

8. FULL PLANNING APPLICATION – REINSTATEMENT OF FARMHOUSE AND BARN TO SINGLE DWELLINGHOUSE – BARTIN FARMHOUSE, NETHER LANE, BRADSHAW (NP/K/0317/0325, P.2981, 30/3/2017, 409097 / 407214, MN)

APPLICANT: Keyland Developments Ltd

Site and Surroundings

The former farmstead of Bartin is located on the northern slope of a remote area of Pennine upland in the Upper Holme Valley between the A635 to the north and Marsden Clough to the south. Bilberry and Digley reservoirs are located approximately one kilometre east of the application site. The area is characterised by a mixture of moorland, reverted farmland and pastureland.

The farmstead includes a former farmhouse and barn, which have most recently been used as sheep shelters. The buildings are in a dilapidated state of repair, as are many of the crumbling stone walls of the field boundaries in the surrounding area.

The buildings are Grade II listed, and as such are designated heritage assets.

Access to the site is gained via a track known as Nether Lane, which is a public bridleway forming part of the Kirklees Way and the West Yorkshire Way. The property lies some 2.3km along the track from where it joins Acres Lane, the nearest adopted highway to the east.

Records indicate that settlement in the area dates back at least as far as the 15th century, that by the 16th century there were at least 5 settlements, 10 by 1785, and by 1851 there were in excess of 20.

However, the area is now mostly deserted apart from the ruins of one or two surviving farmsteads, the isolated Goodbent Shooting Lodge to the west, and a single dwellinghouse that lies adjacent to the public highway approximately 2.3km to the east.

This abandonment arose because the area forms part of the water catchment for Digley Reservoir which, over the course of the 1930s and 1950s, led to their forced abandonment and in most cases demolition to ground level. Bartin, along with the similar nearby site of the former farmhouse of Greaves Head, is one of the few structural remnants of this landscape, alongside drystone walls in varying states of repair and the surviving low remains of other demolished structures.

The Dark Peak Site of Special Scientific Interest (SSSI), The Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA), and the South Pennine Moors Special Area of Conservation (SAC) are all located approximately 140m south of the site and also approximately 750m to the north, covering large areas of land in these directions. Expansive areas of land designated as Natural Zone in the Authority's Development Plan are located to the north, east and south of the site, approximately 15m to the north and 90m to the south at their closest points.

The landscape is also recorded within the Authority's Historic Buildings, Sites and Monuments Record (HBSMR) and the regional West Yorkshire Historic Environment Record.

In addition to the adjacent bridleway, a number of other footpaths bisect the area to the north, west, and east of the site.

Large expanses of open access moorland are present to the north, west, and south of the site. At the closest point, to the south, this land is approximately 125m from the application buildings.

There are no immediate neighbours to the buildings due to their isolated position.

Proposal

To convert the former farmhouse and barn to a single dwellinghouse.

The proposal includes repair and rebuilding work to both buildings, and the creation of a small curtilage between the two.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. By virtue of the proposed building works and proposed use the development would result in harm to the historic and architectural significance of the listed buildings, contrary to Development Plan policies GSP1, GSP3, L3, LC6, LC15, and LC16 and to the heritage conservation policies of the Framework.**
- 2. Due to the impacts of a residential use within and around the buildings the development would result in harm to the character and appearance of the landscape, contrary to Development Plan policies GSP1, GSP3, L1, L3, LC4, and the provisions of the Framework in relation to landscape protection.**
- 3. Due to impacts associated with a residential use the development would have an adverse effect on bird populations in the area, contrary to Development Plan policies GSP1, L1, LC17, and the provisions of the Framework as they relate to the need to conserve biodiversity.**
- 4. Due to increased vehicular movements the development would result in conflict with other users of the adjacent bridleway, reducing their safety and quiet enjoyment of the Park in this location, contrary to Development Plan policy T6 and to the requirement of the Framework to protect tranquillity in an area which is prized for its recreational and amenity value for this reason.**

Key Issues

The main issues revolve around whether there are heritage benefits arising from the reinstatement of the buildings to dwellings and, if so, whether these benefits outweigh other adverse impacts that may result from such reinstatement.

Those other impacts include matters of landscape and scenic beauty, ecology, and the recreational use of the area.

History

1994 – Planning permission and listed building consent refused for alterations to farmhouse and conversion of barn to ancillary workspace, garage, and flat.

1994 – Appeal against refusal of the 1994 planning application dismissed on the grounds that the intensive nature of the development would be likely to result in a wide range of domestic and other activities together with several parked vehicles appearing in and around the site.

