
Appeal Decision

Site visit made on 3 February 2020

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2020

Appeal Ref: APP/P1045/W/19/3240581

Blackbrook Lodge Caravan and Camp Site, Intakes Lane, Turnditch DE56 2LU

- 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 V Hyland against the decision of Derbyshire Dales District Council.
 - The application Ref 19/00674/FUL, dated 10 June 2019, was refused by notice dated 20 September 2019.
 - The development proposed is the use of administration block as holiday cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal building forms part of a camping and caravan site comprising numerous static and touring caravans, amenity building and office set within in an open countryside location characterised by its spacious and peaceful setting.
4. The appeal building comprises a timber structure that is composed of two adjoining single-storey cabins. The building was stationed on the site to serve as an administration block for the camping and caravanning site. At the time of my site visit the internal arrangement of the building included a sitting room/kitchen area, bedroom, dressing room and bathroom. There was no evidence of it being currently used for administration purposes.
5. The building is largely screened from public views, located central within the wider site. However, it need not be visible from the public realm in order for it to have an effect on the character and appearance of the area. The building is clearly visible from within the site. Its rudimentary design lacks any architectural merit and detracts from the character and appearance of the area.
6. Policy S4 of the Derbyshire Dales District Local Plan (LP) 2017 permits the conversion and re-use of buildings in the open countryside in accordance with Policy HC8 of the LP.
7. Policy HC8 of the LP goes on to state that the conversion and/or re-use of existing buildings to residential use from other uses will be permitted where

- specific criteria are met. Criterion b) states that the form, bulk and general design of the existing building or group of buildings make a positive contribution to the character and appearance of its surroundings. This is supported by the preamble to Policy HC8, which explains that in the countryside not all buildings are appropriate for conversion to a permanent open market residential use and that some buildings, having outlived their original purpose, are better demolished and the site returned to a green field. I acknowledge that the proposal would be for a holiday cottage. However, were I minded to allow the appeal it would effectively permit the change of use of the building to a dwelling, subject to an appropriately worded condition restricting it to being used only as a holiday cottage.
8. Policy HC8 supports paragraph 79 of the National Planning Policy Framework (the Framework) which seeks to ensure that the re-use of redundant or disused buildings enhances its immediate setting.
 9. Policy EC8 of the LP supports tourism in the countryside but only when it is consistent with environmental objectives.
 10. I acknowledge that the building is immune from enforcement action and administration facilities are provided elsewhere on the site. Therefore, the building is currently redundant. The appellant contends that the building will remain on site and therefore the proposal would have no impact on the character of the area. Be that as it may, criterion b) of Policy HC8 only permits the re-use or conversion of buildings that make a positive contribution to the character and appearance of its surroundings. Based on my own observations on site, due to its rudimentary design the existing building does not make a positive contribution to the character and appearance of its surroundings. Therefore, it fails to satisfy criterion b) of Policy HC8 of the LP. I note that this is a similar conclusion to the previous Inspector in respect of the appeal against the enforcement notice relating to the appeal building¹.
 11. Whilst the building may well remain on site and therefore continue to have no positive effect on the character and appearance of the surrounding area, permitting a change of use as proposed would only likely protract the harmful effect it does have and therefore would run counter to the objectives of the development plan and the Framework, which seek to ensure that development is sustainable.
 12. The appellant contends that the building has the character and appearance of a chalet and therefore falls within the consideration of Policy EC9 of the LP, which relates to proposals for chalets, touring caravan and campsite developments. Whilst no definition of a chalet is presented to me, based on the subject matter of this particular policy, a chalet does not comprise a building, but rather a temporary form of accommodation, such as a static caravan. Therefore, in the absence of any substantive evidence to indicate that the building is indeed a chalet, I conclude that it is a building and therefore Policy EC9 of the LP is not relevant to the proposal.
 13. I therefore conclude that the proposal would significantly harm the character and appearance of the area, contrary to Policies S4, HC8 and EC8 of the LP. It would also fail to accord with the general design objectives of the Framework.

¹ Appeal ref: APP/P1045/C/18/3196593

Other Matters

14. I have had regard to the concerns raised in respect of matters pertaining to the deeds of a neighbouring resident. However, such matters have had no bearing on my consideration of the planning merits of the proposal.
15. In their reason for refusal, the Council refer to the development as being non-essential. However, there is no evidence before me that the relevant development plan policies require that there must be an essential need, or otherwise, for the proposal.

Conclusion

16. For the reasons given above, the appeal is dismissed.

Alexander Walker

INSPECTOR