PLANNING STATEMENT

(incorporating a Design and Access Statement)

1 & 2 Sweet Water Cottages, Peakdale.

Planning Application for the Conversion and the Change of Use of two holiday cottages to a single dwelling including reducing the curtilage area.

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1 THE PROPOSAL

1.1 The proposed development is the change of use of two holiday cottages to use as a single dwelling including a reduction in the size of the existing curtilage (see the submitted site plan, No. 363/2).

2 BACK GROUND

2.1 Both cottages are former farm buildings for which planning permission was granted in April 1994 for the conversion of the buildings into two holiday cottages. The works to convert Unit 1 were completed in 1997/1998. The works to convert Unit 2 were completed in 2004 but my understanding is that the building has never been used as a holiday cottage. Both buildings were occupied as a single dwelling between 2004 and 2006 by a family that bought Broadlow Farm in 2004 which then included the two cottages whilst they renovated Broadlow Farm. During this period there was a connecting door between the two properties which enabled the two cottages to be used as a single dwelling. The connecting doorway was blocked off and was plastered over after the family moved into Broadlow Farm in 2006.

2.2 Between 2006 and 2011 the two cottages were each used as separate dwellings. An application for a Certificate of Lawfulness for the existing use of use of No. 2 Sweet Water Cottage as a dwelling was refused in August 2012 on the grounds that the building has not been used continuously for four years as a dwelling and that there was not a breach at the time of the application.

2.3 The two cottages were put up for sale in 2011 but attracted little interest (see later in this statement) and only one was bought; by my client and the current applicant.

3 PLANNING POLICY

3.1 The application site is located in countryside and as such is subject to both national and local planning policies relating to the countryside.

National Policies

3.2 National planning policy with respect to development in the countryside is set out in the National Planning Framework (NPPF) which seeks to concentrate housing in villages or where it will maintain the vitality of rural communities. However, it states in paragraph 55 that an exception to this policy is where the development would re-use redundant or disused buildings and lead to the enhancement of the immediate setting.

3.3 Amongst the core planning principles in the NPPF (paragraph 17) are that planning should:

- Proactively drive and support sustainable economic development to deliver the homes ..... that the country needs.

3.4 Paragraph 196 of the NPPF states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in planning decisions.

3.5 Relevant to this application is the policy in paragraph 49 of the NPPF. This paragraph states that "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". This is currently the case in the High Peak.

3.6 Also, relevant is the guidance in Paragraph 51 of the NPPF which advocates that local planning authorities should bring back into residential use empty housing and buildings. And that they should normally approve a change to residential use from commercial buildings where there is an identified need for additional housing in the area, provided that there are not strong economic reasons why such development would be inappropriate.

3.7 Paragraph 28 of the NPPF is cited in the reason for refusal of the 2012 application for the removal of the holiday use occupancy condition (see paragraph 4.3) below. This seeks to support economic growth in rural areas.

Development Plan Policies

Relevant saved policies in the High Peak Local Plan are:

- GD4 – Character Form and Development.
- OC1 – Countryside Development.
- OC4 - Landscape Character and Design.
- EMP9 – Change of Use from Industry to Business.

4 SITE HISTORY.

4.1 The detailed planning history of the site is shown in the table below:

Application No.	Site Address	Description	Decision date.	Decision
HPK/0003/3107	Broadlow Farm	Conversion of barn and store to 2 holiday cottages.	18/01/1994	Refused
HPK/0003/3352	Broadlow Farm	Conversion of barn and store to 2 holiday cottages.	13/4/1994	Approved with conditions.
HPK/2003/0702	Broadlow Farm	Change of use from holiday let to full-time let.	17/10/2003	Refused.
HPK/2012/0027	1 & 2 Sweet Water Cottages	Application for removal or variation of Condition 1 - to change from Holiday Cottages to Residential.	19/4/2012	Refused.
HPK/2012/0358	2 Sweet Water Cottage	Certificate of lawful development for retention of use as a dwelling	16/08/2012	Refused.

4.2 The condition attached to the 1994 permission for the conversion to two holiday cottages stated *'this permission relates solely to the use of the premises for holiday residential use; the property shall not be occupied as a permanent dwelling and shall not be occupied by any persons for a continuous period exceeding 28 days in any calendar year.'* The reason for the condition was that 'the site lies within an area of open countryside where new permanent residential accommodation would not normally be permitted'.

4.3 The application in 2012 for the removal or variation of Condition 1 on the 1994 permission for the conversion to holiday cottages to allow the two cottages to be used as two separate open-market houses was refused for the following reasons:

1. *The proposal would result in the establishment of two permanent residential dwellings, and the loss of an economically beneficial use, within the open countryside contrary to Policy OC1 of the Adopted High Peak Local Plan 2008 (Saved Policies) and advice in the National Planning Policy Framework including, but not limited to, advice in paragraph 28.*

2. *The proposal will result in an increase in vehicle movements using substandard road junctions at Longridge Lane/ Batham Gate Road and Longridge Lane /Waterswallows Lane, to the detriment of highway safety and contrary to Policy TR5 of the adopted High Peak Local Plan 2008 (Saved Policies).*

5 DESIGN AND ACCESS STATEMENT

5.1 As the proposal relates to a change of use a Design and Access Statement is not required but essentially the proposed development would not involve any changes to the building other than the re-opening of an internal connecting door.

6 THE CASE FOR THE DEVELOPMENT

6.1 The proposal involves the change of use of the two cottages to a single dwelling connected by a single connecting door similar to the situation from 2004 to 2006 when the two properties were used as a single dwelling. The doorway still exists behind plaster board and plaster and can easily be re-opened.

