14. FULL PLANNING PERMISSION – CONVERSION OF FIELD BARN TO DWELLING AT BARKER BARN, MOOR LANE, ELTON (NP/DDD/0823/0974, AM)

APPLICANT: MRS PAULINE MORRIS

Summary

1. The application site comprises a Grade II listed barn located south of Elton.

2. Planning permission is sought for the conversion of the barn to a market dwelling along with associated landscaping and drainage.

3. The proposed development would result in less than substantial harm to the significance of the listed building, its setting and would harm valued landscape character. Public benefits arising from the development would not outweigh the harm to the listed building.

4. The application is recommended for refusal for the reasons set out in the report.

Site and Surroundings

5. Barker Barn is a Grade II listed building located in open countryside on Moor Lane, approximately 1km south of Elton. The building is on the Authority's 'at risk' register.

6. The building is a two-storey field barn fronting directly onto the highway verge and to the fields behind with an overgrown access and small walled curtilage to the south west. The building is constructed from rubble limestone and gritstone. The roof of the building is partially collapsed.

7. The barn sits within the Limestone plateau and is visible in wider views in the landscape from surrounding highways, access land and footpaths. The nearest neighbouring property is Leadmines farm some 750m to the north east.

Proposal

8. Planning permission is sought for the conversion of the barn to a single market dwelling.

9. The amended plans show that the whole building would be converted to a two-bedroom dwelling, with kitchen, living room and study at ground floor with a new stair providing access to two bedrooms and a bathroom at first floor.

10. Externally, the collapsed roofs and walling sections would be repaired. The main roof of the building would be clad with Welsh slate, the lean-to to the rear would be clad with reused stone slate. The existing window and door openings would be retained with an alteration to reduce the height of the opening to the north east elevation (W15). New timber window and door frames would be installed in the openings along with recessed glazing to the slot vents. Two roof lights would be installed to the rear elevation and a roof tile vent to the front elevation.

11. Internally, works are proposed to lift and relay the stone paving floor while levelling it. A new first floor and stair would be installed along with internal walls to sub-divide the space at ground and first floor level. The majority of internal walls would be lime rendered. The repairs to the roof structure include the installation of a steel ridge beam.

12. The plans also show that the dwelling would be provided with a domestic curtilage, utilising the existing access adjacent to the building to a hardstanding with space for two cars to park and turn and a patio area to the rear of the barn. The curtilage would

be bound by a new drystone boundary wall. A package treatment plant would be installed within the curtilage to serve the development along with bin store, shed and air source heat pump to the rear of the barn. The dwelling would be provided with an underground electricity supply.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The development would harm the significance of this Grade II listed barn and its setting contrary to Core Strategy policies GSP3 and L3 and Development Management policies DMC3, DMC5, DMC7 and DMC10. The harm would be less than substantial but would not be outweighed by public benefits, including securing the optimal viable use of the building. The application is therefore contrary to the National Planning Policy Framework.**

2. **The development would harm valued landscape character contrary to Core Strategy policy L1 and Development Management policy DMC1 and the National Planning Policy Framework.**

Key Issues

13. Whether the proposed development is acceptable in principle.

14. The impact of the development upon the significance of the listed building and its setting.

15. The impact of the development upon the landscape.

16. The impact of the development upon highway safety.

17. Whether the development is acceptable in all other respects.

Relevant Planning History

18. 2020 – ENQ/38435 – Pre-application enquiry for conversion to house. Officer advice given that conversion would not be acceptable due to the impact of the development upon a very isolated building in an open landscape setting.

19. 2016 – ENQ/28302 – Pre-application enquiry for change of use of barn to either residential or holiday let.

    "In the light of the planning history on the site, it is unlikely that the Authority would support a residential use for the property unless it could be demonstrated that:

    1. The development would represent the optimal viable use of the heritage asset; and
    2. Alterations would not harm the significance (architectural and historic interest) of the listed building; and
    3. The setting of the listed building (the rural open landscape) would not be compromised by domestication.

    An agricultural use (the original use) is the preferred use for the barn. In line with my letter sent to the property owner, on 1st November 2007, a low-key leisure / recreation use, e.g. camping barn or low-key business use e.g. workshop or office might be supported but this would have to be in accordance with points 1-3 above.

    My view is that holiday use is another possibility as this would have less impact upon the setting of the building than a permanent residential dwelling."

20. 2015 – ENQ/24539 – Pre-application enquiry for change of use to a dwelling and also to incorporate camping/caravanning on neighbouring land.

21. 1994 – Appeal against applications WED0393091 and 3092 dismissed.

    In determining the appeal, the Inspector stated that "*any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings*". The Inspector stated, "*the open character of the peak National Park countryside would, by implementation of the proposal, be unacceptably harmed*".

    The Inspector was satisfied that the scheme considered at appeal would preserve the exterior of the barn, however, the Inspector was concerned about the proposed insertion of a first floor to the whole of the northern wing. The inspector stated, "*this part of the barn is currently a high vaulted space which is an important and historic feature. By the insertion of the floor and the horizontal subdivision of this space, this internal feature of architectural and historic interest would be destroyed*."

22. 1993 Planning permission and listed building consent for conversion of the barn to dwelling (WED0393091 and 3092) refused on design and landscape impact grounds.

