal flue pipes to be painted matt black.
11. Foul sewerage shall not be disposed of other than to the mains sewer.
12. Holiday occupancy restriction.
13. Removal of permitted development rights from guest house and holiday accommodation.
14. Space to be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles as approved under discharge application NP/DIS/0316/0259.
15. Parking spaces to be provided prior to occupation.
16. Access not to be gated within at least 10m of the highway limits to allow space for manoeuvring out of the front parking space and where fitted, shall open into the site only.
17. Bin dwell area provided prior to occupation.

Key Issues

1. Whether the amount of rebuilding work amounts to demolition of the existing building and a new building being erected.
2. The effect of the proposed alterations to the approved scheme upon the character, appearance and amenity of the buildings and wider area.

Planning History

2016 – Discharge of conditions application approved in relation to 2015 permission
2015 – Permission granted for conversion of C3 dwellinghouse to C1 guest house

Consultations

Derbyshire County Council – Highways – No objections

High Peak Borough Council – No response at time of writing.

Castleton Parish Council – No objections.

Representations

8 letters of representation have been received, all objecting to the proposal. The grounds for objection are:

- The amount of rebuilding undertaken amounts to demolition of the building and its replacement with a new building, contrary to planning policy;
- The building is larger in footprint and height than the permission granted allowed for;
- The proposal would result in a loss of amenity to the neighbour due to increased glazing facing their property;
- There is already adequate holiday accommodation in Castleton.

Main Policies

Core Strategy: DS1, GSP3, RT2

DS1 states, amongst other things, that extensions to existing buildings and the conversion or change of use of traditional buildings for visitor accommodation, preferably by re-use of traditional buildings will be acceptable in principle.

Policy GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Policy RT2 says that proposals for hotels, bed and breakfast and self-catering accommodation must conform to the following principles:

- A. The change of use of a traditional building of historic or vernacular merit to serviced or self-catering holiday accommodation will be permitted, except where it would create unacceptable landscape impact in open countryside. The change of use of entire farmsteads to holiday accommodation will not be permitted.
- B. Appropriate minor developments which extend or make quality improvements to existing holiday accommodation will be permitted.
- C. New build holiday accommodation will not be permitted, except for a new hotel in Bakewell.

Policy HC4 states that the provision or improvement of community facilities and services will be encouraged within settlements or on their edges if no suitable site is available within.

Local Plan: LC4, LR6, LT10, LT18

LR6 states that where proposals for holiday accommodation are acceptable in principle that their occupation will be limited to no more than 28 days per calendar year for any one individual.

LC4 requires development to be of a high standard of design which conserves and enhances the landscape, built environment and valued characteristics of the National Park. Particular attention will be paid to scale, form and mass, design details and landscaping. LC4 (iv) says that attention will be paid to the amenity, privacy and security of the development and of nearby properties.

LT10 and LT18 state that safe access and adequate parking is a pre-requisite to any development.

Adopted design guidance within the 'Design Guide', the recently adopted Climate Change and Sustainable Building Supplementary Planning Document (SPD) and the Authority's Landscape Strategy and Action Plan offer further guidance on the application of these policies. These policies and guidance are supported by a wider range of policies in the Development Plan listed below.

Wider Policy Context

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP4

Relevant Local Plan (LP) policies: LT11

National Planning Policy Framework

In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application.

Paragraph 17 of the Framework sets out core planning principles including supporting sustainable economic development and high standards of design taking into account the roles and character of different areas, recognising the intrinsic character and beauty within the countryside and supporting thriving rural communities.

Paragraph 28 in the NPPF states that planning policies should support economic growth in rural areas and should take a positive approach to sustainable new development. Planning policies should support the sustainable growth of all types of business both through conversion and well-designed new buildings and should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

It is considered that there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF with regard to the issues that are raised as part of this application.

