

**15. FULL APPLICATION – CHANGE OF USE FROM ANCILLARY ACCOMMODATION FOR DISABLED RELATIVE TO HOLIDAY ACCOMMODATION AT WATERGROVE, UNNAMED SECTION OF A623 FROM HOUSLEY ROAD TO LONG LANE FOLOW (NP/DDD/0524/0549) HF**

**APPLICANT: MR MATTHEW EVERATT**

**Summary**

1. The application seeks the change of use of an existing outbuilding from ancillary residential accommodation for a disabled relative to holiday accommodation. The exact date of the outbuilding is unknown, although it is established to be a relatively modern building, likely to be 1980s or 1990s.
2. The permission under which the existing ancillary accommodation operates (NP/DDD/1020/0963) includes a condition requiring that the accommodation shall not be occupied other than by members of the family or employees of the occupier of that dwelling and together with the main house be maintained as a single planning unit. Planning permission for the proposed use is therefore required.
3. Policy RT2 of the Core Strategy states that 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 have an unacceptable landscape impact in open countryside. Paragraph 3.30 of the Development Management Policies document confirms that a 'traditional' building is defined as a property built prior to 1919 with solid walls constructed of moisture-permeable walls.
4. As a late 20<sup>th</sup> Century building constructed from 'Davie Block' walls under a concrete tiled roof, the outbuilding is neither historic or of vernacular merit and does not meet the definition of 'traditional'. Whilst it is recognised the development would not make alterations to the existing outbuilding, and would not have an unacceptable landscape impact in open countryside, the outbuilding is a late 20<sup>th</sup> Century structure and therefore does not meet the definition of 'traditional' contained in the development plan and the proposal is contrary to RT2.
5. The development is therefore not acceptable in principle, and harm arises as a result of the policy conflict with the development plan.
6. The application is therefore recommended for refusal.

**Site and Surroundings**

7. Watergrove is a two-storey detached dwelling on the north side of the A623, approximately 850m east of Wardlow Mires and 410m south-west of Housley. The property is listed Grade II and lies in open countryside.
8. The property is screened from the road by a high conifer hedge behind which (and forward of the principal elevation of the dwelling) there is former stable building constructed from limestone Davy blocks under a Hardrow tile roof. The building has been converted into ancillary accommodation for a disabled relative.
9. Previous applications on the site have confirmed that the outbuilding is not a historic structure and whilst it is within the curtilage of a listed building, it is not curtilage listed.

## **Proposal**

10. The application seeks to change the use of the outbuilding from ancillary accommodation for a disabled relative, to a short-term holiday let.
11. No external alterations are proposed to the outbuilding. The holiday let would utilise a number of the existing car parking spaces at the property.

## **RECOMMENDATION:**

12. **That the application be REFUSED for the following reason:**

1. **The development would introduce holiday accommodation into a modern outbuilding that is not a traditional building of historic or vernacular merit. The development is therefore unacceptable in principle and would be contrary to Core Strategy Policy RT2.**

## **Key Issues**

- Principle of the change of use;
- Impact of the development on the character and appearance of the building, the site and the Grade II Listed Watergrove;
- The impact of the development on residential amenity;
- Highways considerations.

## **History**

13. NP/DDD/1020/0964: Conversion of stables to ancillary accommodation for a relative – Withdrawn.
14. NP/DDD/1020/0963: Conversion of stables to ancillary accommodation for a relative – Approved 10th May 2021.
15. NP/DDD/1021/1112: Addition of a disabled wheelchair access and patio area for the existing 1980s converted stable block – Approved 4th January 2022.

## **Consultations**

16. Derbyshire County Council (Highways): No highway safety objections.
17. Derbyshire Dales District Council (Planning): No response received to date.
18. Foolow Parish Meeting: No response received to date.

## **Representations**

19. A total of 5 letters of support have been received to date in respect of the application. They raise the following matters:
  - Location ideally suited to holiday let due to its private, peaceful rural location away from neighbours and therefore not negatively impacting other properties;
  - The property is on an accessible main road and ample parking already exists. The proposal will not create congestion or parking issues such as those experienced elsewhere in the National Park;
  - The development will improve inclusivity in the area, catering to visitors with mobility issues. The building has wheelchair access and is set up for disabled

living, meeting a need for this kind of tourism accommodation as this is something other holiday properties in the area lack;

- Use of the building for holiday let will not deplete local housing stock due to the current use of the building;
- The building is currently unused due to the personal circumstances of the applicant's relative and the development will repurpose the building effectively, putting the building back into valuable use and improving tourism stock;
- Economic benefits as the holiday let will increase tourism and provide more employment opportunities such as local laundry, cleaning and service businesses. There would be other economic spin off benefits to local businesses in neighbouring villages who benefit from tourism.