23. 1991 Planning permission and listed building consent for conversion of the barn to a dwelling refused (WED0391132 and WED0991435) refused in principle and on design and landscape impact grounds.

Consultations

24. Parish Council – Strongly support the application.

25. Highway Authority – Requests speed survey is carried out before positive determination of the planning application. Comments are summarised below.

    "The application site is located on Moor Lane which is a classified road subject to a 60mph speed limit, however, due to the nature of the road i.e., rural, bends in the road and somewhat limited width, vehicle speeds are likely below the legal limit. It should be noted that the site is in a remote location and it is considered that future residents would be reliant on the use of private car, however, it is appreciated that the proposal will re-use an existing building and this Authority has taken commensurate use into its consideration of the proposals.

    The proposal includes the creation of a new vehicular access to Moor Lane, therefore, the proposed vehicular access should be provided with emerging visibility sightlines in accordance with the speed limit of Moor Lane, to conform with current guidance any new access to a 60mph road should typically be provided with emerging visibility sightlines of 203m in either direction, measured from a point located centrally and setback 2.4m into the access, to the nearside carriageway edge in either direction. Any lesser extents should be supported by the results of a traffic speed survey.

    The above-mentioned emerging visibility sightlines appear to be unachievable from the proposed vehicular access in either direction due to the alignment of the road, with splays in the region of 60 - 70m being achievable in the Southerly direction. However, there is an existing field access to the land within the applicant's control, therefore, the applicant may wish to explore utilising this access to serve the proposed dwelling which appears to be significantly more suitable in terms of available emerging visibility. Nonetheless, it is recommended the applicant considers a traffic speed survey to ascertain details of 85%ile vehicle speeds, in order to determine what would be acceptable in regards to emerging visibility sightlines.

    The proposed level of off-street parking provision is adequate for a 2no bedroom dwelling, and there appears to be sufficient space within the site for maneuvering to

enable vehicles to both enter and emerge in a forward gear."

26. Natural England – No response to date.

27. PDNPA Conservation Officer – Object to the application. Comments are summarised below:

"Barker Barn is a grade II listed building (1335216, listed on 14th December 1983). Built as a field barn in the late 18th century, the barn was extended with the addition of a loose box in the late 19th century.

Field barns were typically built in the Peak District from the late 18th to 19th century as formerly open fields and wastes were enclosed. 'The Peak District Farmsteads Character Statement says: 'Field Barns... are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of the landscape.

Unusually the barn can be dated with some certainty to 1787, and is identified on the Elton Enclosure Award plan of 1809. The precise date is unknown, but it is reasonable to assume that the surrounding fields were enclosed from open wastes and commons not long before the construction of the barn, in a process that defines the present-day character of the White Peak.

The position of the barn with its near contemporary enclosed fields is highly illustrative of the process of enclosure, which has defined the present character of the White Peak. The presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming/mining economy of the area.

The heritage statement has also identified that the barn largely retains its original layout, as well as a surviving original roof structure (part of which lies on the floor), and an original gritstone floor. Most cow houses and field barns were altered in the 20th century due to hygiene regulations for the production of milk, which usually resulted in the loss of their original floor. Therefore, the survival of an original 18th century stone floor is significant.

Taking the above into account, the barn can be described as highly significant. The key elements that contribute to its significance are its age and rarity, its surviving historic layout, its surviving historic fabric, and its relationship with a landscape which hasn't changed for over 200 years.

Outline of proposals, summary of impact, and the principle of conversion

As I see it, aspects of the proposals can be divided into three categories: Proposals that will harm the significance of the building that can't be mitigated, proposals that lack sufficient information to judge their impact, proposals that would harm the significance of the building but could be changed or mitigated should the principle of development be approved. The latter two areas would need to be addressed should the principle of development be deemed acceptable.

Harmful proposals intrinsic to the scheme:

- *The imposition of extra domestic curtilage and car parking space would have a negative impact on the barn's setting and the contribution this makes to its significance. Both of these, but particularly the garden curtilage, would harm the relationship between the barn and its setting, which contributes greatly to its significance.*

- *The floor finish has been identified as likely original and highly significant. The*

application proposes lifting the floor and reusing the paving stones in different places. Updated plans propose to lift and relay the stone paving, whilst levelling it. The floor would have to be recorded and re-laid as it was in order to preserve its significance, as patterns of wear contribute towards a buildings historic and archaeological interest. Levelling the floor would harm its significance.

