

NP/DDD/0126/0079: PADLEY MILL COTTAGE (SW)

APPLICANT: MR DAVID JENNER

Background

1. The application was originally considered at the meeting of the Authority's Planning Committee on the 10th April 2026 (to be referred to here as "the first report"). The application was recommended for refusal but Members were minded to approve.
2. The Authority's Standing Orders (Section 1.48) state that where a Committee is proposing to make a decision which would be a departure from policy and/or the Officer recommendation, final determination shall be deferred until the next meeting.
3. The Head of Planning authorised such a deferral in order that the Planning Committee can consider a further paper to explore the policy implications and risks. This report sets out those implications and risks:
 1. The impact on adopted planning policies HC1 and DMH1

The impact on adopted planning policies HC1 and DMH1

4. The National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development (paragraph 10). To do this it advocates approving development proposals that accord with an up-to-date development plan, but clarifies in para 12 that:
 5. *The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*
6. This planning application does not demonstrate any material considerations to indicate departure from the Local Plan. The first report recommended that the application be refused because the proposed dwelling would not address a proven need for affordable housing and is therefore contrary to Core Strategy Policy HC1.A and Development Management Policy DMH1.
 1. The proposal is to convert and extend an existing timber barn to create a two bedroom dwelling with ground floor living and dining / kitchen space, toilet, utility, double bedroom and en-suite. A deck area that could serve as a bedroom is proposed at first floor, with void over the remaining area.
 2. Core Strategy Policy HC1 sets out the acceptable planning routes for new housing in the National Park. These are clearly set out in policy and support the overarching Local Plan approach that market housing to meet a general need is not acceptable in the National Park.
 3. For the benefit of the decision maker, policy HC1 Part A(I) permits housing that addresses eligible local needs for the provision of affordable dwellings with occupation restricted to local people in perpetuity, A (II) permits housing for aged persons assisted living where care cannot be provided within the existing housing stock (for clarity, assisted living accommodation is housing that also provides nursing or general care). Part B permits key worker accommodation for people with an essential need to live near

or close to a farm. Part C permits housing if it is required in order to achieve conservation and enhancement for either a heritage asset or in a settlement. These are the only routes to new housing in the National Park through the Local Plan.

7. Core Strategy supporting text in paragraph 12.7 states, *The limited number of opportunities for new residential development emphasises the importance of concentrating on the eligible need within the National Park for affordable (including intermediate) homes, rather than catering for a wider catchment area. Addressing the eligible local need for affordable housing helps those who cannot compete in the open housing market. It is a justifiable reason for new housing provided there is no harm to the National Park and its valued characteristics.*
8. In this statement it is clear that the Local Plan refers to the eligible local need for affordable housing. The reference to eligible local need throughout the Local Plan is within that context; eligible local need for affordable housing. To split the two and focus solely on eligible local need (as put forward by the applicant) would be responding to local need for housing generally which is clearly a departure from the Local Plan as National Parks are not the location to respond to general housing need and the government is clear on this approach.
9. The National Parks Visions and Circular (2010)¹ paragraph 78: *The Government recognises that the Parks are not suitable locations for unrestricted housing The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.*
10. There can be no misunderstanding of the direction given by the Government and the intention of the Local Plan regarding the situations where new housing is acceptable.
11. The Development Management Policies (DMP) is the most up-to-date part of the Local Plan and Policy DMH1 is the relevant policy that builds on the policy foundations of Core Strategy Policy HC1.A
12. Policy DMH1 is titled New affordable housing. Affordable housing, for the avoidance of doubt, is as described in the NPPF Annex 2 definition². Affordable housing is *housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).*
13. Policy DMH1. A states, *Affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements, either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that: (i) there is a proven need for the dwelling(s); and (ii) any new build housing is within the following size thresholds... two persons 58sqm.*
14. The applicant refers to the desire to downsize. Downsizing is a desire, not a need. The DMP in the supporting text refers to downsizing and states in the following paragraphs;
15. *DMP 6.28 Some people who own their properties outright may want, as they get older, to move to smaller properties and remain in and contribute to the communities where they have lived for many years. Reasons may vary from decreased mobility and a practical difficulty in managing or adapting the current home to meet changed needs, to the need to realise capital to support their old age. This is commonly known as downsizing and should, wherever possible, be met through the existing housing stock where that is*

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf

² https://assets.publishing.service.gov.uk/media/67aaf8f3b41f783cca46251/NPPF_December_2024.pdf

suitable. However, there may be circumstances where this is not possible and where the circumstances of the applicant justify the provision of a home to meet their needs. This may become more common as the proportion of elderly residents increases.

