

6. CONVERSION AND EXTENSION OF EXISTING BUILDING TO A TWO BEDROOM (INTERMEDIATE) DWELLING, INCLUDING REMODELLED ACCESS, HARD AND SOFT LANDSCAPING, AND ASSOCIATED INFRASTRUCTURE AT PADLEY MILL COTTAGE, UNNAMED ROAD FROM STATION ROAD WESTWARDS TO TRACK LEADING TO A6187, UPPER PADLEY, GRINDLEFORD (NP/DDD/0126/0079), HF

APPLICANT: DAVID JENNER

Summary

1. The application seeks conversion and extension of an agricultural building to a two bedroom dwelling. The applicant is willing to enter into a Section 106 Agreement to restrict the occupation of the dwelling to those with a local connection in perpetuity.
2. Whilst the applicant submits they are in housing need due to their increasing age and reduced physical capacity and mobility to cope with maintaining their existing property, and wish to downsize, it is not considered the applicant is in affordable housing need or that their needs would not be capable of being met on the open housing market.
3. In the absence of a proven need for an affordable dwelling, the application is contrary to Policies HC1.A and DMH1.A. The application is therefore recommended for refusal.

Site and Surroundings

4. The site lies in Upper Padley, which comprises a cluster of primarily residential buildings located in open countryside. The site occupies a corner plot with the Windses Estate track extending along the southern edge and further track extending along the east edge. Public Rights of Way (PRoW) run along both tracks. Grindleford Station is further south.
5. The site is in agricultural use, occupied by a timber barn constructed in 1991 understood to have originally been used for hay storage. Since 2006 it has been used for growing, processing and storage of vegetables for domestic use. A greenhouse, polytunnel, shed and wood store are present on site. Internally, the barn has a kitchen and compost toilet.
6. The Grindleford Station Conservation Area extends to the south and east and the site is considered to form part of its setting. The Grade II Listed Padley Mill is to the east. 250m further west is the Padley Hall: a medieval great house scheduled monument. The Padley Woods ancient woodland are to the north beyond Upper Padley.

Proposals

7. The application proposes to convert and extend the 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.
8. Within the wider plot there is provision for garden and car parking and turning space. The existing woodstore east of the barn would be retained. Access is at the south east corner.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **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.**

Key Issues

9. The principle of the proposed affordable dwelling and impact on the character and appearance of the area, heritage, residential amenity, trees and ecology.

History

10. 27099: Pre-application enquiry in 2016 advised that conversion of the barn to holiday-let was unlikely to be acceptable as the building was not of traditional merit. Concern was raised around domestic use of the lower part of the field and impact on the area.
11. NP/DDD/1016/1082: Alterations to wooden barn / shed – Granted conditionally 21.12.16.
12. Non material amendments to the above permission were accepted under NP/NMA/0517/0551 and NP/NMA/0918/0849 in 2017 and 2018 respectively.
13. NP/DDD/1024/1066: Installation of a small packaged sewage treatment plant to process waste from a registered smallholding – Granted conditionally 08.01.25. The application was linked to installation of toilet facilities in the barn due to the planned sale of the main property Padley Mill Cottage, so as to retain access to bathroom facilities from the site.

Consultations

14. Derbyshire County Council Flood Team: Currently only responding to major applications.
15. Derbyshire County Council Highways: No response received to date.
16. Grindleford Parish Council: Strongly and warmly in support of the application. The conversion design is not intrusive and is sympathetic to the area. The site is well maintained by the current owners but this may not be the case for new owners and the site may fall into disrepair and become an eyesore. The conversion will free up Padley Mill Cottage for a family, which could help numbers at the village school and provide additional 106 accommodation in the village for future local families. The current owners are activity community members. The Parish Council urges the Authority to look favourably on the application.
17. Natural England: No objection. The proposals will not have a significant adverse impact on statutorily protected nature conservation sites or landscapes.
18. Peak District National Park Authority Archaeology: No comments to make.
19. Peak District National Park Authority Ecology: No objection subject to conditions. All surveys have been undertaken in accordance with relevant guidelines and include appropriate impact assessment and details for mitigation / compensatory methods for species / habitats. The application is exempt from Biodiversity Net Gains as a self-build development. The enhancement measures in the submitted report are welcomed.

Recommend compliance with all mitigation, compensation and enhancement measures for bats and breeding birds and mitigation measures for all other species to be as submitted in the Protected Species Survey and Activity Survey Report. Works during the nesting bird season should be subject to appropriate checks 48 hours prior.