- *The insertion of a new, heavily subdivided first floor will destroy a previously open space and obscure the highly significant roof truss.*

- *The lining of the walls will obscure the original interior of the barn and destroy the evidence of its surface finish.*

- *The installation of roof-lights will inevitably have a negative impact on the significance and agricultural character of the barn.*

- *The addition of external plant for an air source heat pump, and a garden store will add to the barn's visual clutter, harming its character and significance.*

Where more information is required should the principle of development be deemed acceptable:

- *On visiting the site, it was noted that in addition to part of the building being roofless, cracks have appeared in the walls. In order to assess the application against DMC10, a structural appraisal should be undertaken by a suitably experienced engineer, ideally CARE registered. Drawings should then identify exactly what elements of the building require rebuilding, and where other structural interventions are required. If a significant amount of rebuilding is required this would harm the historic interest of the building, compounding the harm already proposed by the application.*

- *There is no information as to how much of the roof will be kept or replaced, or what the justification is for a steel ridge beam. The roof is highly significant and its loss would be very harmful to the significance of the barn.*

- *Repointing is mentioned but there are no details. I noticed on site that what remains of the current pointing is likely to be original mortar, which is itself of historical value. Historic mortar in good condition should be identified and retained. Replacement mortar should be visually and mechanically compatible with the historic mortar.*

Unnecessary harmful proposals that should be amended should the principle of conversion be deemed acceptable:

If the principle of conversion is approved, there are a number of harmful elements to the proposal that would need addressing. These include:

- *The proposed doors and windows, which would erode the agricultural character of the building and harm its significance.*

- *The replacement of the varied roof coverings with uniform welsh slate. The updated drawings somewhat address this comment, with the inclusion of stone slate to the rear catslide roof. However most of the rear roof covering prior to its collapse was stone slate, and the front elevation is clad with clay tiles.*

Conclusion

Overall, in the language of the NPPF, the proposals would cause substantial harm. Substantial harm is quite a high test, so it is worth looking at the government's planning

practice guidance, which states:

"in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

To break down the above statement, we should consider the key elements that contribute to the significance of the barn. These are; the building's age and rarity, surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting. The historic fabric of the barn and its landscape setting will be severely impacted by the proposals, leading to what can only be described as substantial harm to its significance, which could lead to the barn losing its listed status. If it transpires that the barn would need significant rebuilding, this would further undermine the barn's significance.

As per our development management policies and paragraph 201 of the NPPF, the application should be refused unless substantial public benefits are achieved, or the tests in paragraph 201(a-d) are demonstrated.

A read through the planning file for the barn suggest that attempts have repeatedly been made over the years to encourage the owner to maintain the listed barn, in order to arrest its decay. However, it appears that almost no attempt has been made by the owner to keep the building in good repair, which would have been considerably cheaper if done before the building's condition worsened.

It is important to state that the choice here is not between a barn conversion and a pile of stones. The PDNPA could serve an urgent works notice, which would give the Authority the power to carry out emergency repairs and recover the costs from the owner. Under the Levelling-up and Regeneration Act 2023, the costs could be recovered via a land charge.

The amended drawings somewhat answer some of my comments, and would somewhat reduce the level of harm proposed. However, the proposals still fail to answer the substance of my comments, resulting in a scheme that leaves questions to be answered, and substantial harm to the significance of the building."

28. PDNPA Archaeology – Makes the following comment:

"Supporting Information

This application has been supported by a heritage statement that describes the significance of the barn as a heritage asset, considers the below ground archaeological interest of the site and has consulted the Derbyshire Historic Environment Record and made us of the PDNPA Historic Farmstead guidance. It meets the requirements of NPPF.

Significance

The barn is a designated heritage asset and is of national significance, of 18th century origin with 19th century alterations. It has archaeological interest because the structure has potential for concealed or previously unknown evidence associated with its constructions, development and use to be revealed through specialist study of the structure itself.

The site and barn has belowground archaeological interest for previously unknown and unrecorded archaeological remains from the prehistoric period to the post-medieval

period, specifically:

- *Neolithic and Bronze Age settlement – the fields immediately to the west have produced a wealth of chert, flint and pottery artefacts that suggest occupation during the Neolithic and Bronze Age. Finds include arrowheads, scrapers, blades, axes and stone axe fragments, several polish stones axes, a spear head, awls, sickles, saws and cores, including from in this particular field, with a particular concentration of finds suggesting a settlement focus slightly further west and then surrounding agricultural activity. The site is recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority Historic Buildings, Sites and Monuments Record.*

- *Bronze Age funerary and ritual activity – a now lost barrow was excavated by Thomas Bateman in 1844. The precise location of the original barrow in unknown, with the location given only as Elton Moor. The site is recorded in the Derbyshire Historic Environment Record as in the immediate vicinity of the barn. Finds comprised human remains (inhumation and cremated bone), flint tools, ceramic vessels, and non-local pebbles.*

- *Medieval agricultural activity – LiDAR mapping data demonstrates the survival of ridge and furrow earthworks oriented north-east to south-west within the field associated with barn. These could be associated with the medieval field systems of Elton, Winster or associated with agricultural activity of the medieval grange at Mouldridge (Scheduled, NHLE # 1020947) to the south west.*

- *Post-medieval lead mining – the barn is within a landscape of lead mining remains that survive as belowground features, underground features and extant surface structures and earthworks. Two areas of scheduled remains lie within the immediately landscape setting of the site, Rainslow Scrins (NHLE # 1017749) c. 500m to the north east and remains of Dunnington and Hardbeat Mines, Rath and Cowlica Rakes, and Rath Rake Sough south west of Oddo House Farm (NHLE # 1019045) c.800m to the north west. Extensive non-designated lead mining remains at present within the immediate surrounding landscape of the barn as recorded in the Historic Environment Record and evident within the site itself as visible on the LiDAR mapping.*

- *Post-medieval agricultural – particularly the earlier phase of the barn at the south end as depicted on the 1809 Enclosure prior to the late 19th century alteration.*

Any such archaeological remains and features that survived on the site would be considered to be non-designated heritage assets. Any remains relating to the construction, use and development of the barn would contribute directly to the significance of a designated heritage asset.