16. *DMP 6.29 While it may not be practical or desirable to undertake a full means test, the Authority will need to be persuaded that homeowners have no alternatives available to them on the open market or through social housing that can meet their changed circumstances. This means an applicant should provide evidence of their search for housing on the market at the time of submitting a planning application and/or seeking pre-application advice.*
17. Whilst the supporting text sympathises with people who have a desire to downsize and provides guidance on how this should be approached. Local Plan policy H1.A and DMH1 supports those who are in housing need because they either don't have the financial ability or genuine medical reasons to meet a changed need within the open market. This policy route is not appropriate for people who have the financial means and are capable of meeting their need within the local housing market. If an applicant wants to build a property to downsize to, and they are not in genuine housing need, they will need to use a different Local Plan policy route to new housing.
18. Officers also accept that the new definition of Thriving and Sustainable Communities as set out in the National Park Management Plan (NPMP) provides a context and commitment to seek to support local people in addressing their needs, but development plan policy tests remain the starting point for decision making and clear evidence is needed to enable a proper assessment of material considerations in order to explore the opportunities sought by the wider objectives in the NPMP. So far these have not been forthcoming.

19. Can the applicant meet their own housing need within the open market?

20. The personal circumstances of the applicant are such that they are able to meet their housing need within the local housing market. The reasons are set out as follows.
21. The applicant owns their own home and is meeting their housing need within the open market.

22. The Local Housing Authority assessment of the applicant's housing need.

23. The applicant applied to Home Options because this is an established method the Authority use to assess whether a person is in housing need. The applicant has been assessed as being in Band D. Band D in the context of Local Housing Authority policy means the applicant is not in housing need because they have sufficient equity to resolve their own housing need. For information, the equity threshold in the policy is £165,571. Applicants who have equity above this threshold are generally assumed to have sufficient resources to resolve their housing needs.

24. Band D is explained as follows.

D-1. Private tenants with a desire to live in social housing

Tenants who live in private rented accommodation who have a desire to move to alternative accommodation.

D-2. Social housing tenants with a desire to move

Social housing tenants who have a desire (but not a need) to move to alternative accommodation.

D-3. Owner occupiers with a desire to live in social housing

Owner-occupiers who qualify to join Home-Options (see section 6(vi)) but who have been assessed by Home-Options to have sufficient resources to assist themselves in seeking alternative accommodation.

D-4. All other applicants

Households which include a person (or persons) with an illness or disability which is not affected by their current home and where a move is desirable (but not essential) will remain in band D.

Households who live in tied or service accommodation where that accommodation is provided as a condition of employment and there are no plans to bring that employment to an end.

Applicants who qualify to register with Home-Options but who have been assessed as having sufficient equity to resolve their own housing needs.

All other applicants who have no housing need but a desire for accommodation in the Home-Options area.

25. Is it reasonable to consider that the applicant can meet their current and future housing needs within the existing housing market?

26. The applicant owns their home and is currently not in housing need because they have met their housing need themselves, but state their existing property is too big for their needs, they have mobility issues, and as such their desire is to downsize.

27. Downsizing is a term used to describe the process whereby people want to move into a smaller home. For example, they live in a large property because that is what they needed when they had children, the children have grown up and left, and now they want to live in a smaller property. Downsizing refers to moving into any type of property that is smaller than the one a person currently lives in; it is not specifically for single storey living.

28. Within the context of the National Park, there is a large cohort of older people residing in the National Park who may have a desire at some point to downsize. The National Park Census 2021 data analysed in the PDNPA Population Projections and Housing Needs Assessment (2023)³ (referred to in this report as the Study) identified in paragraph 5.15 that, *The number of older residents increased by 1,809, or 20% over the past ten years, from 8,938 to 10,747.* Of that number many are living in accommodation that is larger than their needs require. Paragraph 6.17 of the same report states that, *Regarding couples, the level of under-occupancy is significant with as many as 96.5% of couples aged 66 and above.. under-occupying homes by at least one bedroom.* This analysis clearly indicates that a large proportion of the Peak District National Park population could have a desire to downsize and some of those might have a genuine need.

29. Owner occupation is relatively common in the National Park and so it is reasonable to assume that people should look within the existing housing market to meet changed needs or to plan for their future needs. The Study (as mentioned above) states that, *a disproportionate number of households in the Peak District own their home outright (51.3%) compared to just 35.4% across the East Midlands, 34.4% across the West Midlands and 32.8% across England and Wales (paragraph 6.22).*

30. However, residents who own their dwelling could still struggle to meet their desire or need to downsize on the open market. The Study looked at average house sales and report that

³ https://www.peakdistrict.gov.uk/data/assets/pdf_file/0027/98901/66287_01-Peak-District-HNA-011223-FINAL.pdf

Based on average sales between 2018 and 2022. Across the National Park, the median house price was £342,300, with a lower quartile price of £247,000 and upper quartile price of £538,800. So, there may be a situation whereby someone who owns their home but its value is in the lower quartile price bracket may struggle to downsize. This is acknowledged and supported by Home Options as a reason to be in housing need as stated earlier in paragraph 22 of this report.