## **Main Policies**

20. Relevant Core Strategy policies: GSP1, GSP3, DS1, L3, RT2

21. Relevant Development Management policies: DMC3, DMC5, DMC7, DMR3, DMH8

22. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.

## **National Planning Policy Framework**

23. The National Planning Policy Framework (NPPF) was revised in December 2023 and is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

24. The development plan for the National Park comprises the Core Strategy (2011) and Development Management Policies (2019). Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for determining this application. In this case there is not considered to be a significant conflict between prevailing policies in the development plan and the NPPF.

25. Paragraph 88 of the NPPF states that planning decision should enable (c) sustainable rural tourism and leisure developments which respect the character of the countryside.

26. Paragraph 182 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these matters. The conservation and enhancement of wildlife and heritage are also important considerations and should be given great weight.

## **Peak District National Park Core Strategy**

27. GSP1, GSP2 – Set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its wildlife and heritage.

28. GSP3 – All development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to impact on the character and setting of buildings, scale of the development and accordance with the Authority's Design Guide.

29. DS1 – Forms of development in all settlements and in the countryside which are acceptable in principle include conversion or change of use for visitor accommodation, preferably by re-use of traditional building.
30. L3 – Development must conserve and where appropriate enhance or reveal the significance of historic assets and their settings.
31. RT2 – 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.

#### Peak District Development Management Policies

32. DM1 – Sets out a presumption in favour of sustainable development in the context of National Park Purposes.
33. DMC3 – Where developments are acceptable in principle, design is required to be of a high standard which where possible enhances the landscape. Design and materials should all be appropriate to the context. Accessibility should also be a key consideration.
34. DMC5 – Planning applications for development affecting a heritage asset, including its setting, must clearly demonstrate its significance and why the proposed works are desirable or necessary.
35. DMC7 – Applications in the setting of a Listed Building should be determined in accordance with DMC5 and clearly demonstrate how their significance will be preserved, and why the proposals are desirable or necessary.
36. DMR3 – Outside settlements, where self-catering accommodation is acceptable, its use will be restricted to no more than 28 days per calendar year by any more than one person.
37. DMH8 – Alterations to existing outbuilding will be permitted provided the changes conserve or enhance the immediate dwelling and curtilage, and any valued characteristics of the adjacent building environment including Listed Buildings.

#### Assessment

##### Principle

38. The existing outbuilding was granted permission for use as ancillary living accommodation under NP/DDD/1020/0963. The permission includes a condition requiring that the accommodation shall not be occupied other than by members of the family or employees of the occupier of the main dwelling and together with the main house be maintained as a single planning unit. Planning permission for the proposed use is therefore required.
39. The outbuilding is a modern structure, understood to have been constructed during the 1980s or 1990s and is not of historic interest. This was confirmed through a Heritage Statement under the previous applications on the site, which has been provided again as part of this submission. This is further established under the submitted Design & Access Statement, which confirms the outbuilding is a late C20 former stable block of no historic interest. The building therefore cannot be considered to be a heritage asset.