The Inspector concluded that the range of activities would have no functional relationship with the former use of these farm buildings or the surrounding open farmland and would therefore harm the agricultural setting of the listed buildings. As these activities would be very visible from the public bridleway and from further distant viewpoints the Inspector also concluded that the scheme would harm the character and appearance of the surrounding landscape. The Inspector also concluded that the lengthy unmade access track was unsuitable for the increase in traffic generated by the proposed scheme and that this would cause conflict with and seriously diminish the peaceful enjoyment of other recreational users. Furthermore, the Inspector recognised that the buildings were considered worthy of preservation and accepted that a residential use was

likely to be the only likely viable use. In dismissing the appeal the Inspector acknowledged that this would be likely to result in the buildings being left vacant and falling further in to dereliction, and could result in approval being sought by the owners for their demolition. However, the Inspector was of the view that the buildings are of little architectural merit and that their significance in terms of their historical function would be seriously compromised by the refurbishment process. In conclusion, the Inspector considered that the benefits of retaining the natural beauty of the landscape, both for its own sake and for its recreational value, outweighed the desirability of preserving the listed buildings.

1994 – Appeal against refusal of the 1994 listed building consent application dismissed on the grounds that the proposed conversion works to the barn – which included a mezzanine floor and ground floor partitioning – would detract from the barns character, and therefore that of the listed building as a whole, even though it was accepted that the works would otherwise preserve the buildings.

1998 – Listed building consent granted for conversion of barn to workspace and garage, and reinstatement of original dwelling to form ancillary accommodation. A planning application for a development of the same description was submitted alongside the listed building consent application, but was withdrawn prior to determination.

1999 – Listed building consent granted for reinstatement of house and conversion of barn to form walkers bunk barn.

1999 – Planning permission refused for reinstatement of house and conversion of barn to form walkers bunk barn.

2001 – Appeal against refusal of planning permission for reinstatement of house and conversion of barn to form walkers bunk barn – dismissed. The grounds for dismissal were similar to those put forward by the Inspector in the 1994 appeal, but with greater focus on the adverse impacts of the proposal on the recreational use of the area, and including reference to the statutory purpose of the Authority to conserve the National Park.

Consultation

Natural England - Based on the plans submitted, it is considered that the proposed development will not have significant adverse impacts on designated sites or protected landscapes so has no objection.

It is considered that the proposed development will not have likely significant effects on the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area & South Pennine Moors Special Area of Conservation and it is advised that to meet the requirements of the Habitats Regulations, the Authority records the decision that a likely significant effect can be ruled out.

It is not considered that the proposed development would compromise the purposes of designation or special qualities of the National Park but advise that any landscape and visual impacts are minimised as far as possible.

Kirklees Council – Public Rights of Way (PROW) – Consider the submission to include insufficient assessment of the impact of the development on public rights of way.

Recent works to the public bridleway have been undertaken without authority of this council as the highway authority for the public bridleways; those works have included the importation and use of unauthorised non-vernacular surfacing materials.

Public bridleways are relatively scarce in Kirklees and the network north of Digley reservoir is one of the area's main resources for riders and merits adequate protection.

Much of the access from Acres Lane is narrow, with insufficient space for the passing of two

vehicles, and insufficient for passing of even vehicle and rider over a number of lengths (e.g. White Walls Lane over a length of 180m+). Intensification of use of this access by motor vehicles would have a negative effect on public bridleway use and peaceful enjoyment of this special part of the PDNP within Kirklees.

Kirklees Council – Development Control – The application should be determined in accordance with your development plan, unless material considerations indicate otherwise.

Holme Valley Parish Council – Support the application subject to access remaining at Acre Road the bridleway remaining unpaved, and passing places being provided along the track.

PDNPA – Rangers – The applicant should be aware that a public bridleway (Holmfirth Bridleway 40) abuts the site. Whilst not affected by the proposal the applicant should contact the highway authority and advise their rights of way team of the proposal, they will be able to advise the applicant if a temporary closure of the path during works is necessary.

PDNPA – Conservation - Two detailed responses have been provided and can be read in full on the Authority's website. These responses are summarised as follows:

The proposed structural works are highly intrusive, involving underpinning, dismantling and rebuilding walls on new foundations and dismantling and rebuilding parts of walls, as well as the replacement of roof timbers. Underpinning should not be carried out unless absolutely essential, due to risks of differential movement between underpinned sections of the building and other more flexible parts to which it is attached.

The structural works, overall, would result in an unacceptable loss of historic fabric, degree of alteration and harm to the character and significance of the listed buildings, and would not, therefore, be acceptable.

The proposed reintroduction of a residential use at Greaves Head Farm will introduce a domestic curtilage to the listed buildings which has not been present since listing, including parked cars, movement of vehicles, and other associated paraphernalia. Such residential and domestic 'clutter' would be incongruous within this natural landscape, and would have a negative impact on the immediate curtilage and setting of the listed buildings, harming the significance of these heritage assets.