31. The applicant has not submitted valuation details of their property as part of their planning application to demonstrate they are unable to meet their desire to downsize within the existing housing market. However, it can be reasonably deduced that their property (four bed detached dwelling with grounds) exceeds the upper quartile price of properties in the National Park quoted above on the following grounds.
32. Themovemarket.com (search date 02/02/2026) describes Padley Mill Cottage as a detached house spread over 1,615 sq ft, making it a common sized property here. It is ranked the sixth most expensive property [within the same postcode] with a value of £825,000. It was last sold for £525,000 in 2006.
33. Rightmove.co.uk (search date 30/04/2026) states that *Overall, the historical sold prices in Grindleford over the last year were 34% up on the previous year and 2% down on the 2022 peak of £673,778.*
34. Based on the above information, it is reasonable to assume the applicant has a healthy sized budget to look on the open market for a property to meet their desire to downsize.
35. The Local Plan does not set out in the supporting text what the specific area of search to look for a dwelling is. However, it is established and accepted practice by the Authority and Local Housing Authorities, when assessing local housing needs that the need in the parish and adjoining parishes are reviewed. The applicants live in the hamlet of Upper Padley, close to but outside of Grindleford settlement (a Policy DS1 settlement). Upper Padley is within the Parish of Grindleford and Nether Padley. According to DMP Appendix 3: *List of Core Strategy policy DS1 settlements, including details of the Parish and adjacent Parishes*, the adjoining parishes are: Baslow and Bubnell, Eyam, Hathersage, Holmesfield, Stoney Middleton, Calver, Froggatt, Highlow. It is reasonable therefore that the applicant look for a dwelling within this search area.
36. Rightmove.co.uk details that over the last 5 years, 103 properties of £800k and below were sold in Grindleford and a surrounding 1 mile buffer. This increases to approximately 569 properties when the area of search is extended to include a 3 mile buffer. Based on this information, it is reasonable to assume a smaller property that could be adapted was, and is, available to the applicant to downsize to.
37. Based on the analysis of the Census 2021, housing market data, and the limited information submitted by the applicants, it can be concluded that the applicant represents a typical older couple, who own their property, living in the National Park and who can meet their desire the downsize within the open market. There are no material considerations that make their situation unique to justify a different conclusion.
- 38. The applicant state they need single storey living accommodation for medical needs and because they are ageing**
39. The applicant is ageing and has or may have mobility issues and as such their preference is to move house. The applicant has not submitted details from a Doctor or Physician to confirm they have medical needs that require them to be rehoused. As such any self-certified medical needs are in relation to a preference to move to a smaller, single storey

property, rather than a need now or in the future. As such it is difficult for the Authority to be persuaded as to the need for a new dwelling.

40. To clarify, age and natural 'slowing down' are not material planning considerations. Mobility issues could present themselves in the future, as is the case for everyone whatever their age, but does not signify a need for single storey living as houses can be adapted so that the upstairs can be accessed, e.g. via a stairlift.
41. To put it into the wider context, to consider age and natural 'slowing down' as a reason to grant planning permission to support a desire to move to a single storey dwelling would indicate to the other 10,747 older National Park residents that the provision of single storey living outside of the open market was an acceptable route to new housing in the National Park for anyone with a 10 year local connection.

42. The applicant has a local connection and contributes to their local community

43. It is accepted that the applicant has a local connection. The applicant states that they are actively involved in their community which is to be expected to some degree for someone with an existing local connection. It is not a material consideration that holds significant weight in this case to outweigh other material considerations.
44. In 2021 the Authority adopted the definition of Thriving and Sustainable Communities within the context of the National Park Management Plan. This definition has not been embedded into the current Local Plan but will form part of the spatial objectives of the next Local Plan that will soon be out for Regulation 19 consultation. Its purpose is to set out how the Authority will support its communities to thrive and be sustainable (social, environmental, economic).
45. Of particular interest is how the Authority supports its communities to be sustainable from a social perspective and Committee members may be drawn to the following commitment by the Authority,
46. Sustainable development can help communities to thrive by meeting today's needs in a way that harmonises economic growth, social inclusion and environmental protection, ensuring that the needs of future generations are not compromised.
47. *A sustainable community is therefore likely to include (all or most of):*
48. *The provision of a sufficient supply of safe, energy efficient homes in a mixture of tenures so that: a diverse population can be sustained; those with local roots can remain or return; family groups across the generations can stay together for mutual support.*
49. The Local Plan takes its lead from the Management Plan. Whilst the next Local Plan will be updated to specifically reference the adopted definition the current Local Plan has been supporting this ambition since it's own adoption, through the requirements set out in the National Planning Policy Framework and through the National Parks Vision and Circular (2010), to plan for sustainable development and healthy and safe communities, and specifically within the National Park to support the delivery of homes for local people in affordable housing need.
50. Rather than go through every policy to show the current Local Plan does this, Core Strategy paragraph 7.21 provides a helpful summary:
51. Development should take account of the following policy considerations:
 - Mitigating and adapting to climate change (chapters 7,8, 11 and 15);

