
Appeal Decision

Site visit made on 25 October 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 November 2016

Appeal Ref: APP/Q9495/W/16/3154474

Croft Head Cottage, Applethwaite Village, Applethwaite, Cumbria

CA12 4PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Thomas against the decision of Lake District National Park Authority.
 - The application Ref 7/2016/2056, dated 12 February 2016, was refused by notice dated 27 April 2016.
 - The development proposed is the conversion of outbuilding to self-contained letting unit.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of outbuilding to self-contained letting unit at Croft Head Cottage, Applethwaite Village, Applethwaite, Cumbria CA12 4PN in accordance with the terms of the application, Ref 7/2016/2056, dated 12 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 15.21/03 – Existing and Proposed Plan.
 - 3) All doors, windows and associated framework and all external joinery shall be painted or stained in a colour, or colours, to be first approved in writing by the Local Planning Authority. Such painting or staining shall be undertaken not later than three months from the substantial completion of the development or not later than three months from the building hereby permitted being first brought into use.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no material external alterations or extensions shall be carried out to the holiday unit, nor shall any building, means of enclosure or structure be constructed in the curtilage of the holiday unit.
 - 5) The residential accommodation hereby permitted shall only be occupied for the purposes of short-term holiday letting and shall not
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be occupied by any one individual, family or group for a period exceeding eight weeks in any three month period. The owner/operator shall maintain an up-to-date register of the name of all occupiers of the residential accommodation and their home address and shall make this register available to the local planning authority within 14 days of receipt of a written request.

Main Issue

2. The main issue is whether or not the proposal would accord with local planning policy which seeks to restrict the reuse of buildings for holiday letting accommodation.

Reasons

3. Croft Head Cottage forms a two storey detached house located in the village of Applethwaite. The village forms a small hamlet of around 50 houses located approximately 2km to the north of Keswick. There are no local facilities or services in the village.
4. The appeal property has a detached outbuilding which lies approximately 2.5 metres from the western elevation of the house. The outbuilding has a floor area of about 51 sq metres and like the house is constructed in stone with a slate roof and is currently used for storage and as a garage. The appeal proposes the conversion of this building to a self-contained one bedroom holiday let. It is proposed to create a gallery at first floor to provide either storage space or possibly an area for a child to sleep.
5. Policy CS18 of the Lake District National Park Core Strategy (CS) considers housing provision and states that the Authority will only permit new dwellings where they will contribute to meeting an identified local need or local affordable need and that this will be achieved by allocating sites, using exception sites and by maximising the potential from individual development opportunities.
6. Policy CS22a of the CS relates specifically to the reuse of buildings for holiday letting accommodation. It states that such uses will only be considered where it would not utilise a site that is suitable for meeting local need or local affordable need and the use of the building would not be viable or suitable for reuse for employment uses. Both parties agree that the site would not be suitable for employment purposes having regard to its location, limited size and proximity to other houses. I have no reason to disagree.
7. The Authority however argue that the outbuilding could be suitable to provide local needs housing. Evidence has been provided to demonstrate that there is a demand for dwellings of all types across the area. The Allerdale 2015 Housing Study Final Report May 2016 shows that demand in the North Lakes area, where the appeal site is located is predominantly for 1 and 2 bedroom units. The Authority argues that the appeal building could in principle provide a single bed unit. The appellant accepts that there is a general need for this type of accommodation however raises the issue that there is no detailed information of the need at Parish level and is of the view that this need would be more effectively met in the larger settlements such as Keswick rather than in the open countryside.