The significance of archaeological remains and features that could be encountered can be estimated to be of local significance (post medieval agricultural) to regional (lead mining and prehistoric remains).

Previous ground impact can be anticipated from the creation of the barn itself, including levelling of the ground, excavation for any foundations etc. These previous ground impacts lowers the chance of finding entirely undisturbed remains within the footprint of the building itself, although this cannot be entirely ruled out as the level of previous impact and disturbance is unknown.

The chances of encountering such remains within the immediate vicinity of the barn and in the areas proposed to form the drive way, parking areas, residential curtilage

etc. is deemed to be moderate-high.

Impact

The works to the building have the potential to encounter, damage and destroy concealed or previously unknown evidence associated with its constructions, development and use of the building, particularly its adaptation in the 19th century and the footprint of the original structure. This would result in minor harm to the archaeological interest of the building.

The groundworks associated with the proposed development, both within the existing barn structure (e.g. for the new concrete floor slab, associated membranes, insultation, any underfloor heating etc.) and in the area around it for the delivery of (but not limited to) the amenity space and curtilage, drive and parking areas, package treatment plant, electrical and other services connections, drainage, package treatment plant etc. have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains and features of local to regional significance relating to a range of human activity (settlement, funerary and ritual, agricultural and lead mining) from prehistory to the post-medieval period.

This would result in permanent and irreversible harm to the archaeological interest of the site. The scale of the anticipated groundworks suggests that this harm would be moderate in scale to the site overall, but would lead to the complete loss of the remains and features within the footprint of the groundworks.

Recommendations

Should the proposals be considered acceptable with respect to the advice of the Building Conservation Officer and with respect to an appropriately weighted planning balance for the relevant designated and non-designated heritage assets in accordance with national and local policy then I recommend that the harm and impacts detailed above are mitigated through a conditioned scheme of building recording (nature and level to be specified by the Building Conservation Officer) and a programme of archaeological investigation (a scalable watching brief to strip, maps and sample excavation) on all internal and external groundworks.

This work needs to be carried out by a suitably qualified and experienced heritage/archaeological contractor in accordance with the nationally agreed standards of the Chartered Institute for Archaeologists, and to a written scheme of investigation approved by the Senior Conservation Archaeologist. These recommendations are in accordance with NPPF para 205 requiring developers to record and advance the understanding of heritage assets to be lost wholly or in part in a manner proportionate to their significance and the impact of the development."

29. PDNPA Ecology – No objection subject to conditions. Comments are summarised below:

"Baker Consultants Ltd undertook a protected species survey of Barker Barn, Elton in May 2023. The Baker Consultant's survey involved a preliminary bat inspection of the building and although no evidence of bats was recorded, the barn was assessed as having moderate bat roost potential. The ensuing report therefore advised that two nocturnal surveys were undertaken in line with current best practice guidelines (BCT 2016). Subsequently, two dusk emergence surveys were carried out on 20th July and 7th August 2023 by Dunelm Ecology with an assessment of impacts and mitigation proposals presented within the report entitled Barker Barn, Elton Supplementary Bat Survey August 2023.

All surveys have been undertaken in line with the relevant guidelines. An appropriate

impact assessment has been undertaken, along with suitable mitigation methods and enhancements.

The surveys by Dunelm Ecology found that the barn is used by low number <5 common pipistrelle bats. The report states:

"Without the implementation of mitigation measures, individual or small numbers of common pipistrelle bats could be disturbed and/or possibly injured or killed during conversion works. This action could, therefore, result in an offence under the legislation that protects bats and their roosts. However, since only low numbers of bats are considered likely to be present, the scale of impact is assessed as low at a local level."

A bat mitigation class license from Natural England is required prior to commencement of the development.

All mitigation and Compensation measures as detailed within Section 4.4 of the Supplementary Bat Survey report by Dunelm Report (2023) to be adhered to.

No external lighting should be installed which would directly shine on or adjacent to new roosting sites with new lighting kept below 3 lux in the vicinity of roost access points."

Representations

30. The Authority has received 26 letters of representation in support of the application to date. The reasons are summarised below:

31. Support

    a) The barn is an important part of the history of Elton and development of farming in the area. If allowed to remain in its current state its rate of deterioration will accelerate as the loss of the roof will allow the elements to further erode the structure and will attract theft and vandalism.
    b) Over the last 15 years the barn has gradually fallen apart. If something is not done soon it will be lost.
    c) Many of these barns are being lost.
    d) The plans present an opportunity for this building to be saved.
    e) The design is very sympathetic to the original design and purpose of the barn. The accommodation is contained within the existing building conserving its external appearance.
    f) Conversion of the barn to a market dwelling is preferable to the loss of the barn.
    g) The position of the development will not cause problems for the users of Moor Lane as there are no bends in the road and there will be plenty of off-road parking.
    h) A number of isolated redundant barns have been converted into dwellings in recent years. There is therefore a precedent.