- Delivering high quality design respecting local distinctiveness (chapters 7, 8, 9 and 11);
- Fostering access to services and facilities by locating development according to the objectives of the spatial strategy (chapters 8 and 15);
- Encouraging social integration in an inclusive environment that considers people's diverse needs regardless of age, gender or disability (chapters 7, 8, 10, 12 and 15);
- Encouraging good health, safety and well-being (chapters 7, 8 and 10);
- Supporting appropriate economic development (chapters 8, 12 and 13);
- Championing environmental quality (chapters 7, 8, 9 and 11);
- Seeking development of an appropriate scale (all chapters);
- Addressing the local needs of the National Park's communities (chapters 7, 8 and 12);
- Considering the needs of future generations (all chapters);
- Achieving 'win-win' solutions (all chapters).

52. It can therefore be concluded that the current Local Plan does support the delivery of the Authority's Management Plan ambition for thriving and sustainable communities.

53. The size of the new dwelling

54. The other policy issue that is relevant to this application is the size of the dwelling proposed. Whilst this report has established the applicant is not in affordable housing need, housing built to meet an affordable dwelling need is restricted in size to the need of the applicant in accordance with policy DMH1. The purpose of the size limits is to protect houses in perpetuity for all those in affordable housing need.

55. Policy DMH1 is clear that the maximum property size for a dwelling to support bed spaces for up to two people is 58sqm. The interim DMH1 policy provides some flexibility of up to 70sqm. This flexibility is based on a 2 storey dwelling and to support the long term needs of a community, i.e. couples having a family.

56. The purpose of the size limits is to protect houses in perpetuity for all those in housing need. As submitted, the one bedroomed property is described as being 89sqm of internal floorspace although this does not include what could be considered storage areas that would increase it to 101sqm. For the avoidance of doubt, the specified dwelling sizes in Local Plan policy account for storage space.

57. The applicant has not put forward any justification for why they have a genuine need for a one bedroom dwelling in excess of 58 sqm. Therefore the property cannot be regarded as being of a size that can remain affordable in perpetuity in accordance with DMH1.

58. In concluding the above, a Section 106 Agreement cannot be constructed in such a way as to offer reasonable certainty that the house can be retained as affordable for local persons in housing need in perpetuity. As such the application should be refused on these grounds as well.

Conclusion

59. A decision to grant permission is considered to be a departure from Development Plan policies HC1 and DMH1.
60. The applicant owns their own property and they have sufficient equity to meet their own housing need within the open market. In this scenario the DMP guidance indicates that that should be reasonable attempts to explore alternatives accommodation within the locality that could address the changing personal needs of the applicants. This has not been forthcoming in this case and is simply a challenge to the policy principle.
61. Any material considerations must relate to the development and use of land in the public interest, not a person's private interest or preference. The applicant has not submitted details from a Doctor or Physician confirming they have medical needs that require them to be rehoused to a single storey dwelling. As such, the applicant's private preference is to downsize to single storey living because their current property is too big for them to manage based on self-certified medical issues and the fact they are ageing.
62. If the application is approved, it undermines development management policy and risks undermining the long-standing strategic policy that new housing is in response to local eligible need for affordable housing or to conserve and enhance the National Park.
63. In circumstances such as this taking a decision without robust evidence could lead to an increase in pressure to develop garden sites and other green spaces without a proper assessment of need or due scrutiny in accordance with policy.
64. Experience has shown that by paying proper regard to the development plan, long term spatial objectives can be achieved for the provision of housing that responds to genuine local affordable housing need. This furthers National Park duty.
65. There is an expectation amongst local communities and other communities of interest that the Authority applies policies in the Development Plan neutrally, fairly and consistently especially where they are up-to-date and relate specifically to the development concerned, as in this case.
66. In these circumstances, the Planning Committee is respectfully urged to reconsider its resolution to approve the current 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)

Report and Minutes
Appendix 1

Report Author and Job Title

Sarah Welsh – Senior Policy Planner, Policy and Communities Team