

**14. FULL APPLICATION – PROPOSED CONVERSION OF FORMER HOUSE TO FORM ACCESSIBLE HOLIDAY LET ACCOMMODATION, SMELTERS COTTAGE, HATHERSAGE (NP/DDD/0915/0913, P6103, 424783 / 381751, 23/11/2015/AM)**

**Applicant: Ms Yvonne Whittaker**

**Site and Surroundings**

The application site is located in open countryside, approximately 2km to the east of the centre of Hathersage. The site is located in an isolated position on the hillside of Callow Bank, set back approximately 260m from the highway to the west (The Dale). Access to the application site from The Dale is along a public highway known as Callow Bank which has no public right of vehicular access. Callow Bank is maintained by the Highway Authority with unbound surfacing materials.

The application site is located within Enclosed Gritstone Upland as identified by the Authority's Landscape Character Assessment. The site is outside of, but adjacent to, the Eastern Moors character area which is Section 3 Moorland, open access land and Natural Zone for the purposes of the development plan.

The majority of the site is taken up by the remains of a building, formally occupied as a cottage. It is common ground between the applicant's agent and officers that the former domestic use of the building has been abandoned due to the substantially deteriorated physical condition of the building and the length of time since it was last occupied. This point has also previously been established by a Planning Inspector at appeal in 1998.

The remains of the former cottage have no roof and significant sections of external walls have collapsed. The remaining external walls are bowing significantly and are currently supported by scaffolding to prevent further collapsing of the structure. In addition, part of the hillside immediately to the rear of the site appears to have been excavated to lower the land at the rear of the walls.

The nearest neighbouring property is Mitchell Field Farm, which is located approximately 300m to the south west of the application site.

**Proposal**

The development description states that this application seeks planning permission for the conversion of the former house to holiday accommodation. Notwithstanding this description, having had regard to the plans and details submitted with the application, Officers consider that the proposed development is more accurately described as the substantial re-building and alteration of the former cottage to create a dwelling which would be occupied as holiday accommodation. A new access from Callow Bank would also be created to an enlarged area of curtilage to the rear of the building to provide parking and turning space.

The proposed plans and the plan attached to the submitted structural report show that a significant proportion of the remaining walls would either be demolished and rebuilt or partially rebuilt. The size, form, materials and fenestration detailing of the proposed rebuilt dwelling has been designed to reflect that of the original cottage and in part based upon historic photographs. The proposed dwelling would have a total of three bedrooms.

A new link extension of a contemporary style housing a further reception room is proposed between the cottage and the existing single storey shippon which would be retained and converted to create an accessible downstairs bedroom. The link extension would be partially cut into the ground levels and have a flat roof which would be seeded with grass. The rear wall of the link would be stone to match the cottage; the front elevation would be three glazed panels with

timber frames.

Part of the field to the rear of the building would be excavated further to create parking and turning space for two vehicles and a bin storage area. A new electric gate would be installed to allow access from Callow Bank with access provided to the field to the rear. The outer edge of the bank would be provided with a stock proof fence and the inner edge provided with a post and wire fence. A store would be built into the banking to provide external storage. The bank would be 'screen planted' with hedging species, with trees planted within the field along the edge of the bank. The stone wall to the front of the building would be extended to create a garden and second patio area.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reasons:-**

- 1. The application site is in an isolated and unsustainable location in the open countryside. The substantial rebuilding, alteration and extension of the former cottage to create a new dwelling to be occupied as holiday accommodation in this location would have a harmful impact upon the landscape character of the National Park and harm the historic and archaeological significance of the ruins of the former farmstead contrary to Core Strategy policies GSP1, GSP3, RT2, L1 and L3 and saved Local Plan policies LC4 and LC16. The proposed development would represent unsustainable tourism development within the National Park contrary to the Framework.**
- 2. The proposed development would lead to the intensification in use of an existing substandard access to The Dale where exit visibility is severely restricted due to road alignment and the topography of the adjacent land. Approval of the proposed development would therefore be likely to interfere with the safe and efficient movement of vehicular traffic on the adjoining highway, contrary to Core Strategy policy GSP3 and saved Local Plan policy LT18.**

### **Key Issues**

- Whether the development is acceptable in principle.
- The impact of the development upon the landscape character and cultural heritage of the National Park.
- Whether the development would be served by a safe access.

### **Relevant Planning History**

1997/8: NP/DDD/0297/061: Refusal of planning permission for the re-construction of farmhouse at Callow Bank Farm (referred to as Smelters Cottage in the current application).

The subsequent appeal was dismissed following a Hearing. The Inspector's decision to refuse planning permission is an important material consideration in the current application.