20. Peak District National Park Authority Policy: Objects. The property is described as 89sqm although this excludes storage areas, which if counted would increase to 101sqm. The applicant wishes to downsize and it is important support is given to those wishing to do so where this cannot be done on the open market. I do not consider the applicant has an eligible local need for affordable housing at the time the application has been made.

Whilst they can demonstrate a local connection, I do not consider sufficient evidence has been provided to demonstrate a need for an affordable dwelling contrary to HC1a) and DMH1. The proposal is speculative with no details for why there is a need to downsize e.g. 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 (DMP para 6.28). Or why they cannot meet their needs on the open market (DMP para 6.29). The applicant's existing property is likely to be of considerable value. A few references to recent sales or lack of them in the immediate vicinity is insufficient evidence.

It may be raised that allowing someone to downsize frees up a property for a family to move into. Whilst I don't disagree that this could happen, the likelihood that it would be a family from Grindleford is low due to the likely value of the property which is beyond what many people can afford in Derbyshire Dales, plus the fact that the property is an open market dwelling and is not restricted in any way to being sold to local people.

To provide some evidence to go with this, I enclose the following extract from the Peak District National Park Population Projection Update & Housing Needs Assessment Peak District National Park Authority 01 December 2023

https://www.peakdistrict.gov.uk/_data/assets/pdf_file/0027/98901/66287_01-Peak-District-HNA-011223-FINAL.pdf. Para 6.56 is particularly pertinent.

With regards to being in housing need, the Home-Options Partnership that our constituent authorities work together to deliver provides some helpful advice on when people who own their own property may be in housing need. I have provided an extract relevant to this case below, which can also be found here https://www.home-options.org/choice/uploads/Home-Options_Policy_version_14.3_final.pdf

A full extract of the policy officer response is available on the website. It references an extract from the Home Options document which states there are circumstances where owner-occupiers may be in housing need such as living in unsuitable accommodation due to age, long-term medical issues or disability. The resources available to applicants will be taken into account, which may include the value of their property and whether there are grants available for repair. They may also seek advice from professionals who assess the housing needs of older / disabled people.

The average house price in Derbyshire Dales is £331,141 and the home-options equity level is £165,571. It is expected that property owners with equity above the Home-Options equity level will use their equity to secure accommodation for themselves. For those reasons, such owners may receive lower priority on the housing register.

21. **Peak District National Park Authority Trees:** Initial clarification around scope of proposed foundations and precautions regarding hedge line, and where utilities will be connected. Following response from the applicant, final response confirms no objection.

Representations

22. 7 letters have been received in support of the application and raise the following matters:

- The development is acceptable in design, scale and impact on the area.
- The proposal would enhance the access and landscaping of the site and local character of the area whilst retaining rural character.
- The scheme will enhance local sustainability and make use of an existing site rather than introducing new development in the landscape.
- There would be no impact on neighbouring properties.
- Intermediate housing is welcomed to the area.
- A 2 bedroom property will add choice for smaller family groups in the area.

- The proposal will benefit residents and it would be regretful for the present owners to leave due to lack of smaller homes locally.
- The site was previously occupied by residential cottages.

Main Policies

23. Relevant Core Strategy policies: GSP2, GSP3, DS1, L1, L2, L3, CC1, HC1
24. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC8, DMC11, DMC12, DMC13, DMH1, DMH2

Development Management Practice Note Policy DMH1

25. Paragraph 6.38 of the DMP states the Authority will be flexible in its application of DMH1 for people addressing their own need. The practice note sets out how DMH1 should be applied when considering applications for new houses by individuals seeking to meet their own housing needs, and confirms its focus is on this type of affordable housing.
26. The practice note states to ensure consistency in applying DMH1 and avoid compromising its purpose, increased size thresholds can be applied as follows:

“In all situations, the development shall address eligible local need in accordance with Core Strategy policy HC1 and DMP policy DMH2.

Couples or two people forming a household together can apply for homes up to 70m2.”

National Planning Policy Framework (NPPF)

27. 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: 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 they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
28. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 189 states that 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 issues.
29. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.
30. The submission references the emerging development plan for the Peak District. However, due to its stage of preparation, limited weight is afforded to it at this stage.

Assessment

Principle

31. Policy HC1.A(I) permits housing that addresses eligible local needs and that remain affordable with occupation restricted to local people in perpetuity.

