



## Appeal Decisions

Site visit made on 4 October 2022

**by Samuel Watson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 October 2022**

### **Appeal A Ref: APP/P1045/W/22/3298107**

#### **Millfields Farm Cottages, Millfields Lane, Kirk Ireton, DE6 3JS**

- 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 N Siner against the decision of Derbyshire Dales District Council.
- The application Ref 21/01476/FUL, dated 3 December 2021, was refused by notice dated 2 February 2022.
- The development proposed is the conversion of a garage/store to a holiday let with associated alterations.

### **Appeal B Ref: APP/P1045/W/22/3298112**

#### **Millfields Farm Cottages, Millfields Lane, Kirk Ireton, DE6 3JS**

- 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 N Siner against the decision of Derbyshire Dales District Council.
- The application Ref 21/01477/FUL, dated 3 December 2021, was refused by notice dated 2 February 2022.
- The development proposed is the conversion of a workshop to a holiday let.

## **Decision**

### *Appeal A*

1. The appeal is dismissed.

### *Appeal B*

2. The appeal is dismissed.

## **Preliminary Matters**

3. As set out above, there are two separate appeals for the conversion of existing buildings for use as holiday accommodation. The proposed schemes are very similar and are adjacent to each other. Therefore, in the interests of conciseness, I have dealt with the two appeals in the same decision. However, each appeal has been determined on its own merits.

## **Main Issues**

4. The main issues, common to both appeals, are:
  - Whether the appeal site is suitable for new holiday accommodation; and,
  - The effect of the proposals on the character and appearance of the surrounding area.

## **Reasons**

### *Suitability of Location*

5. Policies S4 and EC8 of the Adopted Derbyshire Dales Local Plan (the LP, December 2017) set out the Council's tourism strategy. Policy EC8 is a broader policy, the aims of which include supporting and strengthening tourism where it is appropriate to the countryside location and environmental objectives. It also supports serviced overnight-accommodation, such as hotels, within towns and villages. Policy S4 is narrower, focussing on countryside locations, and supports the sustainable growth of existing tourism enterprises where they are in a sustainable location and identified needs are not met by existing facilities. I find that these policies comply with the aims of the National Planning Policy Framework (the Framework) which, under Paragraphs 84 and 85, similarly supports the sustainable growth of businesses including rural tourism.
6. The appeal site is within a countryside location outside of any settlement development boundaries. It is a spacious site which contains a former farmhouse and a range of former barns that have been converted for use as holiday accommodation. To the rear of these buildings is a group of smaller timber buildings that include the garage and workshop covered by appeals A and B respectively. The site is close to Carsington Waters and its associated visitor centre, a tourist attraction for the area. I also noted, during my observations on site, two caravan parks close to the site.
7. As tourists, future occupiers would have different needs to those typically expected for occupiers of a dwelling. The likely needs, or at least wants, of a tourist would be directed towards attractions and hospitality venues. However, they are likely to also need access to shops, including food shops, in order to purchase gifts, souvenirs, and food to cook when not eating out.
8. As part of my site visit, I visited the Carsington Water Visitor Centre which provided access to a limited number of shops, providing gifts and similar wares, and a café. The centre also provides an access to the lake and a footpath around it. Given the close proximity of the centre to the appeal site it could easily be reached by bicycle and there are deep verges and footpaths which would allow for walking.
9. Nevertheless, I find that the services provided at the visitor centre would not be sufficient to meet the likely needs of future guests including access to evening hospitality or a food shop to support home cooking. As such, and given there is only one attraction nearby, guests would regularly need to travel further afield to reach services, facilities, and attractions. Given the distance involved, and that the roads are fast, unlit and without pavements, it would not be realistic for future occupiers to walk or cycle to more distant settlements for the purposes of buying food, eating out or other tourist attractions.
10. Although the appellant has brought my attention to a bus route which passes near the site, it is not clear where the closest bus stop is. Moreover, the number of bus journeys are limited, restricting the options for future guests. This is especially so on weekends, which I find to likely be a popular time for guests, as the submissions do not refer to any weekend buses. Future guests would therefore primarily be reliant on private motor vehicles.