PDNPA – Archaeology – Two detailed responses have been provided and can be read in full on the Authority's website. These responses are summarised as follows:

The conservation of the listed buildings and the wider landscape are outcomes that should be sought and supported. However, in order for this to be achieved a scheme must conserve the heritage values and significance of these designated heritage assets, and also its wider landscape setting, which in this case is a relict farming landscape that is a heritage asset of importance in its own right.

There are major concerns about both the level of intervention to the physical fabric of the buildings required to achieve this scheme, and the impact of the proposed development on this historic character of the landscape.

With respect to the works to the buildings, these will have a large impact on the surviving historic fabric, and the authenticity of the buildings, resulting in harm to the historic and archaeological interest of a designated heritage asset.

With respect to the historic landscape, as unoccupied buildings the site is integrated within its surrounding very open and agricultural landscape. This is an important aspect to the setting of the Listed Buildings, and is important in its own right.

The introduction of a residential and domestic use into this landscape would introduce elements that are out of place, incongruous and are harmful to this important example of relict landscape that reflects the development of aspects of the Southern Pennines' farming and rural economy from the medieval period onwards.

PDNPA – Landscape – Two detailed responses have been provided and can be read in full on the Authority's website. These responses are summarised as follows:

The derelict buildings fit into the overall landscape character well and are in harmony with the wider landscape. The landscape in the vicinity of the application site has a high degree of inter-visibility with neighbouring landscape units (the open moors to the south and the slopes and valleys with woodland to the east / south east) so changes to the buildings have the potential to be visually prominent from a wide area. If the application was granted this would introduce incongruous domestic use and elements into an unsettled pastoral landscape, with significant effects on landscape character and tranquillity. Due to the inter-visibility of the local landscape, the effects would potentially be visible from a wide area.

The submitted Landscape Visual Appraisal is methodologically flawed, comprehensively fails to describe the value and character of the landscape, and comprehensively under-estimates the magnitude of landscape effects, visual receptor susceptibility and the magnitude of potential visual effects of the proposed developments.

The application would result in landscape effects which would fundamentally change the character of this area of the National Park and would result in a major loss of visual amenity of users of the bridleway and footpath network.

PDNPA – Ecology – An initial response requested a bird survey be undertaken. Following submission of this a further detailed response was provided and can be read in full on the Authority's website. This response is summarised as follows:

The submitted breeding bird survey identifies significant populations and territories of wading and other species of bird recorded by the UK Biodiversity Action Plan and/or Birds of Conservation Concern list as being threatened and requiring conservation. These included a count of 20 curlew, 33 lapwings, 13 snipe as well as cuckoo, linnet, reed bunting, skylark, woodcock, oyster catcher, and willow warbler.

The survey was conducted later in the year than would be desirable and so may not fully capture the populations or range of species present.

Sufficient mitigation is provided to address disturbance from construction operations, by completing works outside of the breeding bird period. However, the report does not adequately address the risks of human disturbance once the properties are in residence. These include disturbance by human presence (including likely regular use of surrounding fields for recreation), disturbance from vehicles, impacts of pets, lighting disturbance from fixed lighting installations and vehicles, and renewable energy measures.

There has been no assessment of the cumulative impact from these factors on breeding waders in the area. Given the proximity of the wader interest to the site, it would be difficult to accommodate the developments without impacting upon these species and the mitigation provided in the report falls short of addressing these impacts.

It is recommended that the application is refused on grounds of insufficient mitigation to address the impacts on wader species (lapwing, curlew and snipe) within the local area. The development is also likely to have an adverse and significant impact on UK and local BAP bird species associated with the upland habitats surrounding the application area.

Representations

31 letters of representation have been received, including group letters from the Kirklees Bridleways Group and The British Horse Society.

These all object to the proposal. The reasons for objection are summarised below:

- Adverse impacts on local bird populations
- Landscape harm due to domestic activity and elements
- Light pollution in an otherwise unlit environment
- Loss of tranquillity and remoteness
- Conflict between increased vehicle movements and current users of the right of way including walkers, cyclists, and horse riders. There are concerns in relation to the safety of users on the bridleway if faced with additional vehicular traffic due to its width and multiple corners, the enjoyment of those using the bridleway due to noise and disturbance, and damage to the surface of the bridleway caused by increased vehicular use.
- The application fails to properly consider services provision, and this could have adverse landscape impacts
- The buildings contribute to the appearance of the area in their current state and should be retained as such
- The location is unsustainable for a dwelling due to its remoteness, would necessitate car travel and increase pressure on public services
- The application has not received sufficient publicity
- The buildings are the only ones available in relation to farming the surrounding 2500 acres of farmland, and form part of the agricultural tenancy for the farming of this area. The building is in use for the storage of fodder and feed. Allowing the permanent loss of the building for agricultural use would jeopardise the viability of the farming in this area, which includes the grazing of sheep on the moorland as part of a Higher Level Stewardship agreement.
- If approved, the occupancy should be restricted to persons employed in agriculture