32. Paragraph 12.18 states it is not appropriate to permit new housing in the National Park in response to open market demand to live within it. The limited number of opportunities for new housing emphasises the importance of concentrating on eligible need within the National Park for affordable (including intermediate) homes. Addressing eligible local affordable housing need helps those who cannot compete on the open housing market.
33. Policy DMH1.A states affordable housing will be permitted outside of Core Strategy Policy DS1 settlements by conversion of existing buildings provided (i) there is a proven need for the dwelling(s); and (ii) any new build housing is within the policy size thresholds.
34. Policy DMH1.C confirms self and custom build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.
35. 6.27 outlines that: *“For the avoidance of doubt, and because of the high, and consistently rising trend in the monetary value of houses in the National Park, people owning a house inside the National Park are generally considered to be more able to resolve their own housing need than those who don’t own a property.”*
36. 6.28 continues: *“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 suitable. However, there may be circumstances where this is not possible and where the applicant circumstances justify provision of a home to meet their needs.”*
37. 6.29 states: *“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.”*
38. Finally, 6.46 states homes built by individuals to meet their own need are classified as “intermediate” houses (between pure affordable prices, and unencumbered open market prices) because they can be sold on by the first owner after three years to a person not in housing need, subject to satisfying local connection criteria.
39. The Planning Statement outlines the applicant has lived in Upper Padley for 19 years, and their partner 10 years, and that both are active within the community. It states it is essential the applicant’s stay in the community for their sense of purpose and well-being.
40. The applicant’s current property is a 4-bed, 2-storey cottage with 3 acres of land including outbuildings. The Statement indicates that as the applicants get older there will be less physical capability for maintaining the property, whilst ability to negotiate a mid-18th Century cottage, different levels at ground floor and steep staircase will become more difficult. It is therefore submitted there is a need to downsize.
41. The applicant further states living at ground floor of their existing property only or retrofitting is not feasible, due to steep staircase, multiple level changes and the need for single-storey living. Reference is made to the fact the cottage may be curtilage listed or at the least a non-designated asset. It is unclear at this stage if the cottage is curtilage listed and whether internal alterations would be subject to control. Notwithstanding this case, it must also be considered if the applicant is in affordable housing need.
42. The Statement details that the applicant has been exploring housing options since 2021. Details of a search of the local market are provided during 2024 - present, with four

properties for sale in that period ruled out due to size, or work involved. The searches appear to have taken place in the Upper Padley postcodes (S32 2HY and S32 2JA).

43. Properties on the Windses Estate, Upper Padley, are identified as being potentially suitable but the Statement notes no property has come up for sale since 2021, and that time is of the essence as the applicant ages. The applicant submits their needs would best be met by converting and extending the existing barn on site to create an intermediate dwelling restricted to local occupancy in perpetuity.
44. The intentions of the applicant are appreciated although it is not clear if there is a strong need for alternate accommodation at present for mobility reasons, notwithstanding lead-in times raised by the applicant to secure new housing. It does however need to be established if housing needs can be met on the open market. HC1.A and DMH1.A are clear that new affordable housing will only be acceptable where there is a proven need.
45. Whilst officers appreciate the desire of the applicant to remain in Upper Padley, there does not appear to be an essential need to do so. There appear to have been opportunities on the open market for the applicant to remain in the local area which includes Grindleford parish, or adjoining parishes such as Hathersage. A search of Upper Padley only is considered to be too limited. A number of bungalow properties appear to have been sold within a 3 mile radius of Upper Padley in the previous 3-4 years.
46. The Authority's policy officer has referred to the Authority's Housing Needs Assessment (HNA) 2023. Table 6.5 of the HNA states in the Derbyshire Dales District area of the Park, lower quartile house prices (2019) averaged at £235,000 whilst median house prices were £319,220. They also reference the Home Options partnership, which is used by constituent authorities to establish housing need. For those in home ownership, regard is had to existing resources available such as existing property value, with the average Derbyshire Dales District property indicated to be £331,141 and Home-Options equity level given at £165,571. Property owners with equity above that level are expected to use their equity to secure suitable accommodation themselves on the open market.
47. An online estimate of the applicant's property indicates it significantly exceeds the average price values quoted by the HNA and Home Options guidance, suggesting the applicant is likely to have the ability to meet their housing requirements on the open market and they are unlikely to be a high priority on the housing need register. Even if that were not the case, there is no evidence to the contrary. There is therefore no compelling evidence to conclude the applicant is in affordable housing need.
48. Notwithstanding the support for downsizing in the text of the DMP, the precise policy wording for HC1.A and DMH1 is clear that any new affordable housing must be justified by a proven need. As officers are not persuaded the applicants housing requirements cannot be met on the open market, or that the applicant is in need of affordable housing, the application is contrary to HC1.A and DMH1 and is not acceptable in principle.
49. Whilst it is acknowledged the applicant is willing to enter into a Section 106 Agreement to restrict occupancy to local connection and suppress the future property value, this does not resolve the conflict with HC1.A and DMH1 in the absence of an identified need.
50. There is further concern the property size (78sqm plus 11sqm external store) exceeds the Policy DMH1 58sqm threshold for a two person dwelling, and the flexible 70sqm threshold in the DMH1 practice note, and as such the property would not be sized affordably for a two person dwelling. The applicant has however indicated they would be willing to reduce the size to 70sqm if that were a barrier to permission being granted.
51. The support received by representations and the Parish Council is noted, as is reference made to sustainability, re-use of a building and its quality, enhancement to ecology and

