



Appeal Decision

Site visit made on 18 August 2020

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th January 2021

Appeal Ref: APP/Q9495/W/20/3246894

Striding Edge Hostel and Swirrel Camping Barn, Greenside Road, Glenridding CA11 0QS

- 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 Taylor of Taylor Country Cottages Limited against the decision of Lake District National Park Authority.
 - The application Ref: 7/2019/3103, dated 18 July 2019, was refused by notice dated 29 January 2020.
 - The development proposed is described as: Conversion of traditional stone buildings, currently used as hostel and camping bothy, into 3 cottages for short-term holiday letting.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of traditional stone buildings, currently used as hostel and camping bothy, into three cottages for short-term holiday letting at Striding Edge Hostel and Swirrel Camping Barn, Greenside Road, Glenridding CA11 0QS in accordance with the terms of the application, Ref: 7/2019/3103, dated 18 July 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue in this appeal is whether appeal site is a suitable location for the proposed development having regard to the policies in the development plan.

Reasons

3. The appeal building is a multi-level building on a sloping site with accommodation spread over three floors of varying sizes. It is constructed of stone under a slate roof. It is currently used for the provision of holiday accommodation in the form of a hostel in part of the building and a bothy or "camping barn" in the other. The appeal proposal seeks to convert the building to three, self-contained, holiday cottages. Two of the cottages would contain two bedrooms and the third would have three bedrooms.
4. Policy CS18 of the Lake District National Park Core Strategy 2010 (the Core Strategy) sets out, among other matters, that new dwellings will only be permitted where they contribute towards meeting an identified local need or local affordable need. Due to the size of the proposed holiday cottages, they

would be considered to be new dwellings, albeit with a restricted use as holiday accommodation.

5. Core Strategy Policy CS22a states that conversion of existing buildings to holiday letting accommodation will only be permitted where it would not utilise a site that is suitable for providing housing meeting a local need or local affordable need, or that is suitable for reuse for employment uses. The explanatory text to this policy sets out that the Authority will not allow the reuse of buildings for holiday letting accommodation in rural service centres, villages or cluster communities, in order to ensure that no opportunities to meet the local and local affordable housing needs are lost. It further states that conversion to holiday accommodation may be appropriate if the location and type of building does not lend itself to an employment use, or residential use to meet a local need or local affordable need. Whilst the supporting text to a development plan policy does not form part of the policy, it is intended to set out how the policy will be applied.
6. Whilst the Authority's policies seek to prioritise the provision of housing for local people, Core Strategy Policy CS24 acknowledges that tourism is also an important factor in the National Park. The Authority do not have any objections to the loss of the current hostel use in terms of the range of tourist accommodation available in the area.
7. The Authority's evidence, which is not disputed by the appellant, indicates that there is an unmet demand for local needs housing in the area. It is also not in dispute that, internally, the appeal building is capable of accommodating three small dwellings. The appeal proposal is the only proposal for the building before me for consideration. Consequently, the key question is whether the nature of the appeal building, and its location, make the proposed development suitable for use as local occupancy dwellings as a preferential alternative to holiday letting accommodation. The Authority have not suggested that the building is suitable for employment purposes, and so I have not considered this aspect further.
8. The settlement of Glenridding is classed as a rural service centre where Policy CS22a generally precludes the conversion of buildings to holiday letting accommodation. This notwithstanding, the appeal building is located just over 2km from the main settlement. Whilst I recognise that parts of the National Park have a sparser and more dispersed settlement pattern, I saw when I visited the site that the appeal building is clearly not within the settlement itself. It is accessed via a single track, unlit, and poorly surfaced road which changes in level as it runs along the side of the valley. Whilst, purely in terms of distance, the appeal building may be reasonably well located in relation to Glenridding, in practical terms the access route is tortuous and difficult to negotiate even in good weather.
9. There are also practical and functional differences between a cottage used for holiday letting and one used as a permanent residence. Full time permanent occupation will generate different and regular travel needs, of an entirely different type from those of short term visitors, such as regular journeys to work, for shopping and for accessing other local services. The nature of the access route and the distance involved is such that it would not be attractive as a regular walking or cycling route to Glenridding.