Main Policies

32. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, L2, L3, CC1, CC5, and HC1

33. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC10, DMC11, DMC12, DMC14, DMT8 and DMU1

34. Conversion of Historic Buildings Supplementary Planning Document (SPD)

National Planning Policy Framework

35. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.

36. In the National Park the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies document (2019). Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between policies in the development plan and the NPPF.

37. Therefore, full weight should be given to policies in the development plan and the application should be determined in accordance with the Authority's policies unless material considerations indicate otherwise.

38. Paragraph 182 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

39. Paragraph 200 states 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. It notes that 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. It advises that as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

40. Paragraph 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

41. Paragraph 202 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be considered in any decision.

42. Paragraph 203 states that in determining applications account should be taken of desirability of sustain and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

43. Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

44. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional.

45. Paragraph 207 states that where a proposed development will lead to substantial harm (or total loss of significance of) a heritage asset consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or that all of the following apply:

    a) the nature of the heritage asset prevents all reasonable uses of the site; and

    b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

    c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

    d) the harm or loss is outweighed by the benefit of bringing the site back into use.

46. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

47. Paragraph 211 states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

<u>Peak District National Park Core Strategy</u>

48. Policy GSP1 requires all development to be consistent with the National Park's legal purposes and duty and that the Sandford Principle be applied and the conservation and enhancement of the National Park will be given priority. Policy GSP2 states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Enhancement proposals must demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area.

49. Policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings subject to the development proposal paying particular attention to (amongst other things) impact on character and setting, scale, siting, landscaping, building materials, design, form, impact upon amenity, highways and mitigating the impact of climate change.

50. Policy DS1 states that in the countryside conversion or change of use for housing is acceptable in principle.

51. Policies L1, L2 and L3 state that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, biodiversity and cultural heritage assets.

52. Policy CC1 requires all development to make the most efficient and sustainable use of land, buildings and natural resources and to achieve the highest possible standards of carbon reductions and water efficiency.

53. Policy HC1. C states that, exceptionally, and in accordance with policies GSP1 and GSP2 new housing will be permitted where it is required in order to achieve conservation and / or enhancement of valued vernacular or listed buildings.

Development Management Policies

54. Relevant Development Management policies: DMC3, DMC5, DMC6, DMC7, DMC10, DMC11, DMC12, DMC14, DMT8 and DMU1

55. Policy DMC3 sets out detailed criteria for the assessment of siting, design, layout and landscaping.

56. Policy DMC5 provides detailed criteria relevant for proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such applications.

57. Policy DMC7 provides detailed criteria relating to proposals affected listed buildings and states that;

    a. Planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate:

        (i) how their significance will be preserved;
        (ii) why the proposed development and related works are desirable or necessary.

    b. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.

    c. Development will not be permitted if it would:

        (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
        (ii) result in the loss of or irreversible change to original features or other features of importance or interest.

    d. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to (amongst other things):

        (i) removal of original walls, stairs, or entrances or subdivision of large interior spaces
        (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors.

58. Policies DMC10 sets out detailed criteria for the assessment of proposals to convert heritage assets. Development will be permitted provided that:

        (i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and

(ii) the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and

(iii) the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and

(iv) the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquility, dark skies or other valued characteristics.

59. Policies DMC11 and DMC12 set out detailed criteria to secure safeguarding, recording and enhancement of nature conservation interests and conservation of sites, features and species of importance. Policy DMC14 states that development that represents a risk of pollution (including soil, air, light, water, noise or odor pollution will not be permitted unless adequate control measures are put in place to bring pollution within acceptable limits.

60. Policy DMT8 requires off-street parking to be provided for residential development unless it is demonstrated that on-street parking is appropriate. Parking provision should meet the Authority's adopted standards.

61. Policy DMU1 permits new or upgraded service infrastructure for new development provided that it does not adversely affect the valued characteristics of the area and provided that services are provided before commencement of a new land use.

Assessment

Whether the proposed development is acceptable in principle

62. The application is a Grade II listed barn located in open countryside. Policies DS1 and HC1.C allow for the conversion of listed buildings to market dwellings, in principle, provided that it is demonstrated that the development is required to secure the conservation or enhancement of the building.

63. The key issue in the determination of this application is therefore the impact of the proposed development upon the significance of the building, its setting and valued landscape character, having regard to our duty to conserve the special qualities of the National Park and give great weight to the desirability of preserving and enhancing the listed building.

The impact of the development upon the significance of the listed building and its setting

64. Barker Barn is a Grade II listed building standing in an isolated and very prominent location on Elton Moor. The barn is on the Authority's 'at risk' register. Unusually, the barn can be dated with some certainty to 1787, and is identified on the Elton enclosure Award plan of 1809. The precise date is unknown but it is likely that the fiends were enclosed from open wastes not long before the construction of the barn. The enclosure process defines the present-day character of much of the White Peak.

65. The main structure was built as a field barn with the addition of a loose box in the late 19th century. The position of the barn within its near contemporary enclosed fields is highly illustrative of the process of enclosure. Furthermore, the presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming / mining economy of the area.

