



Appeal Decision

Site visit made on 13 August 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th August 2024

Appeal Ref: APP/Q9495/W/24/3343533

Greengates, Sunderland, Cockermouth CA13 9SS

- 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 Martin Skinner against the decision of the Lake District National Park Authority.
 - The application reference is 7/2023/2229.
 - The development proposed is change of use of vacant elderly relatives ('Granny annexe') in to a holiday letting cottage/annexe.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of vacant elderly relatives ('Granny annexe') in to a holiday letting cottage/annexe at Greengates, Sunderland, Cockermouth, CA13 9SS in accordance with the terms of the application, Ref 7/2023/2229, 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. 01001 Rev. 01 (location plan), 01002 Rev. 01 (site plan), 04001 Rev. 01 (proposed holiday accommodation annexe), 05001 Rev. 01 (proposed elevations).
 - 3) The dwelling hereby permitted shall only be occupied as either:
 - i) short-term holiday letting accommodation, when it shall not be occupied by any one individual, family or group for a period exceeding eight weeks in any three-month period, and an up-to-date register of the name of all occupiers of the residential accommodation and their home address shall be maintained and made available to the Local Planning Authority within 14 days of receipt of written request; or
 - ii) ancillary accommodation to the residential use of the dwelling known at the time of this application as Greengates.

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 residents of Greengates.

Reasons

3. Policy 18 of the 2021 adopted Lake District National Park Local Plan 2020-2035 (the Local Plan) 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 considerations. 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.
4. The annex is attached to the side elevation of Greengates. Neither main party has submitted information on the gross internal floor area of the annex. Nonetheless, I observed that although the property is small, it does not feel cramped and provides the facilities required for day-to-day living. Accommodation is over a single floor and comprises an adequately sized bedroom, bathroom, kitchen, and separate living area. 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. For the same reasons, outlook for occupiers would be acceptable. There is space outside the annex which could accommodate vehicle parking.
5. Consequently, in terms of the size and internal arrangement, the property would provide suitable living conditions for a small household and would assist the Authority in meeting local housing needs, as expressed in Policy 15 of the Local Plan.
6. However, there is a close relationship between the main dwelling and the annex. This can be seen particularly with respect to the configuration of the properties and their relationship with the outdoor amenity area.
7. The outdoor amenity space lies in between the main house and the annex. It comprises a good-sized grassed area with boundary planting, a patio area outside the annex and a patio immediately to the rear of the main house which sits at a lower level.
8. Both properties overlook virtually the whole extent of the outdoor area. To provide privacy for each separate household, a boundary enclosure would be required around the patio outside the annex. Given the height needed to provide effective screening, any boundary feature would appear as excessively tall and overbearing when seen from the patio to the rear of the main house due to the difference in levels.
9. There is a path from the patio of the main house to the lawned area that passes close to the annex. To maintain this access for residents of the main house, any boundary enclosure would need to be located quite close to the large windows on the south-west elevation of the annex with an associated enclosing effect on outlook.
10. A ground floor obscure glazed window of the main dwelling looks directly onto the patio of the annex. There would be very limited space to erect a boundary

enclosure to separate this window from the annex's patio while still enabling access to it and the piece of plant beside it for maintenance.

11. Consequently, given the particular circumstances in this case, in my judgement, it would be difficult to provide private outdoor spaces for the main house and a separate dwelling in the annex without compromising the living conditions for the individual households.
12. 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 15 and 18 of the Local Plan, as summarised above.

Other Matters

13. The site is within the Lake District World Heritage Site (WHS), which is a designated heritage asset of the highest significance. 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. Given the nature of the proposal, it would maintain the OUV of the WHS. As such, the significance of the WHS would not be harmed.

Conditions

14. I have considered the conditions suggested by the Authority, having regard to the six tests set out in the National Planning Policy Framework. I have amended the wording of certain conditions in the interests of precision, without altering their fundamental aims.
15. 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. Given the policy context outlined above, a condition is necessary to ensure that the accommodation is used only as short-term holiday accommodation or as an annex to Greengates.

Conclusion

16. 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