Main Policies

Development Plan

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, HC1, L1, L2, L3, CC1, T1, T6

Relevant Local Plan policies: LC4, LC6, LC15, LC16, LC17

Core Strategy policy GSP1 requires that all development should be consistent with the National Parks legal purpose and duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

GSP2 supports development that would enhance the valued characteristics of the National Park, noting that proposals intending to enhance the Park must demonstrate significant overall benefit to the natural beauty, wildlife and cultural heritage of the area and undermine the achievement of other policies. Furthermore, it states that work must be undertaken in a manner which conserves the valued characteristics of the site and its surroundings.

Policy GSP3 sets out the principles and finer criteria for assessing impact on valued characteristics stating that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal.

Policy GSP4 covers the use of Planning conditions and/or legal agreements to achieve the spatial outcomes in the plan.

Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.

Policy L1 requires that development must conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan, and other valued characteristics.

Policy L2 states that development must enhance and conserve any sites of biodiversity importance and where appropriate their setting.

Policy L3 seeks to ensure the National Park's historic built environment is conserved and enhanced for future generations and sets out three criteria under which the current application should be assessed because of the potential impacts on cultural heritage assets of archaeological, architectural, and historic significance:

A. Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest;

B. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset of archaeological, architectural, artistic or historic significance or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest;

C. Proposals for development will be expected to meet the objectives of any strategy, wholly or partly covering the National Park, that has, as an objective, the conservation and where possible the enhancement of cultural heritage assets. This includes, but is not exclusive to, the Cultural Heritage Strategy for the Peak District National Park and any successor strategy.

Policy CC1 seeks to build in resilience to and mitigate the effects of climate change and requires all development, amongst other things to; make the most efficient and sustainable use of land, buildings and resources, take account of the energy hierarchy and achieve a minimum sustainability standard in all new housing. CC2 and CC5 cover low carbon and renewable energy development and flood risk and water conservation respectively.

Policy T1 addresses reducing the general need to travel and encouraging sustainable transport, and states that impacts of traffic within environmentally sensitive locations will be minimised.

Policy T6 states that the Rights of Way network will be safeguarded from development.

Policy LC4 of the Local Plan is permissive of development provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area.

Listed buildings are addressed by Local Plan policy LC6, which states that any applications for development must clearly demonstrate how the building will be preserved and enhanced and why the development is desirable or necessary.

Policy LC15 and LC16 address heritage and archaeological assets respectively. They state that when considering development proposals that could affect such assets their national and local significance, their protection, enhancement and preservation, and the need for the development to be on the site in question will all be taken in to account. They note the importance of retaining heritage assets in situ and, in the case of archaeological assets, the requirement for the implementation of appropriate scheme for archaeological investigation prior to and during development.

Policy LC17 states that development will not be permitted unless adequate information is provided about its likely impact on the special ecological interests of a site, and that development considered likely to have an adverse impact will be treated as if that effect is established. Policy LC18 continues that where development which could affect a site, feature, or species of nature conservation importance or its setting is acceptable, appropriate safeguards and enhancement will be required to minimise adverse impacts.

These policies are consistent with the wider range of conservation and design policies in the Development Plan, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

Other Supporting Supplementary Planning Documents and Policies

Landscape Strategy and Action Plan

The Peak National Park Design Guide and its technical supplement The Building Design Guide

Climate Change Action Plan

National Planning Policy Framework

The National Planning Policy Framework (the Framework) is a material consideration in the determination of any planning application.

The Framework re-iterates the legislative position of the Authority's Development Plan, identifying that this remains the starting point for decision making and that development which accords with an up-to-date Development Plan should be approved, and development that conflicts with it should be refused unless other material considerations indicate otherwise.

The Framework sets out the governments planning policies to achieve sustainable development and sets out the three dimensions to sustainable planning with the planning system. These are the need to perform an economic role by contributing to building a strong, responsive and competitive economy, a social role by supporting strong, vibrant and healthy communities, and an environmental role by contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 8 makes clear that these roles should not be undertaken in isolation, because they are mutually dependent and, therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

Part 6 of the Framework addresses housing provision with paragraph 55 stating, amongst other things, that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Part 11 of the Framework considers the need for development to conserve and enhance the natural environment, with Paragraph 109 stating that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Paragraph 115 confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight.

Paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity, including refusing to permit development where significant harm resulting from it cannot be avoided, adequately mitigated, or, as a last resort, compensated for.

