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## **7. Full Application – Change of Use of Barn to Local Needs Person Dwelling, Bassetts Building, Longnor (NP/SM/1014/1087, P.11320, 406842/363524, 27/11/2014/KW)**

**APPLICANT: MR PHILIP JOHNSON**

### **Site and Surroundings**

Bassetts Building is a small detached barn situated in an isolated and prominent position on the hillside 42m north of the Fawfieldhead - Newtown road, approximately 1½ miles south-west of Longnor village. There is no existing access track to the barn; access is currently gained across the farmland via an existing roadside field gate on the lower ground 64m to the south-west.

This is a traditional barn having a low 1½-storey form and constructed of roughly coursed natural gritstone under a Staffordshire Blue natural plain clay tile roof. It is a simple, humble building with no first floor openings except for a 'picking hole' opening in the north elevation and a further 'picking hole' opening in the east gable. There are three mature trees close to the north-west side of the barn.

The barn sits on the higher ground above the road and occupies a prominent position in the landscape, particularly when approaching the site on the road from the south-west. From these viewpoints the barn presents a pleasing composition in the landscape and consequently, makes a significant contribution to the landscape character of the surrounding landscape

There is a network of public footpaths to the south and north-west of the barn, which converge in the vicinity of the site.

### **Proposals**

The application proposes the conversion of the barn to a local needs dwelling for the applicant's son. The applicant and his family operate from their tenanted farm at Hardings Booth Farm (owned by the Authority), which is situated 950m to the north.

The submitted scheme proposes the conversion of the barn to a two-bedroomed agricultural worker's dwelling. The accommodation is provided over two floors with part of the first floor extending into the roofspace in order to achieve appropriate headroom. The overall floor area is 55m<sup>2</sup>, which equates to the size of a 2-3 person local needs dwelling.

The scheme proposes no new openings in the walls; a small conservation rooflight is proposed in a screened position within the rear roofslope. A new vehicle access track is proposed. This follows the lower western boundary of the field and then turns sharply eastwards up the adjacent sloping field towards the barn, where views of the track from the road would be screened by the existing drystone field boundary wall.

A small curtilage is to be provided to the front of the barn, enclosed by a drystone wall. A further modest curtilage is to be provided to the rear of the barn, enclosed by existing and proposed new drystone walling, which is also intended to provide parking for the occupants' vehicle.

### **RECOMMENDATION:**

**That the revised application be REFUSED for the following reasons:**

- 1. The barn occupies a prominent and exposed hillside position and presently contributes positively to the character and setting of the wider landscape of this part of the National Park. The proposed residential conversion of the barn would spoil the character and setting of the barn by the introduction of a domestic use and associated developments in this sensitive location. The proposals would therefore be contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local**

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## **Plan policies LC4 and LC8, and national planning policies in the Framework.**

### **Key Issues**

1. Whether principle of the proposed development meets the terms of the Authority's Core Strategy and Local Plan policies in relation to the provision of affordable local needs dwellings.
2. The potential impact of the proposed dwelling conversion on the character and setting of the barn and the surrounding landscape.
3. Highway issues.

### **History**

November 2013 – Letter from the Authority to the applicant's agent advising that the change of use of the barn, which was still in agricultural use, to a dwelling was not permissible under the GPDO regulations that were in place at the time of the submission of the prior notification application.

September 2014 – Full planning application for the conversion of Bassetts building to an agricultural dwelling referred to the September Planning Committee with an officer recommendation of refusal on grounds of an insufficient agricultural justification and the adverse landscape impact of the residential conversion of the barn.

Following an initial motion for approval, the application was subsequently deferred at the planning committee meeting as some members felt that more information on the agricultural justification and local need portion was required. The application was subsequently withdrawn by the agent and the present application submitted for the conversion of the barn to a local needs dwelling.

### **Consultations**

Highway Authority – no objections subject to a condition requiring the access drive rear of the public highway to be hard-surfaced for a minimum distance 5.0m rear of the carriageway edge and to be permanently so maintained.

District Council – No reply to date.

Parish Council – supports this application as it is in keeping with present building and is a much needed accommodation for local needs person.

### **Main Policies**

Core Strategy policies GSP1, GSP3, GSP4, DS1, L1, L3, HC1, T1 & T7

Local Plan policies LC4, LH1, LH2, LT11 & LT18,

In this case, it is considered Policy LH1 of the Local Plan and Policy HC1 of the Core Strategy provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because policies HC1 and LH1 set out the relevant criteria for assessing proposals for the re-use of existing buildings to meet local need.