11. I am cognisant that tourists to a rural area will, especially where the attraction is, at least in part, the open countryside, travel to various locations in order to experience the countryside. It is unlikely that public transport would service all rural attractions, such as walks, and so some use of a private motor vehicle is to be expected. Nevertheless, and whilst the proposals may only result in a small increase, individually or cumulatively, in travel to and from the site, it would nonetheless be an increase and one which would likely be greater than new overnight accommodation within a settlement or with better accessibility to public transport.
12. Furthermore, it has not been suitably demonstrated that the proposals would meet an identified need for overnight accommodation within this area. Therefore, and whilst the proposals would extend an existing tourism facility, as they are not within a sustainable location and do not meet an identified need they do not meet the requirements of Policy S4.
13. The proposals would result in a small increase in holiday accommodation provision in the area, and as such increase the number of overnight visitors. This would have some positive knock-on effects to local businesses and support local tourism. However, given the small scale of the proposals, both individually and cumulatively, this benefit would be limited.
14. Having regard to the above, by way of the site's location, remote from services and facilities it would not be suitable for new holiday accommodation and therefore, contrary to the locational strategy for tourist facilities. As such, the proposals would conflict with LP Policies S4 and EC8 as outlined. It would also conflict with the strategy for rural development set out under Section 6 of the Framework as summarised above.

#### *Character and Appearance*

15. The existing pair of buildings are relatively simple and retiring features which are seen in public views only from long distances against a backdrop of trees. The garage building is the largest of the group and contains accommodation within the roof accessed via an external staircase. The workshop is a lower, but longer building set perpendicular to the garage and within a row of, what appear to be, former stables. All of the buildings within this group are clad in timber with simple grey roofs. The proposed schemes include alterations to both buildings as part of the conversion.
16. The external changes to each building are relatively limited, primarily relating to changes to fenestration, doors, and roofing materials, with the most significant being the dormer proposed under Appeal A on the garage. Although the dormer would likely be visible in the distant public views it would be seen within the envelop of the existing roof and I do not find it to be so significant an addition that it would unacceptably alter the character of the building. Although more prominent from views within the appeal site, it would be read in the context of the other converted buildings used for holiday accommodation and so its effect would not be significant in this regard either.

17. As they are not intrinsically domestic in character, and given their scale, this would also be true for the smaller alterations raised above, in both close and distant views of the buildings. I do not, therefore, find that the proposals would unacceptably affect the character and appearance of the buildings in their own right or to the detriment of their context and the landscape of the surrounding area.
18. Whilst I note that Policy HC8 requires buildings to provide a positive contribution to the character and appearance of their surroundings to be acceptable for conversion, this relates to re-use as residential accommodation. The proposals before me are for holiday accommodation and so, such requirements are not directly relevant to either appeals A or B.
19. By way of the appearance of the resulting buildings and their relationship with the wider area, the proposals would not harm the character and appearance of the surrounding area. Both proposals would therefore comply with LP Policies S4 and PD1 which collectively, and amongst other matters, require that developments are of a high-quality design that protects and respects the character, identity and context of its surroundings including the landscape.

### **Other Matters**

20. The appellant has made reference to a recent permission, 21/00803/FUL, granted by the Council for the change of use of an ancillary domestic outbuilding to a holiday cottage. However, it appears from the limited information before me that the context of this scheme is markedly different to those before me. In particular, this example was used for accommodation ancillary to the host dwelling and had direct access to the wider footpath network. Whilst there are footpaths near the appeal site, from the submissions before me I understand these solely serve Carsington Water. All proposals must be considered on their own merit and, given the above, this example has not been determinative in my considerations.
21. Although I note the Council's concerns regarding the use of the host buildings as residential dwellings, it is clear from the evidence before me that the proposals are for holiday accommodation. Moreover, in the event that either appeal was allowed, a suitably worded condition could be imposed requiring the use of the building to be limited to holiday accommodation and allowing the monitoring of this.

### **Conclusion**

#### *Appeal A*

22. By way of its location and relationship to public transport, services, facilities and tourist attractions, the proposal would undermine the council's plan-led approach to the delivery of tourist facilities. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
23. Therefore, for the reasons outline above, I conclude that the appeal should be dismissed.

*Appeal B*

24. By way of its location and relationship to public transport, services, facilities and tourist attractions, the proposal would undermine the council's plan-led approach to the delivery of tourist facilities. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
25. Therefore, for the reasons outline above, I conclude that the appeal should be dismissed.

*Samuel Watson*

INSPECTOR