DELEGATED DECISION REPORT

SMD/2016/0417 **Valid 15/07/2016**	**JAYS BARN BRADLEY LANE THREAPWOOD ALTON**	**CHANGE OF USE FROM A SELF-CATERING HOLIDAY LET TO A SINGLE DWELLING** **(FULL - MINOR)**

MAIN ISSUES

- Principle of development and whether the proposal would result in suitable permanent residential accommodation in the open countryside having regard to local and national planning policy;
- Whether there is sufficient evidence to demonstrate that the use of the appeal property for tourist accommodation is no longer viable;
- The effect of the proposal on the character and appearance of the area
- Neighbour Amenity
- Highway Safety

DESCRIPTION OF SITE

Jays Barn is a small rectangular roadside, former agricultural building of traditional design and built in characteristic local materials. Although the building has taken on a domestic character following conversion to a holiday let, its agrarian origins continue to be discernible. It lies in an area of attractive open countryside outside any recognised development boundary.

PROPOSAL

This is a full application which seeks consent to change the use of the building from a self-catering holiday let to a permanent residential dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6c Other Rural Areas Strategy
DC1 Design Considerations
DC3 Landscape and Settlement setting
R1 Rural Diversification
R2 Rural Housing
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraphs 1-17 & 55
Section 1: Delivering Sustainable Development
Section 3 Supporting a Prosperous Rural Economy
Section 4: Promoting Sustainable Transport
Section 6: Delivering a Wide Choice of High Quality Homes
Section 7: Requiring Good Design
Section 11: Conserving and Enhancing the Natural Environment

National Planning Policy Guidance (NPPG)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SM98/0669 Change of use to holiday let. Approved with conditions.

SMD/2011/0415 Single storey extension to existing barn to provide bedroom. Refused.

SMD/2011/0564 Single storey extension to existing barn to provide bedroom. Refused. Appeal APP/B3438/A/12/2168077 Dismissed.

CONSULTATIONS

Publicity

Site notice displayed and one neighbour notified.

Public Comments

No representations received.

Town / Parish Comments

Does not wish to express an opinion on this application due to the sensitive nature of the application.

OFFICER COMMENTS

Principle of Development

The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
Core Strategy (CS) Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy NPPF (NPPF) where:

(1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:
I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
II. Specific policies in that Framework indicate that development should be restricted.

Paragraph 47 requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land increased to a 20% buffer where there is a persistent under-delivery in past years. Paragraph 49 requires all housing applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
The policies contained in the NPPF as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

Policy SS6c of the Staffordshire Moorlands Core Strategy Development Plan Document 2014 sets out a strategy for "Other Rural Areas" which comprise of the open countryside and Green Belt outside of the development and infill boundaries of the towns and villages. These areas will provide only for development which meets an essential local needs, supports rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Policy R1 seeks to support rural diversification and states, amongst other things, that wherever possible development should be within suitably located buildings which are appropriate for conversion with priority being given to the re-use of rural buildings for commercial enterprises, including tourism uses.

Policy R2 of the Core Strategy states that other than sites allocated for housing development in the Site Allocations DPD, only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of towns and villages; affordable housing; a new dwelling that meets a local need; replacement dwellings and extensions to dwellings.

The conversion of non-residential buildings for residential use will be permitted where the building is suitable and worthy in physical and architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable. A marketing exercise should be carried out by a suitably qualified professional or other evidence provided that the building would be unsuitable for a commercial use or that the conversion to residential use would enable a building or particular merit to be safeguarded.

Whilst the proposal would re-use an existing building this aspect of policy R1 and also bullet point 5 of policy R2 relate to the conversion of rural buildings and the application building was converted some time ago.

