

CARLISLE CITY COUNCIL

Report to:- **Carlisle City Council**

Date of Meeting:- 25th January 2013

Agenda Item No:-

Public

Title:- **USE OF PROPERTY FOR THE PURPOSES OF BED & BREAKFAST ACCOMMODATION AT SCARROW HILL HOUSE, DENTON MILL, NEAR BRAMPTON**

Report of:- **Director of Economic Development**

Report reference:- **ED 05/13**

Summary:-

This report presents the background to the use of Scarrow Hill House, Denton Mill, near Brampton as bed and breakfast accommodation

Recommendation:-

That Members note the contents of this report and confirm that it is not expedient to pursue a planning application to use two bedrooms for bed and breakfast purposes.

Contact Officer: Martin Tickner

Ext: 7175

J Meek

Director of Economic Development

16th January 2013

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1. BACKGROUND INFORMATION AND OPTIONS

- 1.1** This matter relates to a property known as Scarrow Hill House, Denton Mill, near Brampton. There are seven dwellings at Denton Mill, all of which are accessed via a track some 400 metres east of the Naworth Castle junction on the A689.
- 1.2** My Enforcement Officer has received complaints from the occupiers of Scarrow Hill, Brampton, which is a completely different property located on the opposite side of the A689 beyond the junction to Denton Mill heading towards Low Row.
- 1.3** The original complaints resulted from guests arriving at Scarrow Hill by mistake, when they were actually looking for Scarrow Hill House. On one occasion, the occupiers of Scarrow Hill arrived home one day to find guests in their garden waiting for the guest house to open.
- 1.4** All seven dwellings at Denton Mill (including Scarrow Hill House) have their own post code and Scarrow Hill has its own separate address.
- 1.5** Nevertheless, the occupiers of Scarrow Hill have sought clarification as to whether Scarrow Hill House has and/or requires planning permission to operate as a bed and breakfast establishment.
- 1.6** The available records indicate that the use of Scarrow Hill House as a bed and breakfast established commenced approximately five years ago, and the property is registered with Carlisle City Council as a guest house. The proprietors having always believed that planning permission was not necessary.

2. REPRESENTATIONS

- 2.1** The City Council, as the local planning authority, has received representations from the occupiers of Scarrow Hill and one of the dwellings at Denton Mill – see attached.

3. CURRENT POSITION

- 3.1** My enforcement officer visited Scarrow Hill on 19th November and the occupiers confirmed that no further visitors had mistakenly arrived at their property but vans from United Utilities and British Gas have entered their drive and reversed back onto the A689 heading towards the Denton Mill junction. On a more recent occasion Parcelforce delivered a package to Scarrow Hill instead of Scarrow Hill House.

- 3.2** My enforcement officer visited Scarrow Hill House on 12th December and inspected the internal layout of the property. The dwelling was extended 20 years ago and includes 4 bedrooms, 2 of which are used for bed and breakfast accommodation between April and October each year, primarily during weekends. The bed and breakfast use has been ongoing for a period of 5 years. Access to the property is via a single track from the A689, before turning into a long access drive of approx. 100m leading to a remote controlled entry gate. The establishment is advertised as a 4 star quality bed and breakfast in a country house and in general caters for walkers, cyclists and golfers.
- 3.3** Guest houses fall within Use Class C1 and also include hotels, motels, boarding houses and bed and breakfast premises. These are premises which provide a room as temporary accommodation on a commercial fee paying basis, where meals can be provided but where residential care is not. The use of a private house for the provision of bed and breakfast accommodation may be deemed ancillary in certain circumstances. Many local authorities adopt rules of thumb which may be used to determine whether planning permission is required and it is common for up to two rooms to be tolerated. This figure has been incorporated into the Scottish Use Classes Order where the total number of bedrooms is four or more. However, in England there is no equivalent provision and the normal 'fact and degree' criteria such as the effect on the overall character and size of the house and the effect on the neighbourhood should be taken into consideration.
- 3.4** Both properties now have separate post codes which should help delivery drivers and visitors reach the correct destinations.

4. RECOMMENDATIONS

- 4.1** In terms of overall character, the property remains primary residential with a bed and breakfast use operating between April and October each year. The property is detached from the rest of the dwellings in Denton Mill and has little effect on the immediate neighbourhood. The use has operated for almost 5 years and case law suggests that the use of 2 bedrooms in a property of this size can be tolerated. It is recommended that an application for planning permission to use 2 bedrooms for bed and breakfast purposes is not pursued.

5. IMPLICATIONS

- Staffing/Resources – Officers have been discussing the issues with both parties
- Financial – Not applicable

- Legal – Not applicable
- Corporate – The work outlined in this report will help deliver the Corporate Plan objectives.
- Risk Management – Not applicable
- Equality and Disability – Not applicable
- Environmental – Not applicable
- Crime and Disorder – Not applicable
- Impacts on Customers – The occupiers of Scarrow Hill are concerned about the impact on their property due the confusion over the house names. There has been one additional complaint from a neighbour at Denton Mill.

Impact assessments

Does the change have an impact on the following?

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the policy/service impact on the following?		
Age	No	
Disability	No	
Race	No	
Gender/ Transgender	No	
Sexual Orientation	No	
Religion or belief	No	
Human Rights	No	
Health inequalities	No	
Rurality	No	

If you consider there is either no impact or no negative impact, please give reasons:

The impact created has the potential to affect the immediate environment and residents in the vicinity and is not directed at a single group/area

If an equality Impact is necessary, please contact the P&P team.

Angus Hutchinson
Principal Development
Control Officer
Carlisle City Council
Civic Centre
Carlisle CA3 8AG

Caer Uffa
Denton Mill
Brampton
CA8 2QU.
11. Dec. 2013.

PLANNING SERVICES	
REF:	ENT
14 JAN 2013	
RECORDED	
SCANNED	
ACTION	MT

Dear Sir

(Mrs McKay) We have been informed that our neighbours are seeking planning permission for change of use of their Scanlon Hill guest house.

We would ^{like} to take this opportunity to put on record our concerns re this matter.

There are 7 dwellings at Denton Mill and 4 of these are used for business purposes. i.e. guest house, holiday apartments, stained glass workshop and an interior designer. As a consequence the amount of traffic is considerably increased and much damage is done to the tarmac. Also an inconvenience to us as our drive is used as a "passing place." As a result the character of Denton Mill has changed from the quiet a tranquil place it was to (what we think) a "business park."

We also feel it was inappropriate for the 4 Rosette Rating sign to be put at the top of the tarmac as people stop at our house thinking they have arrived at their destination.

hol hope you will take our concerns into
consideration when reaching your decision.

Yours Faithfully

Pat & Ron Alexander (Mr. + Mrs)