Paragraph 123 states that planning policies and decisions should aim to identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Part 12 of the Framework deals with conserving and enhancing the historic environment with paragraph 132 stating, amongst other things, 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. It notes that the more important the asset, the greater the weight should be. It also advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 134 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 securing its optimum viable use.

The National Planning Policy Guidance was published in 2014 to support the framework.

Assessment

The principle of reinstating the buildings as a dwelling

As the building is Grade II listed the principle of converting the building to a market dwelling is acceptable under the provisions of Development Plan policy HC1, subject to it being required to achieve conservation and/or enhancement of the buildings.

In addition, whilst the NPPF states that isolated new homes in the countryside should generally be avoided it does make exceptions in cases where such development would represent the optimal viable use of a heritage asset.

On this basis, the principle of converting the buildings to a dwellinghouse is considered to accord with the housing policies of the Authority's Development Plan and the provisions of the Framework.

Impact of the development on the heritage significance of the buildings and their setting.

In design terms the buildings would largely be unaltered, externally at least, from their original appearance. Some changes to the submitted design – such as the addition of outer timber doors to the barn and omission of rooflights – have been made during the course of the application. The internal works to the house seek to largely reinstate original form and layout. More internal works are proposed within the barn, adding subdivision and a partial first floor to facilitate its occupation. Whilst it would be preferable to keep this space open without additional subdivision, the impact of this on the overall significance of the group of listed buildings is considered to be relatively low; much of the barns significance is in its external appearance and its relationship to the house and wider former agricultural landscape. It is also noted that some partitioning and the introduction of a first floor was previously accepted when the Authority granted listed building consent in 1999. On this basis this intervention is considered acceptable.

Therefore, subject to control of materials, design details, and method of works there would be no objections to the proposals on grounds of design.

The amount of underpinning and rebuilding work proposed is significant however; the submitted structural survey recommends that it would be necessary to take down and rebuild the eastern gable wall and the first floors of both the southern and western walls of the house, and the western wall of the barn. Underpinning is proposed to the northern, western, and southern walls of the house, and to all walls of the barn.

The Authority's Conservation Officer has advised that this level of underpinning could potentially further undermine the buildings' long-term stability, and the Conservation Officer and Senior Archaeologist consider that the loss of historic fabric and significant degree of rebuilding would detract from the buildings historic and archaeological significance and authenticity.

It has not been established at this stage whether the works required to convert the building to a habitable condition could be undertaken in a less intrusive or harmful manner that conserves the significance of the buildings. It would therefore not be appropriate to control such works by condition, as the actual requirements could fundamentally affect the acceptability of the proposal.

There are also substantial concerns in regard to the impact of the proposal on the setting of the listed buildings.

The Authority's Conservation Officer and Senior Archaeologist advise that, as listed, the buildings form more of an integral part of the natural environment than would be the case if restored and lived in, and that the extension of the natural environment right up to the walls of the buildings is a key part of the setting of the buildings. They consider that this makes a positive and important contribution to their significance as listed. They consider that introducing a curtilage, which would likely include parked cars, vehicle movements, and other domestic paraphernalia, would harm this setting and that of the significance of the listed buildings.

This accords the conclusions of the 1994 Appeal decision, where it was considered that the proposed range of activities would have no functional relationship with the former use of these farm buildings or the surrounding open farmland and would therefore harm the setting of the listed buildings.

The Authority's Senior Archaeologist also identifies the landscape in this location as a good and important example of a relict landscape that reflects the development of aspects of the Southern Pennines' farming and rural economy from the medieval period onwards, and has archaeological significance as collective whole. This importance is supported by its inclusion on the Historic Buildings, Sites and Monuments Record.

The adverse impacts of the development on the setting of the listed building detailed above also extend to this wider landscape due to its openness to wide ranging views. The proposal therefore results in harm to the relict landscape, which as a recorded landscape on the HBSMR is a non-designated heritage.

On this basis it is not accepted that the reinstatement of the buildings as dwellinghouses would be in the heritage interests of the site or the heritage interests of the wider landscape, even if it would preserve the buildings themselves, which the current scheme would not. Instead, it would detract from the historic and archaeological significance of the buildings and their setting.

The proposed works and proposed use are therefore contrary to Development Plan policies GSP1, GSP3, L3, LC6, LC15, and LC16 and to the heritage conservation policies of the Framework.

There are considered to be no wider public benefits that would outweigh this harm and for this reason the proposal is also contrary to the provisions of the NPPF in so far as it relates to the conservation of heritage assets.