In dismissing the appeal the Inspector determined that, due to the condition of the building and the fact that it had (at that time) been vacant for some 26 years, any former residential use rights have been abandoned. The Inspector stated that there was a general acceptance that the renovation of the structure would be impossible and that it would be necessary to rebuild the structure. The condition of the building has further deteriorated in the 16 years since the appeal decision in 1998 and it has remained unoccupied; there is therefore no reason for the Authority to take a different view of the lawful use of the building in this case.

Finally, the Inspector determined that the location is isolated in the countryside, set in the bottom of a valley separated from the nearest neighbours by nearly half a kilometre (Mitchell Field Farm) and over a kilometre (Overstones Farm). These are the only other buildings visible from many locations in the local area, which as the eastern edge of Stanage Edge as a backdrop. The Inspector concluded that while the existing building is inconspicuous in the wider landscape, the reconstructed dwelling would harm the character and appearance of this part of the National Park.

2014: NP/DDD/0914/0994: Planning application for partial re-building of and alterations to former smelter's cottage and shippon to form accessible holiday accommodation, alterations to existing access, and enlargement of car parking area. Application withdrawn by agent prior to determination.

### **Consultations**

Highway Authority – Make comments on the application which are summarised below:

The premises are located in a remote, unsustainable location with future occupiers heavily reliant on the private car.

The site is accessed via a section of public highway known as Callow Bank which has no public rights of vehicular access and there are proposals to re-classify its status to bridleway only along its entire length (Proposed B8 Hathersage on the Derbyshire Definitive Map). Its construction comprises of unbound surfacing materials and it lacks street lighting, drainage and formal pedestrian/equine margins. The carriageway width varies over its length but it is generally of single vehicle width and there are no formal passing places.

The Highway Authority considers that the proposals would result in the intensification in vehicular use of the junction with The Dale, the geometry of which is substandard to current layout guidance, as well as the access route that would be likely to result in additional maintenance obligations.

The perceived increase in vehicle movements resulting from the proposals may lead to increased vehicular/equine/pedestrian conflict on Callow Bank therefore, In the event of Consent being granted, it's recommended that the applicant undertakes an investigation into, and any subsequent implementation of, a scheme of inter-visible passing places (to reduce the likelihood of overlong reversing manoeuvres on the proposed bridleway) and a series of dwell areas for horses/pedestrians.

Additionally the applicant should clarify with the relevant refuse collection department what their access requirements would be and ascertain details of what will be acceptable to them in terms of number and location of bins including a collection point. Bin storage/collection points should not obstruct public highway, access, exit visibility, parking or turning provision. Two parking spaces are acceptable; however it is recommended that turning space should be provided suitable for use by at least a supermarket home delivery type vehicle e.g. 9m x 9m provided clear of all parking provision.

The Highway Authority requests that the Authority hold the application in abeyance until such time that the extant use of the site has been established and the applicant has had the opportunity to submit additional / revised details to address the above.

Officers have advised the Highway Authority Officer that the former use of the building as a dwelling is considered to have been abandoned. The agent has also submitted additional written information in respects the other issues raised. No further comment has been received from the Highway Authority.

District Council (Environmental Health) – No response to date.

However during the course of the 2014 application the District Council Environmental Health Officer stated no objection subject to the imposition of planning conditions to ensure an assessment of and appropriate mitigation for any ground contamination.

Hathersage Parish Council – No objections and make the following comments:

This property is part of an historic settlement on the outskirts of Hathersage and on an ancient drovers route to Sheffield. This route is the access road to the property and is already the legitimate entrance to Mitchell Fields and Smelters Cottage (previously known as Calow) and is adequate for vehicles, pedestrians and horses to pass safely. We do not wish the property to deteriorate further, it is already a sad eyesore. We consider the proposal is for sympathetic restoration providing much needed holiday accommodation for disabled people.

PDNPA Cultural Heritage – The Authority's Conservation Archaeologist makes the following comment.

The building referred to in this application as 'Smelters Cottage' appears on the authority's Historic Environment Record as an '18th/19th century farmstead' noted in farm survey work. The application is accompanied by a 'heritage appraisal' document by the Jessop Consultancy, including the results of documentary and archive research and a built heritage appraisal of the standing buildings. This seems to be an acceptable study of the available sources and I recommend that it meets the information requirements of NPPF para 128.