66. The application is supported by a heritage statement which meets the requirements of policy DMC5, the conversion SPD and the NPPF. The heritage statement identifies that the barn largely retains its original layout, as well as a surviving original roof structure

(which is partially collapsed) and an original gritstone floor. Most cow houses and field barns were lost their original floor during the 20th century due to hygiene regulations for the production of milk and therefore the survival of an original 18th century floor is significant.

67. Overall and having had regard to the submitted heritage statement and advice from the Authority's Conservation Officer and Archaeologist, it is clear that the building is a designated heritage asset of national interest. The barn can be described as highly significant due to its age and rarity, its surviving historic layout, fabric and its relationship with a contemporaneous landscape which has seen little change since it was enclosed over 200 years ago.

68. Relevant policies in the development plan and the NPPF make clear that great weight must be given to the conservation of the significance of the barn and it setting, particularly in the National Park bearing in mind its statutory purposes. Furthermore, in considering this application the Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

69. This application seeks planning permission for the conversion of the building along with associated landscaping to create a parking and garden area and to provision of services to the building. During the course of the application amended plans have been received. The Authority's Conservation Officer has been consulted and has provided a detailed assessment of the impact of the development and associated works.

70. The conversion of the barn to a market dwelling and likely any type of residential accommodation would require changes to the curtilage of the building due to the fact that the building is effectively sandwiched between the road and the field with only a very limited enclosed curtilage to the side. This application proposes alterations to the existing walling and erection of new walling to form a parking and turning area to the side of the barn and a patio area to the rear of the barn.

71. The proposed curtilage is relatively modest and would be enclosed by dry-stone walling which would be appropriate in the landscape. However, the introduction of parked cars and an albeit small domestic curtilage with bin storage, shed and air source heat pump, associated domestic paraphernalia and lighting would result in a change to the setting of the building and its relationship with the surrounding open landscape.

72. The setting of the barn and its relationship with the surrounding landscape is a key aspect of the significance of the building. The formation and existence of the barn is closely tied with the enclosure of the surrounding land. The setting is therefore of high significance and sensitive to change. The proposed changes therefore would result in harm to the setting of the building.

73. Externally, the conversion is within the shell of the existing building which would be repaired and re-built. The repair and re-building, subject to appropriate details and methodology would be welcomed in principle as it would be a significant enhancement to the building. However, the application is not supported by a structural appraisal and therefore it is not clear what elements of the building would require re-building or if other structural interventions are required.

74. This is important because without a structural appraisal it is not possible to understand what the implications of the development are and what rebuilding and structure would be required. Approval of the development without this information may permit significant and unjustified structural works which would be unnecessarily harmful to the building. Furthermore, there is no information how much of the roof would be retained or why a steel ridge beam is justified to the main building. The roof of the building has been identified as a highly significant feature.

75. The conversion scheme therefore externally could result in significant enhancement to the building by repairing the structure. Furthermore, the overall conversion is within the shell of the building and could be made acceptable with minor amendments to the fenestration and roof materials, with the agreement of the applicant. However, there is insufficient information with the application on structural matters to understand the implications of the conversion, particularly in regard to the roof which is of high significance.

76. Internally the building would be converted to habitable accommodation as shown on the plans. The barn retains its original layout and gritstone floor and therefore these elements are of particular significance. The application now proposes to retain the gritstone floor which would be lifted and re-laid. The retention of the floor is welcomed provided that it is appropriately recorded to retain historic patterns of wear. The levelling of the floor would result in some harm to its significance.

77. The plans include the installation of a stair and subdivided first floor for the bedrooms and bathroom. This work would result in the subdivision of what historically was and remains a single larger open space. This space relates to the historic function of the building and along with the rest of the building layout is intact and therefore of high significance. The subdivision of the open space as proposed would harm this space and obscure the highly significant roof truss.

78. Finally, the application proposes to line the internal walls with lime plaster. This is an appropriate finish to historic building; however, the lime plaster would conceal the original interior of the barn and destroy and evidence of its surface finish. This element of the works would also therefore result in harm to the significance of the building.

79. Overall it is concluded that the development would result in harm to the setting of the building and harm to internal elements including the roof structure, internal spaces, walls and to the gritstone floor. Externally the development would have the potential to enhance the structure through repair, however, there is insufficient information to assess what structural works are required or to justify the proposed steel ridge beam.

80. In accordance with policies DCC5 and DMC7 and the NPPF the level of harm to the listed building must be identified. The Authority's Conservation Officer advises that the development and associated works would cause substantial harm to the listed building. Substantial harm is a high test and our policies and the NPPF state that identification of substantial harm should result in refusal of the application unless substantial public benefits or the tests in paragraph 201 are demonstrated.

81. The Planning Practice Guidance (PPG) states "*in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting*." It is therefore necessary to consider whether the adverse impacts seriously affect a key element of the barns special architectural or historic interest and the degree of harm.

82. The Authority's Conservation Officer advises that the key elements contributing to the significance of the barn are: the age of the building and rarity of surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting.

83. The development would result in the retention and repair of the building which would be retained. There are concerns about the lack of information to assess structural implications and design details. If these were resolved the development would not result in the loss of the barn itself and could result in enhancement to the external

envelope. The development and associated works would result in harm to surviving historic features including the roof, stone floor and internal walls. The development would also result in harm to the layout through the introduction of a first floor and sub-division. The development would also result in harm to the setting of the barn and its relationship with the landscape.