character, proximity to public transport, group value with other station buildings, economic benefit during construction, the unique circumstances of the applicant and social benefits to them and the freeing up of an existing house in Upper Padley. In regard to the latter, the existing house is not an affordable dwelling. Any benefits achieved on site are not significant. Due to the conclusions reached above limited weight is afforded to the case made around meeting the applicant's housing needs. The matters raised are not considered to outweigh or override the policy conflict identified, and the policy harm that would arise through grant of a new dwelling in the absence of a recognised need for affordable housing, given the Authority's strict exceptions to new housing in the Park.

52. The applicant has submitted HC1.A is arguably out of date and should not be afforded weight in determination of the application, given the updates to the NPPF in 2012 and 2024. They also indicate definitions of "affordable" and "intermediate" are subject to change in the 2024 NPPF and draft NPPF under consultation. They infer an "intermediate" dwelling should be taken as a dwelling with restricted occupancy.
53. Officers do not agree that HC1.A is out of date. The English National Parks and the Broads: UK Government Vision and Circular 2010 is clear at paragraph 78 that National Parks are not expected to meet general housing targets and will focus on new housing only to meet affordable housing requirements. HC1.A reflects that approach. DMH1 (adopted 2019) similarly requires there to be a proven need for new affordable housing.
54. With reference to NPPF paragraph 11, the application conflicts with the development plan policies. As the policies are deemed not to be out-of-date, the tilted balance is not engaged. Nor do the material considerations raised outweigh the policy conflict.

Other 'in principle' considerations

55. For the avoidance of doubt and as addressed further below, the proposed conversion is not considered to comprise conservation or enhancement of a heritage asset for the purposes of Policy HC1.C(ii) and Policy DMC10. DMC10 is clear that HC1.C(ii) only applies to buildings that are either listed, or identified as a non-designated heritage asset. The barn is believed to be constructed in the early 1990s and is not of historic merit. Nor would the proposal conserve or enhance other nearby designated assets. The proposed removal of the polytunnel and shed is a minor change which would not achieve a significant enhancement, as required by HC1.C and GSP2.
56. Whilst reference is made to the historic siting of a dwelling on the site and restoration of a residential use within the footprint of that historic use, this is afforded limited weight given the dwellings are long gone and the residential use abandoned.
57. With regard to Policy HC1.C(i), the development would not achieve conservation or enhancement of a Policy DS1 listed settlement. Upper Padley is physically separate from the settlement of Grindleford and Nether Padley, both of which are specifically referenced by DS1, with Upper Padley being omitted. In any case as established, the proposal is not required to achieve conservation, nor would it result in a significant enhancement.
58. The NPPF definition of previously developed land (PDL) confirms this excludes: "*land that is or was last occupied by agricultural buildings*" and "*land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape*". The former dwelling on site that is long since demolished is considered to fall into the latter exclusion. Whilst the applicant has submitted evidence they consider confirms domestic use of the site, which they state is incidental to their dwelling, also stating the size of the barn is such that it should be considered PDL, the site is considered by the Authority to be clearly outside of any residential curtilage and in agricultural use for growing, processing and storing of fruit and vegetables. Therefore as the NPPF confirms, it is not PDL.

59. Policy DMH6 which deals with redevelopment of PDL for housing is not applicable, nor if it were would the policy requirements for significant enhancement be achieved.