The site – known as 'Callow Farm (the 'Smelters Cottage' name only originating with the present owner) – seems to have been built around 1720 as an upland farmstead, and was in continuous occupation until 1967; the heritage appraisal identifies 5 phases of development during this period. The appraisal identifies no functional association with the nearby cupola furnace which appears to have been located on the hillside above, perhaps 200m to the north where a series of earthwork ponds is visible. The 'Callow Fields Cupola' is likely to have originated somewhat later – perhaps 1737-1745 – although documentary research suggests that the sites were linked for a period with evidence that a smelter at the cupola was renting out 'a house at Callow' in 1803. The sites were however in separate ownership soon after this date and the cupola appears to have fallen out of use around 1820.

The built heritage significance of the site is therefore as a record of the development of an upland farmstead between about 1720 and the 20th century. It seems unlikely that the site has high significance in terms of belowground archaeology, although if for example substantial deposits of kitchen midden material were present this would be of significance in relation to material culture studies.

The proposed conversion of the building as an accessible holiday let aims to retain as much historic fabric as possible, though it is clear – given the ruinous state of the building at present – that this will be more a case of taking down and rebuilding than of straightforward conversion. This will consequently involve a substantial loss of significance with regard to the legibility of the building complex. The rebuilding process will also involve some ground impacts: the application documents mention rebuilding structural walls on new foundations, reducing ground levels to the rear, and introduction of services; there may also be internal excavation to create new floor surfaces and for underpinning work if required.

Should the principle of domestic conversion be considered acceptable in terms of policy and landscape impact, and the benefits of the restoration proposals considered to outweigh the proposed loss of significance of the undesignated built heritage asset, then the local planning authority should require a scheme of pre-conversion building recording and in-conversion built

heritage and archaeological monitoring to record and advance understanding of the heritage asset in line with NPPF para 141.

### **Representations**

Two letters of representation have been received at the time this report was written. One letter supports the application and the other objects. The reasons given for support or objection are summarised below.

#### **Support**

- There are no facilities for disabled people in what is such a beautiful area. This will give these unfortunate people a chance to enjoy staying in wonderful surroundings.

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#### **Object**

- The Author notes the renaming of the property in order to imply some connection with the lead smelting in the immediate area as evidenced in the heritage report submitted with the current application. Simply because a smelter rented a room in the farmhouse for a brief period appears to have effected a change of use for this building from being a simple farmhouse.
- There is no reference in the application to any water or soil tests having been undertaken. Contamination from lead is likely to be an issue as lead persists over very long periods in the ground. It is recognised as a serious health hazard.

### **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3 and RT2

Relevant Local Plan policies: LC4, LC16, LC17, LC24, LR6, LT11 and LT18

The Authority's development strategy (Core Strategy policy DS1) says that in the countryside outside of the Natural Zone, that the conversion or change of use of traditional buildings for visitor accommodation will be acceptable in principle.

Core Strategy policy RT2 is particularly relevant and says that proposals for self-catering accommodation must conform to the following principles:

- A. The change of use of a traditional building of historic or vernacular merit to self-catering holiday accommodation will be permitted, except where it would create unacceptable landscape impact in the 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.

Saved Local Plan policy LR6 says that where permission is granted for holiday accommodation its occupancy by an individual shall be restricted to no more than 28 days per calendar year.

Core Strategy policy GSP1 requires all development proposals to be consistent with the National Park's legal purposes and duty. Core Strategy policies L1, L2 and L3 along with saved Local Plan policies LC4, LC16 and LC17 seek to ensure that all development conserves and enhances the National Parks valued landscape character, biodiversity and cultural heritage.

Core Strategy policy GSP3 and saved Local Plan policy LC4 otherwise seek a high standard of design and landscaping which conserves and enhances the site, building and the surrounding area along with the privacy, security or amenity of any neighboring property or land use. Saved Local Plan policies LT11 and LT18 seek to ensure that all new development is provided with safe access and satisfactory parking and turning arrangements.

#### National Planning Policy Framework (the Framework)

Paragraph 115 in the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

Paragraph 28 in the Framework 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.

Relevant policies in the development plan are consistent with national planning policies within the Framework because they promote sustainable tourism development in the context of the National Park's protected landscape by supporting appropriate conversion of traditional buildings in the open countryside but seek to preclude new build development.

#### **Assessment**

##### Whether the proposed development is in accordance with RT2:

This application relates to a former cottage which is in a ruinous condition. It is common ground between officers and the applicant's agent that any former residential use rights have been abandoned due to the condition of the building and the length of time since it was previously occupied. There is some discrepancy over when precisely the cottage was last occupied. The submitted application states that the cottage was occupied until 1987, whereas in 1998 a planning appeal decision letter indicates that all parties agreed that the cottage was occupied until 1972. In either case, it is considered well established that any former residential use rights associated with the property have been abandoned and that the remains of the property in effect have a 'nil' use.