40. Core Strategy Policy DS1.C confirms the forms of development that are acceptable in principle include conversion or change of use for visitor accommodation, preferably by re-use of traditional buildings.
41. Policy RT2 expands on this, requiring that hotel, bed and breakfast and self-catering accommodation must conform to a set of principles which include that 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.
42. 'Traditional' is defined by paragraph 3.30 of the Development Management Policies document as a property built prior to 1919 with solid walls constructed of moisture-permeable walls. A traditional building of 'historic or vernacular merit' therefore means a heritage asset within the terminology of the NPPF and local DMP.
43. The outbuilding does not meet the definition of 'traditional' and is therefore contrary to RT2 as it does not comply with the principles that hotels, bed and breakfast and self-catering accommodation must conform to under the policy.
44. The development is therefore unacceptable in principle and harm arises due to the conflict with policy, as such approvals would undermine the aim of Policy RT2 which seeks to direct investment into the stock of traditional buildings in order to conserve the valued characteristics of the National Park's built heritage.
45. The applicant has drawn attention to a number of other policies including Policy E2 of the Core Strategy, however that policy relates to employment proposals rather than holiday-lets, which are dealt with under RT2.
46. Officers attention has also been drawn to paragraph 88(a) of the NPPF. Paragraph 88(a) is not considered to be relevant, as it relates to businesses in rural areas. Criterion (c) is considered to be the relevant part of paragraph 88, which states that planning decisions should enable sustainable rural tourism which respects the character of the countryside.
47. Whilst there would be no physical works as part of the development in terms of impact on character, the site is not considered to represent a sustainable location. It lies approximately 1km outside of Foolow. The nearest bus stop is over 800m from the site and would need to be accessed along narrow grass verges either side of the busy A623.

#### Design & Heritage Considerations

48. The outbuilding lies within the curtilage of the Grade II Listed Watergrove Cottages listed in 1967. However, the outbuilding itself is a modern late C20 building that as previously established under a number of earlier applications, is of no historic interest and is not curtilage listed.
49. There are no physical external changes to the building. The holiday-let would utilise two of the existing car parking spaces on site.
50. As there are no external alterations to the existing building or parking arrangements, there are no objections from a design or heritage perspective and the proposals would not alter, and would therefore conserve, the setting of the Grade II Listed building.
51. The proposals would therefore not conflict with Policies GSP3, L3, DMC3, DMC5 or DMC7 of the development plan. DMH8 would not be applicable, as the application proposes no physical alterations to the existing outbuilding.

52. Having regard to RT2.A, the application proposes no external alterations and would not be considered to result in unacceptable landscape impacts in the open countryside.

### Highways

53. The drawings allocate part of the existing parking area to the property for use by the proposed holiday accommodation. Sufficient parking opportunities would remain elsewhere on site. The Highways Authority have confirmed there are no highway safety objections relating to the application. It is also recognised, as raised by a number of representations, that the site has good access by car from the A623 and sufficient parking on site.

### Residential Amenity

54. The application is for holiday accommodation. The outbuilding has a close relationship to the main house in terms of shared spaces, access, car parking and manoeuvring space. The close physical relationship between the main house and outbuilding is such that a planning condition is considered to be necessary to ensure the holiday accommodation remains ancillary and within the same planning unit as the main house, in order to ensure the occupants retain control over the holiday-let and to ensure that the use respects the amenity of the existing dwelling. As raised by a number of representations, due to the distance of the property to other neighbouring properties, there would be no wider impacts on neighbouring amenity.

### Other

55. The application site is not located in an area at risk of flooding and therefore raises no concerns in this respect.
56. The applicant and representations have outlined a number of benefits to the scheme, including the benefit of re-using an underutilised existing building and putting it to a new use, ease of access, economic benefits including spin-off benefits to surrounding businesses through increased visitation, potential local employment opportunities associated with cleaning of the property, and that the proposal would help to meet demand for tourist accommodation without removing any existing housing stock.
57. A further benefit has been outlined due to the accessibility of the outbuilding for those with disabilities, thereby offering inclusive holiday accommodation, which is something representations note to be lacking in the wider area.
58. Whilst those benefits are recognised, the proposals conflict with the development plan and are not acceptable in principle. Harm therefore arises through the identified policy conflict as approvals of holiday accommodation in modern buildings would undermine the aim of RT2 to direct investment into the Authority's traditional building stock to conserve the National Park's built heritage. The introduction of a holiday-let in a modern building, and in an unsustainable location is therefore considered to weigh against the proposals.

### Conclusion

59. Whilst it is recognised the development would not make alterations to the existing outbuilding, and would not have an unacceptable landscape impact in open countryside, the outbuilding is a late 20<sup>th</sup> Century building and does not meet the definition of 'traditional' contained in the development plan. The proposal is therefore contrary to RT2.
60. The development would introduce holiday accommodation to a non-traditional building, in an unsustainable location.

61. The development is therefore not acceptable in principle, and harm arises as a result of the policy conflict with the development plan.

62. The application is therefore recommended for refusal.

**Human Rights**

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

**List of Background Papers** (not previously published)

Nil

**Report Author**

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