Sustainability of Location

Paragraph 55 of the NPPF states that local planning authorities should avoid isolated houses in the countryside unless there are special circumstances. The application building occupies an isolated position in the open countryside approximately 2km from the village of Alton which is recognised as a larger village with the Core Strategy and has some limited services. The nearest town Cheadle is located c.3kkm away. Consideration of accessibility should also take into account wider physical characteristics rather than purely destination distances. In this case the absence of footways and street lighting are arguably barriers to walking to the neighbouring village and the sites accessibility is further weakened by the infrequency of the bus service to be able to access essential facilities and services within the closest service centre and would not provide a realistic alternative to the private car. Future occupiers of the development would therefore, be reliant on the car to access day to day services. Indeed the unsustainable location of the site is acknowledged by the applicant's agent in the supporting statement which states that "car useage is now essential in this area following the significant reduction in subsidised bus services in Staffordshire" Consequently it is considered that the site is "isolated" in the context of paragraph 55 of the NPPF. The proposal would therefore result in unsuitable permanent residential accommodation within the open countryside. In this respect the proposal would fail to comply with adopted development plan policy SS1 which states that the Council will expect development and the use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Furthermore, the proposal would be contrary to Policy SS1a which sets out a presumption in favour of sustainable development. Furthermore, the proposal would be contrary to policies SS6c, R1 and R2 of the adopted Core Strategy. Moreover conflict arises with paragraph 55 of the NPPF.

Viability

The application has been submitted with a justification statement. This outlines the background to the application building and confirms that it was converted approximately 3 years after receiving planning permission in 1998. It also states that the conversion attracted a grant under the Farm Conservation Project Scheme on the basis that the conversion could benefit the disabled and people with learning difficulties.

The statement confirms that the holiday let was first made available in 2001 and advertised in a number of national and local publications. According to the statement it was advertised as being available all year round at a rate of £250 per week out of season and £350 per week peak season. The first years trading was noted as being slow but a constant demand was seen from 2002 until 2008. In 2008 there was a significant fall in demand until 2010. In an attempt to reverse the decline in bookings the accommodation was advertised to able bodied people although the accommodation was only let for 2 to 3 weeks of the year. In 2015 there was only one let for a period of 3 months to the same occupier and last year there was only one booking for a week.

It is important to note that the above assessment has not been supported with the submission of any trading accounts. In addition a quick google search for Jays Barn indicates that the site has its own website under the domain name jaysbarn.co.uk however the site is shown as being "temporarily unavailable". In terms of advertising the site for holiday accommodation the supporting statement details that the property is advertised in the following publications/websites:-

Disability Now
Around About Britain
English Tourist Board National
English Tourist Board Local
Alton Village
Peak District

According to the Disability now website (disabilitynow.org) this is a platform for the debate and discussion of disability issues. It does not have a classified section or appear to promote facilities of this type. Whilst the property is listed on the Around about Britain website the advert is confusing as it states that the building sleeps 3-4 but written spec clearly states has one bedroom with two single beds. No details have been provided in terms of how the property is advertised with the English Tourist Board or indeed within Alton Village or the Peak District. Furthermore, no details of frequency of adverts or publications are provided and no information regarding how the publicity for the building has changed since widening the advertising to allow able bodied people to reside has been submitted.

The applicant's agent suggest that the provision of additional accommodation at Alton Towers has resulted in a reduction in the demand for this type of off site accommodation. Whilst the Council acknowledge that on site accommodation at Alton Towers has been increased there would still appear to be a demand for holiday accommodation in the area. This is evidenced by the recent planning permission sought and granted for a holiday village at Moneystone Quarry and the continued applications for holiday accommodation either through change of use of redundant buildings or new build accommodation which are received on a weekly basis. No empirical evidence which would suggest that the increase in tourist accommodation has resulted in a decline in trade. In any event these provide a different form of accommodation and appeal to a different market.