84. The development and associated works would therefore harm key elements of the buildings special architectural or historic interest. The degree of harm would be significant particularly in regard to the layout of the building and its setting. However, the development and associated works would not result in substantial harm to any of these elements provided that structural works were understood and the roof restored in an appropriate manner. The layout of the building would be compromised but still readable and the floor would be visible, albeit re-laid. The building, albeit compromised by domestic changes would still be read in the landscape.

85. The advice from the Authority's Conservation Officer is understood. However, having carefully considered the significance of the building and the impacts of the development and associated works (known and unknown) it is concluded that the development would not result in substantial harm to the significance of the listed building. It is important to note that this does not mean that the development would result in no harm to the listed building or that the development is acceptable.

86. The development would result in a high degree of less than substantial harm to the significance of the listed building. There is a strong presumption against development which results in harm (whether substantial or less than substantial) in our policies and the NPPF.

87. The impact of the development must be considered and weighed in the planning balance bearing in mind the duty of the Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The impact of the development along with other issues such as alternative options and public benefits are considered further in the conclusion section of the report.

<u>The impact of the development upon the landscape</u>

88. For the purposes of policies L1 and DMC1 and the adopted Landscape Strategy the application site is located in the White Peak and the Limestone Plateau Pastures landscape character type. This is an upland pastoral landscape with regular patterns of straight roads and small to medium sized rectangular fields bounded by limestone walls. Tree cover is mostly limited to occasional tree groups, or small shelter belts, allowing wide views to the surrounding higher ground. Isolated stone farmsteads and field barns are a key characteristic of this landscape type.

89. The Limestone Plateau Pastures is a planned agricultural landscape, derived from the enclosure of former commons around and beyond the older settled core of the village farmlands. Enclosure is characterised by small to medium sized fields defined by stone walls. The straight boundaries and regular enclosure pattern are strong and very distinct features of this landscape, reflecting the relatively late enclosure from common and waste. Many of the enclosures were the result of later 18th and earlier 19th century Parliamentary Enclosure Awards As outlined above the barn was erected as the time of enclosure of this part of the landscape and makes a positive contribution to landscape character.

90. Policies L1 and DMC1 state that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and must be supported by sufficient information to enable impacts upon the landscape to be understood.

91. The application is not supported by a Landscape Assessment but it is possible to understand the impacts of the development by means of a site visit. The site and barn sit in a remote and highly prominent location in the limestone plateau where the building is read in almost complete isolation from other built development. The barn is seen as an integral aspect of this landscape with close historic and functional relationship with the adjacent highway and field behind.

92. The barn is currently in a state of disrepair with part of the roof collapsed. The current condition of the building detracts from valued landscape character. The repair of the building would result in enhancement.

93. The proposed conversion of the building to a dwelling, domestic curtilage, parking, activity and lighting would inevitably change the simple utilitarian character of the building in this landscape. The provision of parking spaces and parked cars would introduce a significant domestic element as would provision of and use of a garden area which would erode the relationship of the barn with the field. Lighting and domestic activity would also be obvious in this prominent location.

94. The development therefore while retaining the building would result in changes to the setting and use of the building which collectively would result in significant harm in a very prominent location in an open landscape setting. The development therefore would result in harm to valued landscape character contrary to policies DMC1 and DMH1.

95. It is relevant to note that in determining the appeal in 1994 the Inspector concluded that "*any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings*". It is acknowledged that the appeal decision was taken around 30 years ago and under different policies. However, the policy principles for landscape conservation remain unchanged as does the character of this landscape. Therefore, the Inspectors decision remains a material consideration.

<u>The impact of the development upon highway safety</u>

96. The application proposes two off-street parking spaces and turning area which is acceptable from a highway safety perspective. The Highway Authority has been consulted and advises that visibility splays appear to be unachievable. The Highway Authority therefore requests a speed survey be carried out to inform what would be acceptable in terms of emerging visibility sightlines.

97. The agent has indicated that a speed survey would be carried out if the principle of the development were approved. Having visited the site it is considered likely that adequate visibility splays could be achieved if permission were granted. Provision of maximum possible splays in accordance with an approved scheme could be secured by a planning condition.

98. It is therefore concluded that the development would not harm highway safety or the amenity of road users.

<u>Whether the development is acceptable in all other respects</u>

99. The application proposes the conversion of a traditional building to a dwelling. In principle, the re-use of such a building for this purpose is a sustainable form of development. The application states that the development would incorporate high levels of thermal insulation, low energy light fittings and an air source heat pump to minimise energy consumption. Low water use fittings for taps and sanitary ware will also be used throughout along with water butts to reduce water consumption. The proposed measures are considered to be acceptable and in accordance with policy CC1.

100. The application is supported by protected species reports. The building was surveyed and this found that the building is used by a low number of Common Pipistrelle bats. The report concludes that a mitigation class licence will be required from Natural England and recommends mitigation and compensation measures including appropriate working methods and creation of roosting opportunities in mortar cavities in the stonework.