Impact on Character and Appearance

60. The proposal includes conversion and extension of the existing timber barn, which was constructed in 1991 and is not a traditional building of historic or vernacular merit. The extension would increase and compound the extent of untraditional built form on site and result in a less simple appearance, although it is recognised there is existing vegetation that would afford some screening from the south and east, mostly in summer.
61. Whilst the Planning Statement references improvement to the setting of nearby heritage assets through removal of the shed, polytunnel and re-instatement of residential use reflecting location of historic railway cottages on the site, limited weight is afforded to the latter as the buildings are long gone and the building and extension proposed in any case are not traditional in character. The polytunnel and shed removal would be a minor benefit but this would be cancelled out by extension of the existing untraditional building.
62. The addition of a large number of rooflights, particularly to the south, would domesticate the site character. There is some concern with the intervening flat section between the main barn and extension and its glazing on the north elevation.
63. Concerns were raised with conversion of the barn to holiday-let in 2016 (27099) due to domestic use of the lower part of the wider field and building, and harmful impact on the land and setting. This concern remains. Whilst there are structures on site associated with agricultural use of the land, the general extent around the barn remains agricultural as do views into the site from the south east corner through the site entrance.
64. Impact on rural character and setting of surrounding heritage assets could potentially be controlled through restricting the extent of residential curtilage, likely to immediately north and west of the barn, and through improved landscaping and sensitive surfacing of the turning and parking area. These measures could be dealt with by condition such that the application on balance is not recommended for refusal on design, landscape or heritage grounds or in respect of GSP3, L1, L3, DMC3, DMC5, DMC7, DMC8 or DMC9.
65. Notwithstanding the above, mitigation to address concerns around design, landscape and heritage would not overcome the 'in principle' policy conflict identified and for clarity the proposal is not considered to result in any significant enhancement to the area.

Ecology

66. The Protected Species and Activity Survey Report detail a site and dusk emergence survey conducted August 2025. The results concluded the barn had 'low potential' for roosting bats but that no bats were recorded emerging or entering the building, with low numbers of bats commuting through the site. There was no evidence of breeding birds within the barn's external features, although sign of roosting birds within the eaves was observed. No birds were observed returning to the roost within eaves during the survey.
67. Mitigation measures proposed include precautionary checks, sensitive working methods, provision of a bat chamber on the extensions eastern gable and provision of bird boxes.
68. The Authority's ecologist raises no objection to the application subject to compliance with the mitigation and enhancement measures, and pre-checking for nesting birds during the relevant period. Natural England have also confirmed no objection.

69. Subject to conditions, impact would be acceptable on ecology including protected species and sites of interest, thereby according with L2, DMC11 and DMC12.

70. The development is exempt from biodiversity net gains as it is a self-build development.

Other Matters

71. No new foundations are required as the barn, shed and woodstore sit on an existing concrete plinth, with the extension replacing the shed on the plinth, the footprint of which is unchanged. Hedging to the south is separated from the plinth by a stock fence although trimming of hedging (which occurs annually) may be required during construction. There is already a water and electricity supply to site, no gas connection is proposed and foul disposal was approved under NP/DDD/1024/1066. The Authority's tree officer confirms no objection in relation to impact on trees or hedges, or in regard to Policy DMC13.

72. The proposal would have access onto an existing lane used by other vehicles. Due to the nature of the lane, vehicles would likely be travelling slowly such that officers are comfortable there would not be highway safety issues. The lane is also a PRow. Vehicles can exit site in a forward gear such that they would see oncoming pedestrians, and the increase in vehicles from one dwelling is not considered detrimental to pedestrian safety.

73. The relationship of the site with other properties is such that the development would not result in harm to neighbouring amenity through impact on privacy, overlooking, overbearingness or overshadowing. Construction disruption would be temporary.

74. The Flood Risk Assessment confirms the site is at low risk of flooding (Flood Zone 1), therefore no concerns are raised in this respect.

75. Sustainability measures include re-use of an existing building, rainwater and greywater harvesting, low flow taps, passive heating and cooling, and opportunity for solar panels and air source heat pump which can be secured by condition to comply with Policy CC1.

Conclusion

76. The application seeks conversion and extension of an agricultural building to a two bedroom dwelling. The applicant is willing to enter into a Section 106 Agreement to restrict the occupation of the dwelling to those with a local connection in perpetuity.

77. Whilst the applicant submits they are in housing need due to their increasing age and reduced physical capacity and mobility to cope with maintaining their existing property, and wish to downsize, it is not considered the applicant is in affordable housing need or that their needs would not be capable of being met on the open housing market.

78. In the absence of a proven need for an affordable dwelling, the application is contrary to Policies HC1.A and DMH1.A and the policy harm is not considered to be outweighed by any material considerations. The application is recommended for refusal.

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