PLANNING AND HERITAGE STATEMENT.

TOWN & COUNTRY PLANNING ACT 1990, SECTION 73.

BEAR LAKE LODGE, PACKHORSE FARM, BELPER ROAD, ALDERWASLEY DERBYSHIRE DE56 2RD.

1. THE SITE AND ITS SURROUNDINGS.

Packhorse Farm, Packhorse Farm Caravan Park and the adjoining lake and Bear Lake Lodge are owned by the applicants, Mr and Mrs N Allsop. They are located within the far reaches of the Upper Derwent Valley and they form part of a group of properties sited close to the junctions between Belper Road with Jackass Lane and Higg Lane.

Bear Lake Lodge is discreetly located adjoining the northern end of the touring caravan site, alongside which its vehicular access is taken, and close to Bear Lake. To its east are substantial woodlands that lead in a westerly direction from the Derwent Valley.

The building, which measures approximately 70 square metres in area, is constructed of random natural gritstone with a grey slate roof. From its ramped entrance doorway a short corridor leads to two bedrooms to the right and a shared shower/wet room to the left before accessing an open plan kitchen, dining room and lounge area. There are vehicle parking and turning facilities, with a gravel surface, to its immediate front.

2. RELEVANT PREVIOUS HISTORY.

Planning permission for the holiday chalet, subsequently known as Bear Lake Lodge, was granted under application Code: AVA/2015/0768 on 8 October 2015 and the building was constructed and brought into use during 2016. Condition 3 of the permission states:

“The living unit hereby approved shall be used as holiday accommodation only, and shall not be occupied as permanent residential accommodation independent of the tourism industry. The unit shall not be occupied continuously by any person for a period exceeding 21 days in any calendar year”.

The reason for imposing the condition stated:

“For the avoidance of doubt and in accordance with policy ER12 of the Adopted Amber Valley Borough Local Plan 2006”.

3. THE PROPOSAL.

This application under the provisions of Section 73 of the Town and Country Planning Act 1990 proposes the removal of condition 3 of the planning permission granted under code AVA/2015/0768 for the reasons set out below.

4. THE DEVELOPMENT PLAN.

The Development Plan, relevant to an application of this nature is the Amber Valley Local Plan, 2006. There is no Neighbourhood Plan for Alderwasley.

The Local Plan's Proposals Map shows the application site to lie within the Derwent Valley Mills World Heritage Site Buffer Zone, the Alderwasley Conservation Area and a Special Landscape area.

In granting planning permission, the Council's decision notice made particular reference to the applicability of policies LS3, EN6, EN13, EN27, EN29 and ER12 of the Local Plan. It is considered that the policies most relevant to this proposal remain EN6, EN27 and EN29. Whilst the Council accepts that its housing location policies are out of date pending the impending adoption of a replacement of the Local Plan, it is considered that policy H6 relating to the conversion of existing buildings in the countryside to residential use is applicable.

Policy EN6 indicates that planning permission for new development, including conversions of and extensions to existing buildings, will only be permitted in Special Landscape Areas if it does not have an adverse effect on the landscape quality or character. Policy EN27 relates to development within Conservation Areas. It must contribute to the preservation or enhancement of the Conservation Area and proposals involving the change of use of existing buildings must respect the character and design of the existing building. Within the World Heritage Site Buffer Zone, policy EN29 requires all developments to preserve or enhance its character and appearance.

Whilst policy H6 was not referred to in granting the original planning permission, it is considered important in this case because it indicates that planning permission for the conversion of existing buildings in the countryside to residential use from other uses will only permitted if it can be demonstrated that employment or tourism uses would not be suitable or viable. It indicates that the building must be of a permanent and substantial construction and be of a form, bulk and general design in keeping with its surroundings, and that it can be converted without extensive alteration, rebuilding or extension.

5. THE NATIONAL PLANNING POLICY FRAMEWORK.

The December 2024 review of the National Planning Policy Framework is a material consideration in the determination of this application. It maintains the key objective of achieving sustainable development by, amongst other things, ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

Paragraph 48 reiterates that the law requires that applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The government's objective of significantly boosting the supply of homes is emphasised in paragraph 61. It reaffirms that the overall aim should be to meet an area's identified a housing need, including with an appropriate mix of housing types for the local community.