Assessment

Principle

The principle of converting the outbuildings to holiday accommodation was accepted when the original permission was granted in 2015. There have been no planning policy or other material changes since that time that would lead Officers to arrive at a different view of that scheme. For this reason this report does not revisit those matters addressed by the original permission, but focuses instead on the impacts of the changes now proposed to it - specifically the rebuilding or part of the outbuilding and the impact that this has on the appearance of the development.

Amount of rebuilding undertaken/proposed

As approved the front walls of the range of lower outbuildings were to be retained and repaired before a new slate roof was introduced above. However, having found there were no proper foundations to this part of the building these front walls were taken down, footings introduced, and then rebuilt. However, they have not been rebuilt on the same line, with one section running flush with the front of the larger outbuilding, and the other stepped back slightly from this.

It is important to establish whether or not the rebuilding works amount to the demolition of the buildings and construction of a replacement. Policy RT2 is clear that new build holiday accommodation will not be permitted, and objection to the current application has been raised on the grounds that the development would now amount to new build accommodation.

Having re-visited the site, Officers do not agree with the objector's assessment. The taller outbuilding has been wholly retained. Of the attached lower range, the rear wall (which also serves as a retaining boundary wall to the church), side wall, and the remains of an internal dividing wall are still all present. A new roof is being introduced but it was always the intention of the approved scheme for these roofs to be new. In response to claims of rebuilding, the applicant has also provided a breakdown of the level of rebuilding. They state that 420 stones from the front wall of the lower range have been taken down and rebuilt, out of a total of 1900 stones comprising the lower range of buildings. This total does not include the adjoined taller building, which as noted above has been wholly retained.

On this basis the amount of rebuilding is considered to be limited, and represents much less than 50% rebuilding, a figure which is commonly used as a guide to establish whether a development represents repair or replacement of a building.

Officers are therefore satisfied that the development continues to comply with policy RT2.

Design impacts

The other main issue is the impact that the change to the building line of the front wall has on the appearance of the building. As originally approved, the larger outbuilding was stood slightly forward of the lower range, creating a break in the front wall and the roofline. As noted above, the current proposal brings front wall of the part of the lower range that adjoins the larger outbuilding in line.

However, the timber door immediately adjacent to the junction would be recessed, helping to maintain the distinction between the two buildings and the appearance of stepping in. The eaves height of the building would also be slightly lower than that of the barn, allowing the roof to retain a separate slope, rather than running in to the larger roof and confusing the buildings' form.

The end section of the low range would also be stepped in and down slightly from the central section, again retaining a break and the separate elements of the building.

The buildings otherwise remain as approved. Overall, the proposed design changes are considered to have a less than significant effect on the overall appearance of the building and as a result the development complies with policy LC4.

Other matters

Given the nature of the changes, the development as revised is considered to raise no different or further amenity issues than the approved scheme. No further glazing is proposed facing the neighbouring property of no.1 Speedwell House; and would actually be reduced as two of the doors originally approved as fully glazed would now be half-boarded.

The impacts on neighbouring amenity are therefore still considered to be low and acceptable.

The proposed variations raise no further material considerations.

It is noted that since the original permission was granted a discharge of conditions application has been approved, agreeing details of landscaping, timberwork, and construction compound layout, all of which were reserved by that permission. If permission was to be granted for this variation of conditions application it is recommended that conditions 3, 5 and 14 are reworded in order that these details are secured as previously discharged, and to not unreasonably burden the applicant by requiring they discharge these details a second time.

Conclusion

In summary, the proposed changes are not considered to result in demolition and replacement of the outbuildings. The impact of the changes to form and design are considered to be acceptable, and there are considered to be no additional amenity or other material matters raised by the changes.

The proposal is therefore recommended for approval subject to the re-imposition of the previously imposed conditions, which are still considered necessary to make the development acceptable for the reasons stated on the previous permission.

This is subject to the alteration of condition 2 in order that the amended design is approved, and the amendment of conditions 3, 5 and 14 to require the development to proceed in accordance with the agreed details of the previous discharge application.

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