6.2 Relevant issues are:

- The loss of tourism/commercial facilities and beneficial economic activities and whether it would harm the local economy;
- Whether the proposal would be contrary to saved Local Plan Policy OC1 and National Policy in the NPPF relating to development in the countryside including whether the proposal complies with national policy regarding the re-use of rural buildings and the use of commercial buildings for residential purposes;
- Whether the proposal would have an adverse impact on the rural landscape and whether it would also be contrary to saved Local Plan Policy GD4.
- The lack of a five-year supply of deliverable housing sites in the High Peak.
- The lack of adequate marketing of the two cottages for holiday use.
- Whether the proposed development would create a highway problem and danger.

6.3 The applicant's essential arguments in this case are that the holiday cottages are not economically viable and that given the housing shortage in the High Peak the proposed development would provide a beneficial use for a local person and provide much needed housing whilst at the same time ensuring the future maintenance of the buildings without harming the landscape or the countryside in any material way. In addition, it is contended that the use of the two buildings would generate no more, and possibly less, vehicular use than two well-used holiday cottages. Also if Broadlow Farm and the two cottages were still in farm use the vehicular traffic generated would be probably of a similar level and would certainly involve materially larger vehicles. If permission were granted for a single dwelling the residents of the house would soon know the local roads and substandard junctions referred to by the Highway Authority whereas holidaymakers would most likely not know the roads and danger spots.

6.4 It is accepted that the marketing of the two cottages for holiday use has been inadequate. However, I have contacted a number of Buxton-based estate agents and chartered surveyors for their views on the potential of the cottages for holiday use and three have kindly written letters stating their views. It is the applicant's believe that whilst the cottages have been poorly marketed the location is not suited to holiday use. The letters from the estate/surveyors support this view. The letters are submitted separately with the request that they are redacted as they contain commercial/private information.

6.5 One of the letters is from the firm which marketed the properties before Cottage No 2 was sold to my client. Cottage No. 1 was not sold. This letter states that there were 18 viewings of the property and that there was no interest whatsoever in buying the properties for holiday use. This, we believe reflects the fact that the site is a poor location for holiday cottages given the fact that it is located close to, and with a good view of, a super-quarry; a recycling centre; former quarries, and industrial buildings.

6.6 The letter from the second estate agent, who acted for the previous owners of Broadlow Farm before the estate agents mentioned in paragraph 5.5, supports very strongly this view and they also had no interest at all from anyone interested in buying the properties for holiday use. The letter from the Chartered Surveyor reflects these views.

6.7 There are no other holiday cottages in the Peakdale area and the nearest are in Buxton. Whilst these can be viewed in one of two ways – as an opportunity or reflection of a poor location for such uses – it is the applicant's belief and view – supported by the estate agent's and letting agent - that the site is an unsuitable and unviable location for holiday cottages and that a better and more beneficial use for the site is as a single dwelling-house. This would avoid the traffic problems that might have been caused by two houses on the site and would retain the buildings in an appropriate use which would not harm the countryside or the landscape.

6.8 The scale, siting, appearance, layout and form of the development would be the same as the current two buildings and therefore it is contended that it would not have an adverse impact on the character of the area and visual qualities of the locality or the wider landscape. No changes would be made to the exterior of the buildings. The only changes to the building would be the re-opening of the internal connecting door. The proposed reduced curtilage would have less impact on the surrounding landscape than the existing curtilage and landscaping can be provided if required. There are also existing buildings, including a garage, within the curtilage which could be used as sheds and garages.

6.9 With regard to the saved Local Plan policies EMP9 - *Change of use from Industry and Business* – the application accords with this policy in that as the estate agent's letters demonstrate there is no market interest in the properties for holiday use and the properties are currently lying empty and unused when they could be easily converted into a single three-bedroomed, modest, house which would provide a much needed house at a time when there is a shortage of housing

and housing land in the High Peak. Otherwise, the properties are unlikely to be used. It is contended that even a rigorous marketing of the properties would not create viable holiday use and as it is no one is interested in buying them for that purpose. There is clearly no market demand from people wishing to buy the properties for holiday use and the proposed use would be compatible with the adjoining uses. The lack of interest from prospective purposes suggests very clearly that there is unlikely to be any economic benefit from the holiday cottages.

6.10 National policy in the NPPF (paragraph 55) supports the use for residential purposes of redundant and disused buildings (which these in effect are) where it would lead to an enhancement of the immediate setting which the proposed development would. Paragraph 51 of the NPPF advocates that local planning authorities should bring back into residential use empty housing and buildings and should bring back into residential use from commercial buildings where there is an identified need for additional housing in an area which there is in the High Peak. This proposal would be in accord with this national guidance. I understand that there is a shortage of over 400 deliverable houses in the High Peak and this proposal would provide a house for a local person and his family and an agricultural engineer who works in the local rural community.

6.11 Paragraph 49 of the NPPF states that local housing supply policies are not up-to-date if there is not a five year supply of deliverable housing land which is the situation in the High Peak. The inference is that the NPPF guidance takes precedence and that guidance supports the use of redundant or disused buildings in the countryside and the use of empty building for residential use. There are a number of recent appeal decisions nationally which support this argument. In these decisions new housing has been allowed in the countryside because the districts involved had a shortage of deliverable housing land supply.

6.12 With regard to the highway reason for refusal for the application in a previous application the situation in this case would be different. Less traffic would be generated by the proposal and the occupants of the house would know the roads much better than holiday visitors.

7 CONCLUSION

7.1 It is understood that the properties have not been properly marketed for holiday use but the buildings are in a relatively unattractive area for such use as is shown by the lack of interest from prospective purchasers and are unlikely to ever be of economic benefit. In addition the proposed use is in accord with national policy and would not harm the locality or rural landscape in any way. Therefore, it is asked that the Council approve the proposed development.