8. I am advised by the Authority that the North Lakes area as referred to in the Housing Study Final Report is equivalent to the North Locality defined in the Authority's Housing Provision Supplementary Planning Document. This includes the Parish of Underskiddaw where the appeal site is located and 18 other local parishes covering rural service centres including Keswick and other villages. A further dwelling would meet the need in this defined locality.
9. I acknowledge the appellant's view that new housing would be better located in larger settlements where there is better infrastructure, services and facilities. However the approach of the Core Strategy is to allow development in recognised settlements commensurate with their size. This promotes the sustainability of rural communities as well as larger towns and service centres. Applethwaite forms a cluster community where CS Policy CS02 allows small scale development to meet local needs. The village lies under a mile from Keswick. It is in walking distance of the A591, a main arterial route through the National Park which I observed on my site visit is also a bus route. Accordingly the village has a good level of accessibility and forms an appropriate location for housing development.
10. The appellant has argued that a small unit of accommodation such as that potentially provided by the appeal proposal, would most likely be found in a larger settlement where it would be of interest to a single person with limited finance. However it does not mean that this type of accommodation would not be appropriate and serve a need in a rural area. Any future occupant may well own a car, as may any resident of a new dwelling in the National Park but as I have discussed above, the village is reasonably accessible, public transport is available and the village is close to Keswick and the services it provides.
11. Turning to the appeal building, I observed on my site visit that it is located approximately 2.5 metres from the side elevation of Croft Head Cottage. Neighbouring dwellings in this part of the village are also sited close to each other. There are four properties to the rear of Croft Head Cottage which because of their proximity result in a degree of overlooking. The Authority has suggested various ways in which the design of the conversion could be altered. It is suggested that the garden/bike store to be retained for the occupants of the Cottage could be incorporated into the proposed dwelling providing a larger area of living space. The two windows on the side elevation could be obscure glazed to provide privacy for the existing and future occupants and rooflights could be installed to maintain a good level of natural light. However I consider that notwithstanding the provision of rooflights, obscure glazing to habitable room windows would not provide a good standard of accommodation for a future occupant of a permanent dwelling.
12. Furthermore I noted that the outbuilding has a small garden area to the front of the property. This area takes the form of a raised bed bounded by a stone wall. Whilst it creates an attractive frontage to the property, I consider that it does not provide appropriate outdoor amenity space for a future resident of a permanent dwelling. It could not be usable for sitting out and it would have little privacy being located immediately next to the road. The National Planning Policy Framework in Paragraph 17 requires a good standard of amenity for all existing and future occupants of land and buildings. As a holiday let, the lack of a private garden space may be acceptable bearing in mind the nature of this type of short term occupation. However I consider it would not be appropriate for a permanent dwelling.

13. Accordingly I consider that the outbuilding would not be suitable as a permanent dwelling to meet a local housing need. Conversion to holiday letting accommodation would therefore be acceptable in line with CS Policy CS22a.

Other matters

14. The appellant has suggested that if the conversion of the outbuilding was restricted to permanent dwelling that the cost of upgrading would make the scheme unviable. An appropriate level of return could be achieved however from a holiday unit. I have not been provided with any detailed financial evidence in this regard. In any event, this matter it would little bearing on my overall conclusion.

Conditions

15. I have had regard to the conditions suggested by the Authority in light of the Framework and Planning Practice Guidance. Aside from the standard time condition it is necessary to require the development to be carried out in accordance with the submitted plans for the avoidance of doubt and in the interests of proper planning. In order to protect the character and appearance of the area, a condition regarding materials for new windows, doors and other joinery is necessary. The Authority has also suggested the removal of certain permitted development rights. Given the size of the site and its location I have amended the wording of this condition to recognise the limited scope for the erection of any external buildings on the site. In order to precisely define the permission and to ensure the accommodation is used as short term holiday accommodation a condition restricting the use is required.

Conclusion

16. I am satisfied that there is a need for small units of accommodation in the area to meet local housing need. However I consider that the appeal building would not provide a suitable standard of living accommodation for permanent residential occupation as a result of the lack of private outdoor amenity space and the impact on outlook from the need to provide obscure glazing to overcome issues of privacy and overlooking. I therefore consider that conversion to holiday letting accommodation would be acceptable.
17. For the reasons given above and having regard to all other matters raised I allow this appeal.

Helen Hockenhull

INSPECTOR