The submitted application proposes to redevelop the site to create a three bedroom dwelling and associated domestic curtilage which would be occupied as holiday accommodation. The application proposes to largely demolish the remains of the former cottage along with other alterations and extension to facilitate the creation of the development.

A structural survey has been completed and a report submitted in support of the application. The report says that a large part of the south east section of the main two storey section is unstable and will need to be dismantled and re-built on new foundations. The remaining walls would need to be dismantled to first floor level and rebuilt. The drystone walling to the north west of the two storey section would also need to be re-built. The roof and roof structure has also completely collapsed and would need to be re-constructed.

Having visited the site and assessed the building, taking into account the submitted structural survey report and plan, officers consider that renovation or conversion of the remains of the former cottage is not possible and that the structure of the former house would need to be substantially rebuilt. This is the same conclusion reached by the Planning Inspector in 1998 and it is reasonable to conclude that the structural condition of the former cottage has further deteriorated in the intervening years.

It is therefore considered that the proposed development is not in accordance with policy RT2 A because the proposal is not for the conversion or change of use of a traditional building. The proposed development is, as a matter of fact, the erection of new building for holiday accommodation in the open countryside. The application site is in an isolated position where policy RT2 C makes a strong presumption against newly built holiday accommodation because this would represent an unsustainable form of development. This would also be contrary to guidance in the Framework which promotes sustainable tourism development in the context of the National Park's protected landscape by supporting appropriate conversion of traditional buildings in the open countryside but seek to preclude new build development.

The application site is located in a particularly sensitive position in the landscape, on the edge of open moorland. The site is visually isolated and is not seen in the context of any nearby built development other than Mitchell Field Farm which is located over 300m away (the next nearest property is over 1km away). The visual isolation of the site is readily apparent from Callow Bank, open access land on higher ground and from the highways to the south west and south east.

Due to the isolated and prominent nature of the site, the impacts of the proposed development would be readily apparent. Whilst the existing structure is relatively inconspicuous in the wider landscape, the proposed building and domestic curtilage would have a greater impact. Increased activity at the site when the holiday accommodation is occupied would also be noticeable; this would include guest and service vehicles accessing and parking at the site and domestic activity within the curtilage and at night. Lights from the proposed development at night would be particularly noticeable in this isolated location which is characterised by profound darkness. This is an issue which Inspectors have acknowledged as being important in the National Park.

With regard to the Highway Authority's advice it is considered likely that the development would necessitate the improvement of Callow Bank up to the application site. This could include the creation of passing places and upgrading the surface of the track for domestic and delivery vehicles. The creation of a more formal driveway and passing places to the site would have a harmful impact on the character and appearance of the local area and the wider landscape.

It is therefore considered that the proposed development would have a harmful impact upon the surrounding landscape contrary to Core Strategy policy RT2 A and L1. The proposed development would not therefore represent sustainable tourism development in the National Park contrary to paragraphs 28 and 115 within the Framework.

#### Whether the development is required to conserve a heritage asset.

In this case the remains of the former cottage form the basis of the design of the proposed new dwelling. The submitted application is supported by a planning statement which says that the remains of the former cottage has historic and archaeological significance. A heritage appraisal has been submitted with the application in accordance with paragraph 128 of the Framework. The heritage appraisal has been assessed by the Authority's Conservation Architect.

The site appears to have been built around 1720 as an upland farmstead, and was in continuous occupation until 1967. The heritage appraisal identifies five phases of development during this period. The appraisal identifies no functional association with the nearby cupola furnace which appears to have been located on the hillside above, approximately 200m to the north where a

series of earthwork ponds is visible. The 'Callow Fields Cupola' is likely to have originated somewhat later, perhaps 1737-1745, although documentary research suggests that the sites were linked for a period with evidence that a smelter at the cupola was renting out 'a house at Callow' in 1803. The sites were however in separate ownership soon after this date and the cupola appears to have fallen out of use around 1820.

The built heritage significance of the site is therefore considered to be as a record of the development of an upland farmstead between about 1720 and the 20th century. Given the condition of the buildings it is considered that the site does not have significant archaeological or historic significance and advice from the Authority's Conservation Archaeologist is that it is unlikely that the site has high archaeological significance.

Having had regard to the submitted heritage appraisal and advice from the Authority's Conservation Architect it is therefore considered that little weight can be given to the assertion within the submitted planning statement that the development would retain a strong link with the historic lead mining industry of the area.