Impact of the development on the landscape character of the area

The Authority's Landscape Strategy designates the land in and around the application site as 'Densely Enclosed Gritstone Upland'. This is summarised as "an undulating upland landscape with a strong pattern of small rectangular fields. Settlement is scattered but often associated with hamlets and villages such as Meltham and Holme on lower ground. Many of the small gritstone farmsteads and cottages are associated with the former woollen industry as evidenced by the characteristic weavers' windows lighting the top floors of buildings. This is a predominantly pastoral landscape enclosed by gritstone walls, with outlying patches of remnant heather moorland." It notes that the farmsteads close to reservoirs tend to be inactive.

The Strategy also notes that this is a landscape predominantly given over to sheep and cattle grazing where soils are mostly of poor quality and some fields are dominated by rushes or are reverting to moorland.

The application site is also in very close proximity to land designated as 'Natural Zone' in the Authority's Development Plan; land within this designation spans large areas of landscape only 100m south and 250m west of the application site. Natural Zone is described in the Authority's Core Strategy as constituting "areas with minimal obvious human influence whose 'more natural' beauty is, in the opinion of the National Park Authority, particularly important to conserve."

A Landscape Visual Appraisal (LVA) has been submitted in support of the proposal, concluding that subject to good design and careful selection of appropriate building materials the development would not lead to unacceptable landscape and visual effects.

The Authority's Landscape Architect considers the LVA to be methodologically flawed. This is based on a number of detailed factors. Broadly, they include a lack of consideration of landscape character, a lack of considerations of the impacts of domestic use (including services provision, vehicular access, garden area, bin storage), and an under-estimation of landscape sensitivities and susceptibilities.

Notwithstanding these shortcomings, it is the view of both Planning Officers and the Authority's Landscape Architect that the LVA significantly understates the impact of the proposed development. Firstly, it does not properly recognise or interpret the historic evolution of the landscape at this location. It describes the landscape as 'historically settled' but whilst historic maps show a greater level of settlement this was entirely associated with agriculture. Over time, the number of farmsteads has reduced substantially and the landscape now appears remote and abandoned.

It is considered that the introduction of a residential use at the site would be out of keeping and harmful to this present character; converting the buildings to a dwelling would increase the impacts of human influence in the area through the introduction of lighting, vehicle movements, and domestic activity within the site, interrupting what is an otherwise largely uninhabited landscape.

Due to the open character of the landscape and numerous rights of way and open access land surrounding the site this harm would not be restricted to the immediate setting of the building, but would detract from the visual amenity of a wide area, including the character of the Natural Zone.

By contrast, retaining the buildings in their current state is not considered to result in an adverse effect on the landscape character identified by the Strategy. As noted in the Strategy and in earlier decisions on this site, the landscape is considered to be one of degraded agricultural character. Derelict or ruinous farm buildings within this setting reflect the history of the area and are in keeping with its character. This view is reflected by the comments of the Authority's Landscape Architect.

Due to the open and largely treeless character of the surrounding landscape it is not considered that it would be appropriate to attempt to mitigate any of the identified impacts with tree planting.

Officers also note from a representation submitted on behalf of the current agricultural tenant of the site that the buildings form part of their agricultural tenancy, and are used in support of the grazing of the moorland in this location, and therefore the management of the landscape. Given the lack of alternative buildings that are available for this purpose in the area and the adverse landscape impacts that a new one would be likely to result in, Officers consider that it is desirable for the buildings to be kept in such use. However, it is ultimately for the owner to decide how they wish to utilise their buildings and the application must be judged on its merits. Any legal obligations between the tenant and owner arising from the agricultural tenancy agreement are private matters and not material to this application.

The proposal is therefore contrary to policies GSP1, GSP3, L1, LC4, and the provisions of the Framework in relation to landscape protection, in particular within National Parks.

This view is contrary to that provided by Natural England in their consultation response, who advise that they do not consider the development would compromise the purposes of designation or special qualities of the National Park. They provide no further assessment or explanation of how this position was reached however. By contrast, the Authority's Landscape Architect has provided detailed and justified comment at length on the impacts of the proposal. This response is therefore given significantly greater weight than the short response from Natural England.

Impact of the development on the ecological interests of the area

Based upon the response of the Authority's Ecologist it is accepted that the proposed works to the buildings themselves would have an acceptable impact on these species and the ecological interests of the site more generally. This is subject to the works being carried out outside of the bird breeding season and in complete accordance with the recommendations of the submitted bat survey, which could be controlled by planning condition if the application was to be approved.

However, the Ecologist identifies the longer term impacts of human disturbance as being significant. In particular, they have advised that specific efforts are being made to try and stabilise the decline of wader species in the Park and that these species are susceptible to indirect impacts from development, such as disturbance and displacement.

The submitted breeding bird survey identifies significant populations of the wader species of curlew, lapwings, and snipes, and of other bird species subject to national and local conservation concern due to rarity or declining numbers within both the detailed and wider study areas. It is also noted that reasons for designation of the Dark Peak SSSI include the presence of curlew.