101. The impact of the development upon bats is a material consideration as a protected species. The submitted information is sufficient to understand the potential impact of development upon bats and to be confident that the development will not harm the conservation status of identified species. If the development was considered to be acceptable then the impact upon bats would be justified and meet the derogation tests. If permission were granted planning conditions would be recommended to ensure that the development was carried out in accordance with the recommendations of the report and that details of external lighting were controlled.

102. There is no evidence to suggest that the development would harm any birds or other protected species and the development would not harm any designated sites. There are limited opportunities for biodiversity enhancement given the nature of the proposals and the desire to minimise impact upon the building and its setting, however, the development would incorporate additional bat roosts in wall cavities.

103. Foul drainage from the development would be treated by a package treatment plant on site before draining through infiltration in the adjacent field. This is acceptable in principle as it would not be practicable to connect to the main drain given the remote location. The site is outside of the nutrient neutrality catchment.

104. Given the distance from the barn to nearest neighbouring properties there are no concerns that the development would result in any significant harm to the amenity of neighbouring properties.

Conclusion

105. The proposed development and associated works would result in a high degree of harm to the significance of the Grade II listed barn. The harm identified would be less than substantial.

106. In accordance with policies DMC5 and DMC7 and the NPPF the Authority must refuse the application unless it is demonstrated that public benefits arising from the development would outweigh the harm identified. The barn is on the Authority's at risk register and the development would result in the repair of the barn and would provide a use which would secure the long-term conservation of the building.

107. If the development would secure the optimal viable use of the building then this would constitute a public benefit which could be weighed against the harm. If there is only one viable use for a building, then that use is the optimal viable use. If there are a range of alternative viable uses then the optimal viable use is the one likely to cause the least harm to the significance of the building.

108. Officers agree with the applicant that use of the building for agricultural purposes is unlikely to be viable as the building no longer meets current welfare requirements and there are no large openings for storage of equipment or machinery. The submitted application considers alternative uses to the proposal including: stabling, a camping barn, commercial purposes such as an office or workshop or holiday accommodation.

109. The application concludes that use as stabling would not be viable due to the investment required to make the building safe. The application accepts that use as a

camping barn would have less impact upon the significance of the barn but again concludes that this would not be viable. Use as an office or workshop the application considers would be equally impactful as the proposal and unlikely to be viable. Finally, the application considers that use as holiday accommodation would be marginally less harmful than the proposed market dwelling but considers that a market dwelling would be preferable as it would be more beneficial to the community.

110. The barn is in a poor state of repair and therefore significant investment would be required to repair the structure before any use could be considered. It is accepted that use for agriculture or stabling would be unlikely to be viable. The application considers that use as a camping barn or office / workshop would not be viable. However, there is no evidence to indicate what the cost of repair works are and what projected incomes from these uses could be. There is therefore insufficient evidence to conclude that these uses would not be viable.

111. Use as a camping barn would have a significantly lesser impact than the proposal in terms of setting and internal layout in particular. It is accepted that a workshop or office use would require parking, however, there would be no requirement for a garden and such uses could better conserve the internal layout of the building.

112. Finally, a holiday let may result in less impact due to the lower pressure for garden, storage and again would present an opportunity to better conserve the internal layout of the building. The application rules out use as a holiday let on the grounds that use as a market dwelling may be more beneficial for the community. This point is understood; however, it must be stressed that the proposal is for a market dwelling not an affordable dwelling to meet eligible local need. A market dwelling could be purchased on the open market and there would be no occupancy restriction. Furthermore, currently a market dwelling could be used as holiday accommodation.

113. Even if it were considered that use as a market dwelling was the optimal viable use policies require any harm to be minimised. As set out above additional structural information would be required to inform the repair works and to maximise repairs of the roof structure and coverings. Furthermore, it may be possible to develop the barn to a smaller dwelling on the ground floor only thereby retaining the open space internally. These issues would need to be explored and harm minimised.

114. Therefore, on the basis of information provided use of the barn as a camping barn, workshop / office and holiday let cannot be ruled out as not viable. These uses would be likely to result in less harm to the listed building than the proposed market dwelling. Therefore, the application has not demonstrated that the proposal represents the optimal viable use of the heritage asset. Therefore, the public benefit of the development of restoring the building would not outweigh the harm identified. The application is therefore contrary to policies GSP3, L3, DMC3, DMC5, DMC7 and DMC10 and the NPPF.

115. In addition, and as a separate matter the development while retaining the building would result in changes to the setting and use of the building which collectively would result in significant harm in a very prominent location in an open landscape setting. The development therefore would result in harm to valued landscape character contrary to policies DMC1 and DMH1 and the NPPF.

116. The development would not harm biodiversity, highway safety or the amenity of neighbouring properties. These are neutral considerations which do not weigh heavily either in favour or against the development.

117. The concern raised about the condition of the barn is understood as is the need to find viable uses to secure the long-term conservation of heritage assets. However, the nature of the barn and its setting makes it very sensitive to change and the application

has not demonstrated that the proposal represents the optimal viable use or that harm to the building would be minimised. It is reasonable to conclude that there are alternative options that could secure the building with less harm to the building or the landscape.

118. There it is therefore concluded that having had regard to all matters raised that the development would be contrary to the development plan there are no material considerations that indicate that permission should be otherwise granted.

Human Rights

119. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

120. Nil

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