



Appeal Decision

Site visit made on 30 July 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2024

Appeal Ref: APP/Q9495/W/24/3339389

**Annex, Teal Beck, Lake View Drive, Grasmere, Westmorland And Furness
LA22 9TD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs A and D Brayshaw against the decision of the Lake District National Park Authority.
 - The application reference is 7/2023/5805.
 - The development proposed is change of use of annexe to a self-catering holiday let.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of annexe to a self-catering holiday let at Annex, Teal Beck, Lake View Drive, Grasmere, Westmorland and Furness, LA22 9TD in accordance with the terms of the application, Ref 7/2023/5805, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos. P-01 (Location Plan); P-02 A (Block Plan); P-03 (Plans and Elevations).
 - 3) The dwelling 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 written request.

Main Issue

2. The main issue is whether the appeal property is suitable for local or affordable needs housing, having regard to the provision of satisfactory living conditions for future occupiers and the effect on the living conditions of residents of Teal Beck.

Reasons

Living Conditions – Future Occupiers

3. Amongst other considerations, Policy 18 of the 2021 adopted Lake District National Park Local Plan 2020-2035 (the Local Plan) supports sustainable tourism uses where they are within or well related to the settlement form of a

Rural Service Centre, as defined in the spatial strategy within Policy 02. The appeal property, which is the annex of the dwelling at Teal Beck, is within a reasonable walking distance of the services and facilities within Grasmere, a Rural Service Centre.

4. However, Policy 18 only supports proposals for the reuse of existing buildings (excluding guest houses) for short term holiday letting where they would not utilise a building that is suitable for providing local need or affordable needs housing, amongst other things. This is to support the aims of Local Plan Policy 15, which include achieving a balanced and resilient housing market with a high proportion of properties in permanent occupation, an approach reiterated in the 2023 Housing Supplementary Planning Document (the SPD). The supporting text to Policies 15 and 18 identifies the pressure that is placed on the existing housing stock within many areas of the Lake District, due in part to those buying second homes or homes for holiday letting.
5. The annex is attached to the north elevation of Teal Beck. Accommodation is over two floors, with the main living space at ground floor and the bedroom at first floor which has access onto a balcony. There is an outdoor amenity space immediately to the north of the annex.
6. The gross internal area (GIA) of the property is around 39.6 square metres (sqm). It is not disputed that this falls short, by some considerable way, of the minimum GIA of 58sqm for a 1 bed 2-person 2 storey dwelling as set out in the SPD, which has been taken from the 2015 Nationally Described Space Standard (the NDSS). The NDSS does not provide a figure for a 1 bed, 1-person, two storey dwelling, although in my view, it cannot be taken that this is because a dwelling of this type would not be appropriate as contended by the appellant. The NDSS figure for a 1 bed, 1-person, one storey dwelling is 38sqm.
7. I note the examples quoted by the appellant where there appears to have been a shortfall in internal floor area compared to the space standards and the Authority did not consider the buildings in these cases to be suitable for local needs or affordable housing. However, the SPD states that the internal space standards in the NDSS will be referred to in order to help guide decisions on size in future housing development, having regard to viability considerations. To my mind, they are not therefore an absolute requirement and a failure to meet the figures described in the SPD is not of itself inherently unacceptable.
8. I observed that although the property is small, it does not feel cramped and provides the facilities required for day-to-day living. It has a small living area in addition to a functional kitchen that I observed can accommodate a table and two chairs. It has an adequately sized double bedroom which includes some storage space. Given the size, number and orientation of windows, there is likely to be sufficient natural light to undertake many of the usual household tasks for much of the day in all rooms other than the bathroom. For the same reasons, outlook for occupiers would be acceptable. The outdoor amenity space is not large but is proportionate to the size of the accommodation and would provide useable space for occupiers as well as an area for vehicle parking. Consequently, in terms of the size and internal arrangement, the property would provide suitable living conditions for a small household of one or two people.
9. The South Lakeland Strategic Housing and Economic Needs Assessment (2023) identifies that the greatest need for market housing in the Lake District

National Park is for two- and three-bedroom dwellings at 52% and 30% respectively, with the modelled size requirement for one-bedroom dwellings being 15%¹. The modelled size requirement for affordable home ownership is still predominantly for two- and three-bedroom dwellings, but for the social/affordable rented sector it is 41% for one-bedroom dwellings².