A quick search of other accommodation on Sykes Cottages for the area indicates that there is alternative accommodation available in the area which would appear to larger and provide more facilities at similar prices. This may indicate that the rental prices are not reflective of market demand According to their website Ash House a Grade II listed semi-detached cottage which has 3 bedrooms and sleeps 6 is available for £343, Greenacres Barn which sleeps 4 and has 2 bedrooms is also available for £268. In terms of comparable properties the website advertises Herdwicks and Jacobs Barn which appears to be comparable in size having 1 bedroom and sleeping 2. Interestingly a quick check of their websites show that the units are booked for 3 weeks in April, one week in May, 3 weeks in June, fully booked for July, one week in September and booked over the Christmas and New Year. It should also be noted that the off peak prices of £277 and £425 for peak season are more than those proposed at Jays Barn. :The above assessment would

therefore indicate that there is still a demand for holiday accommodation in this location.

The statement goes on to state that certain bookings by disabled users have had to be turned down as a hoist cannot be accommodated within the building. It goes on to state that an extension to the building which was refused planning in 2011 and dismissed on appeal. The single storey nature of the building and the flat land surrounding It certainly makes it attractive to less able bodied users. However it is not considered that future bookings should be limited to disabled people. In addition people have a whole range of disabilities and not all would require carer's accommodation or a hoist as indicated by the agent.

The applicants' agent contends that the only way that the building can survive economically is by extending its use to full time residential. The applicants identity that there is a shortfall of affordable accommodation within the rural areas and suggest that the relaxation of the occupancy condition to allow full time permanent residential use would provide meet this need by providing affordable accommodation however no details have been submitted in terms of the affordability of the accommodation or how this would be maintained in perpetuity. No marketing details have been submitted with the application in terms of an alternative re-use of the building and no assessment of alternative uses has been addressed in the supporting statement and it is not considered that alternative commercial uses have been adequately explored as required by policy R2.

In conclusion it is not considered that it has been adequately demonstrated that the business is no longer a viable proposition or that it has no potential for tourism accommodation or that alterative commercial uses have been explored.

Character and Appearance

The application building is of a traditional design and built in characteristic local materials. Although the building has taken on a domestic character following conversion to a holiday let, its agrarian origins continue to be discernible, something which the previous Inspector commented upon. The site is bound by drystone walls, hedgerow and timber post fencing with extensive views of the surrounding open countryside beyond. Although permitted development rights have been removed from the property this would not prevent domestic paraphernalia associated with permanent residential accommodation such as manicured lawns, play equipment, increased parking and additional vehicular comings and goings. This would result in further domestification of the site and detract from the rural character and appearance of the area. In this respect the proposal would be contrary to policy DC3 of the CS which seeks to protect and where possible enhance the local landscape and setting of settlements in the Staffordshire Moorlands.

Amenity

Policy DC1 states that all new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Due to its isolated location and current use the proposed development is not considered to

raise any adverse amenity issues in terms of impact on any of the surrounding residential properties or neighbouring land uses.

Highway Safety

In accordance with policy DC1 all new development should provide for safe and satisfactory access and make a contribution to meeting the parking requirements arising from the development. The application does not propose to make any amendments to the existing highway access or off road parking provision which have previously been held to be acceptable.

CONCLUSION / PLANNING BALANCE

Paragraph 8 of the NPPF makes it clear that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The proposal would bring social benefits in terms of making a contribution albeit small to housing provision in the District. However, whilst there is not a five year land supply in the District it is considered that the contribution of one house would not outweigh the harm which I have identified.

Although the proposal may have some benefits in terms of generating additional household expenditure in the area it is not considered that this would outweigh the loss of tourist accommodation, associated tourist spending and the resultant negative effect on the local economy. The proposal would result in an increase in the use of private transport and would therefore have a negative effect on the environment. Moreover the proposal would not result in a suitable permanent residential accommodation in the open countryside. The proposal would not therefore represent sustainable development and the adverse impacts would significantly and demonstrably outweigh the benefits. The application is therefore recommended for refusal for the reasons stated above.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Teresa Critchlow
Recommendation Date: 20th March 2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council