10. The permanent residential use of the building for local needs housing may not generate more vehicle movements over and above those of the existing lawful use. Nevertheless, the vehicular access route is suitable for seasonal use of the building and clearly is currently used as such. Short term visitors are likely to be more tolerant of the dual inconveniences of the remote location and poor standard of the access road. However, in poor weather conditions and at times of the year when daylight is restricted, the nature of the access road would render it much less convenient or attractive for regular transit. Consequently, I find that the appeal building is poorly located for a permanent residential use.
11. The appeal building is located within the abandoned workings of a former lead mine, which is designated as a Scheduled Ancient Monument, although the building itself is excluded from the Scheduling. Whilst there is a grassed area between the appeal building and the access road, the appeal proposal does not include the creation of individual curtilages for the three proposed cottages. Whilst there is some external space associated with the building, this is constrained in part by the Scheduling but also by some of the area being subject to a lease to another user of the area (a ski club).
12. As a result, there would be little scope for the accommodation of activities that would normally be associated with permanent residential occupation such as sheds for the storage of tools, bicycles, and other domestic items; storage of refuse and recycling bins; drying washing; private sitting out areas, or children playing. The ability to accommodate such activities is of lesser importance in the context of short term, temporary, occupation by tourists and holidaymakers. The provision of private amenity space is not a requirement. Nevertheless, the absence of this, combined with the relatively small size of the proposed dwellings as shown on the submitted drawings would, in my view, lead to a poor standard of accommodation for permanent residential occupation in this context. This adds to my concerns regarding the suitability of the building and its location in terms of its potential to be used for permanent dwellings.
13. I have noted the Authority's point regarding planning permission having been granted for the change of use of Bell Cottage, which is located near to the appeal building, to a dual use as either a hostel or a dwelling house. I do not know the full circumstances that led to this use being accepted. However, I did see that, unlike the appeal building, this building sits within its own curtilage and has the characteristics of a dwelling. I also have no evidence in respect of the current, actual, use of this building and whether it is in use as dwelling house.
14. Each planning application and appeal must be considered on its own merits and I do not consider that this previous planning permission demonstrates that the location and form of the appeal building is suitable for permanent residential occupation. On the contrary, I find that the nature and location of the appeal building is such that it would not be a practical or convenient location for permanent residential occupation. In these circumstances, Policy CS22a is supportive of a change of use to holiday letting accommodation.
- 15.** I therefore conclude that the appeal site is a suitable location for the proposed development having regard to the policies in the development plan. It would not conflict with the relevant requirements of Core Strategy Policies CS18 or CS22a.

Other Matters

16. The appeal building is situated within the Greenside lead mines, ore works and smelt mill Scheduled Ancient Monument, which is a designated heritage asset. Historic England has advised that the building is excluded from the scheduling although the ground beneath it is included. I have also noted that Historic England have raised no objections to the proposal.
17. The appeal building is a former smelt mill associated with the lead mining operation. It is not a Listed Building. The significance of the Scheduled Monument, in so far as it relates to this appeal, is the evidence that it provides of 300 years of lead mining in the area, the sequential development of the mine over that time and the techniques used to facilitate mining on the steep sides of the valley. The appeal proposals do not involve any significant works to the exterior of the building, being limited to the infilling of an existing open porch, the conversion of a doorway to a window, forming a patio door within an existing opening, and the insertion of a small number of new rooflights. No works are proposed within the Scheduled area. Collectively, these works would only amount to a minor change in the external appearance of the building and would not affect the ability to understand either the building, its previous role as part of the lead mining operation, or the evidence of mining in the surrounding landscape. The appeal proposal would not harm the significance of the scheduled monument and would result in a beneficial use for the building and help to secure its future maintenance.
18. The appeal building is also within the Lake District World Heritage Site. There is no evidence that the small scale of the proposal would adversely affect any of the factors contributing to the outstanding universal value of the World Heritage Site.

Conditions

19. I have had regard to the list of conditions suggested by the Council. In order to provide certainty in respect of what has been granted planning permission, I have included a condition that sets out the approved drawings. In order to comply with the requirements of Core Strategy Policy CS22a and to prevent an unsuitable permanent residential use being introduced into this area, it is necessary to impose a condition restricting the occupation of the development to short-term holiday letting accommodation. In order to protect the sensitive historic character of the surrounding area from inappropriate additional development, it is necessary to impose conditions restricting the exercise of permitted development rights to extend or alter the building, carry out certain works within the curtilage, and alter or install means of enclosure.

Conclusion

20. For the above reasons, I conclude that the appeal should be allowed.

John Dowsett

INSPECTOR

Schedule of 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: HT1341.1.100 P01 Site Location Plan; HT1341.1.101 P01 Existing Plans; and HT1341.1.102 P01 Proposed Plans.
- 3) The dwellings hereby permitted shall only be occupied for the purposes of short-term holiday letting accommodation, and shall not be occupied by any one individual, family, or group for a period exceeding eight weeks in any three month period. The owner/occupier 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.
- 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 external alterations or extensions shall be carried out to the dwelling houses, nor shall any building, enclosure, structure, domestic fuel oil container, pool or hardstanding be constructed within the curtilage of the dwelling houses, without application to, and the grant of permission by, the Local Planning Authority.
- 5) 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 gate, fence, wall or other means of enclosure shall be erected or materially altered on the land to which this permission relates without application to, and the grant of permission by, the Local Planning Authority.