The submitted planning statement says that the proposed development would conserve the significance of the structure by sensitively restoring the cottage, utilising the existing building materials on site. Whilst it is acknowledged that the proposal is to re-use existing materials as far as possible and to minimise the amount of rebuilding that is required following the existing internal layout, it is considered that due to the deteriorated condition of the buildings that the proposed development would necessitate demolishing a substantial part of the existing structure and rebuilding on new foundations. It is therefore considered that, if allowed, the proposed development would actually substantially harm any significance that the remaining structure possesses contrary to Core Strategy policy L3 and the Framework.

Whilst externally the main cottage would appear similar to the former building, internally the building would be a modern structure. In addition a new extension of a contemporary design, with glazed walls and a flat roof, would be erected to connect the proposed dining area to the existing shippon which would be converted to a bedroom. Furthermore a new parking area would be formed to the rear of the cottage by excavating into the field and the former gated access to the yard to the front of the structure would be blocked up by new drystone walling.

It is therefore considered that any benefits of restoring the building would not outweigh the significant harmful impact the development would have upon the landscape character of the National Park or the harm of creating a new holiday accommodation in an unsustainable and isolated location in open countryside.

#### Highway safety

Access to the application site is via Callow Bank which is an unsurfaced highway with no public rights of access for vehicles. The highway is single width with no passing places or pedestrian/equestrian margins. Callow Bank is used by the applicants and nearby farms to provide access to their property and surrounding fields.

In this context, it is reasonable to conclude that an increase in vehicle movements to and from the proposed development could lead to increased conflict between users of Callow Bank. Therefore if permission was granted, officers agree with the Highway Authority that a scheme to provide passing places and dwell areas for pedestrians and horses would be required. The agent has indicated that the applicant would be willing to comply with any condition requiring Callow Bank to be upgraded before the development commences. Such a condition would be considered reasonable and necessary on highway grounds if permission is granted, but these works would also have a further harmful impact on the character and appearance of the area.



There are no objections to the proposed parking and turning arrangements on highway safety grounds subject to the imposition of planning conditions requiring these to be provided prior to the first occupation of the development.

Officers do have significant concerns in regard to access visibility from Callow Bank at its junction with the highway (known as The Dale). The Highway Authority advises the geometry of this junction is substandard to current layout guidance and that the proposed development would result in the intensification in its use by vehicles.

Having visited the site, officers agree with the Highway Authority's assessment and consider that visibility is limited in both directions due to the alignment of the highway and adjacent topography. The highway at this point is subject to the national speed limit (60mph) and given the gradient it is considered that vehicles would be likely to be travelling at speed downhill.

The proposed development would result in the intensification of the use of the junction by vehicles. It is therefore considered that the proposed development would not be served by safe access and that, if allowed, the proposed development would be likely to give rise to an increased risk of accidents at the junction contrary to saved Local Plan policy LT18. Officers disagree with the agent's assertion that the proposed development would actually improve highway safety, especially as each occupant of the holiday accommodation would be likely to be visiting the site for the first time.

#### Other issues

Given the distance from the application site to the nearest neighbouring property, there are no concerns that the development would harm the amenity, security or privacy of any neighbouring property.

There is no evidence to indicate that the application site, the existing structure, or the trees to be removed provide any habitat for protected species. There is no objection in principle to the trees which would be felled as these are in poor condition provided that they were replaced with an appropriate scheme of new planting which could be agreed prior to the commencement of the development.

The Environmental Health Officer has recommended conditions to investigate and mitigate any ground contamination that may be present. The agent has argued that it is unlikely that any ground contamination is present on the site but that the applicant would be willing to accept a condition requiring mitigation to be submitted for approval and carried out if ground contamination is identified, which is considered to be a reasonable approach.

It is acknowledged that the proposed development would include accommodation designed to be occupied by disabled people, but this would not overcome strong objections to the principle of the proposed development which would harm the valued characteristics of the National Park.

#### Conclusion

It is considered that the proposed development is in conflict with Core Strategy policies RT2, L1 and L3 because the proposal is for new build holiday accommodation in an isolated and unsustainable location in the open countryside. The development would harm the landscape character of the National Park and the historic and archaeological significance of the ruins of the former farmstead on the site. The proposed development would therefore not represent sustainable tourism development within the National Park contrary to the Framework.

Any approval of the proposed development would lead to the intensification of the existing junction between Callow Bank and The Dale which has substandard visibility in both directions due to the alignment of the highway and surrounding topography. The use of this access by

occupants of the proposed holiday accommodation would be likely to harm highway safety. It is therefore considered that the proposed development would not be served by safe access contrary to Saved Local Plan policy LT18.

Officers have taken into account all material considerations, including the issues raised in representations, including the Parish Council, but none of these override the substantial objections to the scheme outlined in the report. In the absence of any further considerations indicating an exception to the development plan is warranted, the current 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