10. It seems to me that a dwelling of this modest size in a location consistent with the spatial strategy in Policy 02 would assist the Authority in meeting local housing needs, as expressed in Policy 15 of the Local Plan.

Living Conditions – Residents of Teal Beck

11. There is a close relationship between the main dwelling and the annex due to their configurations. This can be seen in the location and orientation of the driveway for Teal Beck in proximity to the ground floor window serving the living area of the annex, the nearness of the annex's balcony to a first-floor window of the main house, and particularly the side extension of the main house and the annex.
12. Part of the western elevation of this side extension faces towards the blank rear wall of the single storey lean-to on the side of the annex, with a limited separation distance between the two. Any boundary feature to achieve the required privacy for residents of both properties would extend in front of the side extension, including the glazed doors in its western elevation, with a similarly limited separation distance.
13. I observed that as the glazed doors in the western elevation of the side extension are offset from the wall of the lean-to, there are clear views outwards across the small garden area that serves the annex. The doors also receive a reasonable level of natural light. Consequently, any boundary feature would noticeably foreshorten outward views and would markedly increase the sense of enclosure when in the room served by the glazed doors.
14. I appreciate that planning permission was granted in 2014³ for the change of use of the annex to a local occupancy dwelling. However, this was granted prior to the construction of the side extension to Teal Beck.

Conclusion

15. Given the particular circumstances in this case in terms of the close relationship of the two properties, in my judgement, the use of the annex as a separate permanent dwelling would have a detrimental effect on the living conditions of residents of Teal Beck.
16. For this reason, I conclude that the annex would not be suitable for providing local or affordable needs housing. Accordingly, the use of the annex as a self-catering holiday let would not be contrary to the requirements of Policies 02, 15 and 18 of the Local Plan, as summarised above.

Other Matters

17. The site is located near to the Grasmere Conservation Area (the CA). It is also within the Lake District World Heritage Site (WHS), which is a designated

¹ Table 10.14

² Tables 10.15 and 10.16

³ Reference 7/2014/5562

heritage asset of the highest significance. The significance of the CA is derived, in part, from the architectural and historic interest associated with the development of Grasmere, including for tourism, and its historical association with William Wordsworth. The attributes of the outstanding universal value (OUV) of the WHS and its significance is, in part, derived from the extraordinary beauty and harmony of the physical natural and cultural landscape of mountains, lakes, valleys, and woodland; its distinctive agro-pastoral traditions and rich cultural and vernacular architectural heritage.

18. Given the nature of the proposal, it would have a neutral effect on, and would therefore preserve, the character and appearance of the CA and would maintain the OUV of the WHS. As such, the significance of these heritage assets would not be harmed.

Conditions

19. I have considered the conditions suggested by the Authority, having regard to the six tests set out in the National Planning Policy Framework.
20. As well as the standard time condition, and for certainty, one is required to ensure that the development is carried out in accordance with the approved plans. To ensure that the accommodation is secured as short-term holiday accommodation, a condition is necessary to limit the time period for occupation and to require a logbook of visitors.
21. The Authority has suggested a condition that would require at least 30 percent of the operational energy requirements of the development to be secured from decentralised, district heating and/or renewable or low-carbon energy sources, in accordance with Policy 20 of the Local Plan. However, I am not persuaded that the proposal would fall within the scope of Policy 20 given that it sets out this requirement for all new housing developments and all new developments for other uses of 100sqm floorspace or more. I have not therefore imposed this condition.

Conclusion

22. The proposal would accord with the development plan as a whole, and there are no material considerations of sufficient weight to indicate that permission should be withheld. I therefore conclude that the appeal should be allowed.

F Wilkinson

INSPECTOR