The submission argues that the restricted curtilage would minimise adverse impacts from the development on these surrounding bird populations. Such is the size of curtilage though that it is considered likely that surrounding land would be utilised recreationally – for instance, for walking of dogs or for children to play. Depending on the frequency and nature of such use this would not necessarily represent a change of use of the land over which the Authority would have any control.

The introduction of pets to the site, specifically dogs and cats, has also been identified as very likely to have a significant impact on the local wader population due to predation and disturbance of birds, nests and eggs. It has been suggested by the applicant's agent that a restrictive covenant could be imposed to prevent the keeping of cats at the premises. Officers do not consider that such a restriction would be reasonable in planning terms however, and would in any case be extremely difficult to monitor or to enforce.

The report speculates that the number of vehicle movements generated by the development will be restricted by the uneven and difficult surface of the lane. However, given the isolated nature of the site and the proposed use it is considered that vehicle movements will be undertaken

whenever it is necessary to leave the site as there is little alternative means of access. It is therefore anticipated that vehicle movements along the track would be significantly increased by the proposal (as discussed further in the section below).

The submitted survey suggests that birds in the area may have become habituated to irregular vehicle movements. That assessment is based upon the single observation of a tractor being driven along the lane in the vicinity of the application site and of breeding birds showing either no or a limited response to this. This is a very limited assessment and Officers consider it to be unreliable evidence of the impact of traffic movements on local bird populations, particularly given that this assumes a low frequency of vehicle movements, which is contested.

The report also suggests that there would be low numbers of vehicle movements during the hours of darkness in spring and early summer. This cannot be known or reasonably controlled however; working patterns or social activity could result in regular vehicle movements during the hours of darkness, further disturbing nearby birds.

Overall, it is the view of the Authority's Ecologist that due to the likely cumulative impacts of domestic occupation of the buildings there is insufficient mitigation to address the impacts on wader species and other UK and local BAP bird species associated with the upland habitats surrounding the application area.

Policy LC17 is clear that, when considering ecological impacts, development considered likely to have an adverse impact will be treated as if that effect is established.

On this basis Officers find the proposal contrary to policies GSP1, L2, LC17, and the provisions of the Framework as they relate to the need to conserve biodiversity.

As the site is in close proximity to both an SPA and an SAC the Authority is required to assess whether the development would have a significant effect on either designated area. Natural England have advised that they consider it will not, and the Authority's Ecologist has not contested this position. On this basis it is considered that the scale, nature and location of the development proposal mean that it is unlikely to have any significant effect upon the features of interest for which these sites are classified.

Impact of the development on the use of the adjacent public bridleway

The Highway Authority has raised concerns about the impact of the development on the adjacent public bridleway. In rebutting these concerns the applicant's agent draws attention to the legal right of access that they have along the bridleway, with or without vehicle. They argue that access issues should therefore not be a reason for refusal of planning permission.

However, the type of lawful use on the site will affect the volume of traffic utilising the bridleway – something that is accepted by the applicant – and the impacts of the change of use on users of the public bridleway is a material planning consideration irrespective of the lawful right of access.

According to the Department for Transport's 2015 National Travel Survey for England the average number of trips per person per year is 914. Given the location of the property it is reasonable to assume that in this case the vast majority of these trips would be by private motorised vehicle.

This would require one vehicle movement to leave the property and another to return, resulting in twice as many vehicle movements as trips. It can reasonably be expected that the property would be likely to be occupied by at least two people given its size and the proposed accommodation (although some trips may be shared with another occupier), and that there would also be visitors and deliveries to the site.

Officers consider that this would represent a very substantial increase in the number of vehicles moving along the bridleway when compared to the recent agricultural use of the building and

surrounding land.

Due to the course and width of the bridleway this would cause a significant increase in conflict between vehicles and other users of this right of way, affecting their enjoyment and potentially their safety - some passing places are tentatively referenced in the submitted Structural Walk Over Survey, but even with these in place the route would remain narrow and winding for the most part.

Noise associated with increased vehicular use of the track would also diminish the peaceful enjoyment of other recreational users, and the use of the unmetalled bridleway by larger vehicles (such as delivery or maintenance vehicles) would be likely to degrade its surface to the detriment of other users.

For these reasons the proposal is contrary to Development Plan policy T6.

It would also reduce tranquillity in an area which, based on the representations received, is clearly prized for its recreational and amenity value for this reason. The proposal is therefore also contrary to paragraph 123 of the Framework.

Environmental management

A range of off-grid energy provisions are considered by the applicant in the submitted Energy Statement, including biomass heating, gas heating (bottled), ground source heat pumps, air source heat pumps, oil based heating, diesel generators, fuel cell based gas CHP (combined heat and power), gas microchip CHP, and battery storage.