Considerations with regard to rural housing are set out in paragraphs 82 – 84, emphasising that in rural areas decisions should be responsive to local circumstances.

Whilst isolated homes in the countryside should generally be avoided, there are exceptions identified including at paragraph 84c) where development would re-use redundant or disused buildings. Paragraph 125d) is supportive of the development of under-utilised buildings.

6. HERITAGE CONSIDERATIONS.

Amongst the policies set out in the Framework is the requirement in paragraph 278 that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The Buffer Zone to the Derwent Valley Mills World Heritage Site was approved with its designation in 2001 and it extends to the ridgeline of the valley. The Buffer Zone is intended to give an added layer of protection to the World Heritage Site and its setting. One of the key aims of the Management Plan is to protect, conserve and enhance the outstanding universal value of the site.

A main aspect of its significance was the development of the Derwent Valley Mills within a rural landscape and the availability of fast flowing water from the Derwent to power the mills. By and large, development was concentrated in the valley bottom, close to the water source, whilst the upper reaches of the Derwent Valley remained untouched by significant development. They are largely characterised by small settlements and isolated farmsteads. The upper reaches, therefore, retain a rural and relatively remote feel to them, but at the same time they contribute to the setting of the World Heritage Site, which involved in such a landscape.

The application site is located within the far reaches of the Upper Derwent. Lovely and it is located within a collection of relatively sporadic buildings and uses clustered close to the junction of the network of roads to which mention is made above. Bear Lodge is discreetly sited at the northern end of the existing touring caravan park within a clearing which forms part of the wider woodland which stretches up from the Derwent Valley, petering out at around this point. Visually, the siting of Bear Lake Lodge is both well screened and well related to the existing touring caravan park and the range of other existing buildings at Packhorse Farm.

Its careful siting and the use of natural stone walling materials, with the accompanying roofing of Welsh slate, has resulted in Bear Lake Lodge both protecting and conserving the significance of the World Heritage Site and the Conservation Area within which it is located. Within the Conservation Area, the principal requirement is to ensure that development preserves or enhances its special character. Again, that special character is inextricably linked with the same values that relate to the World Heritage Site.

7. THE BACKGROUND TO THE APPLICATION AND SUBMISSIONS IN SUPPORT OF THE REMOVAL OF CONDITION 3.

Initially, the applicants' significant investment in the new tourism facility provided by Bear Lake Lodge operated with reasonable success. However, the Covid outbreak resulted in a very significant loss of business and income, which has never fully been re-instated, such that is now no longer operating profitably. Whilst it is marketed by a leading local tourist destination company, specialising in Peak District properties, occupancy figures for 2025 demonstrate why it is no longer profitable, so forcing the applicants to seek permission for the proposed change of use to a lettable dwelling, without the tourism use restrictions.

The occupancy rate for 2025 was under 28%, provided by just 26 bookings of which 19 were for only two or three days. Only five bookings were for seven days. The limited occupancy, accompanied by their mostly very short-term nature, have rendered the continued tourism use of Bear Lake Lodge wholly uneconomic.

The downturn in bookings has, to a degree, been a result of much more intensive local competition in the tourist market for lettable dwellings than was originally encountered, much of which is very close at hand. The only viable alternative is, therefore, this application to remove the restrictive condition 3 of the original grant of planning permission to facilitate the letting of the property as a residence outside of the tourism sector.

The Government's statements on housing provision have emphasised that the availability of just individual dwellings helps meet its housing target. In this case the additional provision of a dwelling can be achieved very quickly, providing this application is approved.

Approval will carry with it no detriment to interests of acknowledged importance, because no operational is involved, and the character and appearance of neither the World Heritage Site Buffer Zone, nor the Alderwasley Conservation Area will be prejudiced in any way. Similar considerations apply in respect of the site's Special Landscape Area status.

Accordingly, it is requested that this application be approved.

3 February 2026.

John Church MSc., Dip TP., FRTPI.

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