However, whilst concluding that several of these, either individually or in combination, could provide power to the buildings none have been firmly proposed and none have been incorporated in to the proposed plans.

Each of these solutions has the potential to impact on one or more of the fabric or significance of the listed building, the landscape, the tranquillity of the area, bird populations, and traffic movements to the site. Assessment of these impacts has not been undertaken.

Given the heritage, landscape, and ecological sensitivities of the site it is not considered that these matters can be resolved by conditions; they have the potential to fundamentally affect the acceptability of the proposal and as such require specifying for consideration prior to the grant of any consents or permissions. For this reason the lack of a specific proposal in relation to energy provision is recommended as a further ground for refusal of the application.

No information has been provided in relation to disposal of foul water from the site. Given the remote setting of the property connection to mains sewerage is unlikely to be feasible, and so details of the proposed alternative would need to be secured. If permission was to be granted then this could be secured by planning condition.

Sustainability

Development Plan policy CC1 requires all development to make the most sustainable use of land. Sustainable development as defined by the NPPF requires development to achieve economic, social, and environmental gains simultaneously.

It is the view of Officers that the development proposed cannot be said to achieve sustainable development in these terms because – as detailed above – it would result in environmental harm in terms of its landscape and ecological impacts, and social harm in terms of its impact on the enjoyment of the surrounding landscape and rights of way.

In addition, given the reliance on motorised vehicles for access and its distance from local centres and services the site cannot be considered to be in a sustainable location for a

dwellinghouse.

However, and as noted previously, the Authority's housing policies state that, in principle, conversion of buildings to dwellings outside of settlements can be acceptable where it is required for and would result in the conservation of a listed building. This position is supported by the Framework. On this basis there is no objection to the proposal on the grounds of its unsustainable location.

Amenity

The remote location of the site and its lack of immediate neighbours mean that there are no concerns relating to impacts on the amenity of nearby residents.

Summary and Conclusions

The assessment above evidences a tension between a desire and duty to conserve the listed buildings, and the impacts of doing so through conversion to a dwellinghouse.

Officers have placed great weight on the conservation of the buildings and their significance as designated heritage assets. Whilst the proposed scheme is not considered to conserve the buildings in their own right due to the amount of intervention proposed, it is foreseeable that an alternative scheme of works may do so.

Irrespective of the physical works proposed to convert the buildings it is the domestic occupation of buildings in this location that gives rise to significant concerns.

The impacts of such occupation are considered to detract from the setting of the buildings as listed by virtue of affecting their relationship to the historic landscape, harming their significance as designated heritage assets. As such, it is not accepted that the use proposed represents the optimum viable use for the buildings.

Officers have weighed the public benefits of the proposal against harm to the heritage assets as required by the Framework, and consider that these do not outweigh the harm to the listed buildings caused by the proposal; conversely, the proposal is considered to result in an overall public deficit as discussed in the assessment above and as summarised below.

Further, in addition to its legal duty to have special regard to the desirability of preserving the listed buildings the Authority also has equally compelling duties and responsibilities to protect the valued landscapes and other special qualities of the National Park.

The site is highly prominent, isolated, quiet, and ecologically sensitive, and is located in an area of countryside that is well used by the public to experience the scenic beauty of the National Park. The introduction of a residential dwelling and the associated domestic activity and paraphernalia associated with this would be to the detriment of each of these characteristics.

Officers have taken account of the need to have special regard to the desirability of preserving the buildings and understand that the NPPF states that loss of grade II listed buildings should be exceptional, affording great weight to their conservation.

Whilst previous appeal decisions on this site have judged that it would be preferable to allow the listed buildings to deteriorate rather than to permit a conversion with similar adverse impacts to those identified here, refusal of this application would not resign the buildings to such a fate. This proposal has been assessed on its own merits and just because it has been found to have unacceptable impacts does not mean that a different proposal with reduced intervention and a lower intensity use could not be found to be acceptable.

It is also pertinent to note that the owner has a duty to maintain the listed buildings and that there are powers available to the Authority to require this or to intervene to carry out urgent works to

secure the listed buildings if necessary, and to recover the cost of such works from the owner.

Overall, the proposal would result in harm to the affected heritage asset, the landscape, the ecological interests of the area, and the use of local rights of way and access land, contrary to the planning policies of the Development Plan and of the Framework. There are considered to be no material considerations that outweigh these impacts, and the application is therefore recommended for refusal.

In addition, the level of information submitted regarding energy and services provision for the house is currently insufficient. These measures could have adverse impacts on landscape, ecological interests, and the fabric and character of the listed buildings. This is therefore a further ground for recommending refusal of the application.

Human Rights

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

List of Background Papers (not previously published)

Nil