It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the National Planning Policy Framework with regard to the issues that are raised. This is because the Framework continues support the re-use of existing buildings specifically for affordable housing in small rural

communities that would not normally be made available for the provision of open market housing subject to normal planning considerations.

Notwithstanding this general support for principle of the provision of affordable local needs housing, the Framework also states that the conservation of heritage assets in a manner appropriate to their significance forms one of the 12 core planning principles within the Framework. Paragraph 132 of the Framework states that great weight should be given to the conservation of a designated heritage asset and that the more important the asset, the greater the weight should be. Paragraph 115 in the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

## **Assessment**

### **Introduction**

This present submission follows a recent full planning application for the conversion of Bassetts building to an agricultural dwelling. This previous application was referred to the September Planning Committee with an officer recommendation of refusal on grounds of an insufficient agricultural justification and the adverse landscape impact of the residential conversion of the barn.

Following an initial motion for approval, the application was subsequently deferred at the September Planning Committee meeting as some members felt that more information on the agricultural justification and local need option was required. The application was subsequently withdrawn by the agent and the present application submitted for the conversion of the barn to a local needs dwelling.

### **Issue 1 - Whether principle of the proposed development meets the terms of the Authority's Core Strategy and Local Plan policies in relation to the provision of affordable local needs dwellings.**

Core Strategy policy HC1 says that exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy LH1 of the Local Plan, which gives more detailed criteria to assess an application for a newly-built house, which is intended to be affordable and meet local need.

LH1 states exceptionally residential development will be permitted either as a newly built dwelling in or on the edge of Local Plan settlements or as the conversion of an existing building of traditional design and materials in the countryside provided that:

- i. there is a proven need for the dwelling;
- ii. the need cannot be met within the existing housing stock;
- iii. the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2);
- iv. the dwelling will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity; and
- v. the requirements of Policy LC4 are complied with.

### **Need and affordability**

The application proposes the conversion of a traditional building in the countryside to an affordable house. It is therefore considered that the proposal would be acceptable in principle and would warrant approval if the application meets the requirements of the five criteria set out in LH1 first taking account of whether there is a proof of need. The application proposes conversion to a single dwelling. Therefore, the need for the new dwelling should be judged with reference to the current circumstances of the applicant.

The accompanying supporting information states that the applicant's son, the intended occupant of the converted barn, works full-time for the family's farming business, working as much as 80 hours a week. He currently resides with his parents at Hardings Booth Farm. He is now involved in all aspects of the running of the farm, and as the tenancy at Hardings Booth Farm has the potential for one further succession, it is envisaged that he will succeed his father as the tenant and continue to farm in Longnor in the future. The appraisal states that the requirements of the business mean that he needs to live in close proximity to the main farmstead in order to fulfil his duties and undertake the significant burden of work that is created by the enterprise. The Johnsons' primary enterprise is dairy farming but they also keep a number of store cattle for beef.

The nature of the enterprise means that labour requirements are high due to milking twice daily, requiring that he lives very close to the main farmstead. The appraisal also states that it would be of benefit that he would be occupying Bassetts Building as this is within the owned block of land of a considerable size, which is used for stock grazing. His residence close to the Hardings Booth farmstead would also assist in times of emergency and a presence on the land holding may also help to deter theft, which is becoming an increasing issue.

The appraisal states that a comprehensive review has been undertaken and that the applicant has sought to identify alternative properties assessed against three characteristics (affordability, location and suitability). This review concluded that there was no suitable accommodation available and that on the basis of the functional requirement, the conversion of Bassetts Building is considered to be the most appropriate option. In discussions with the applicants, they have also stated that upon their retirement it would be their intention to retire into Bassetts Building and for their son to take up residency in the tenanted farmhouse at Hardings Booth.

At the time of the previous application for the conversion of the barn to an agricultural dwelling, officers considered that whilst it was evident that the applicant's son worked full-time on the tenanted farm holding, it was considered that there was not sufficient justification on agricultural grounds for a second agricultural worker's agricultural worker's dwelling on the Hardings Booth holding. Furthermore, because of the relatively small amount of land owned by the applicant, this would be insufficient to enable the occupation of the agricultural dwelling to be restricted to persons through the normal process of a Section 106 Agreement.

As the current proposal is now for the conversion of the barn to an affordable local needs dwelling, it is considered that the applicant's circumstances comply with the local qualification criteria stated in Local Plan policy LH2. This is particularly the case in respect of criterion (ii) and (v) of these criterion as the applicant has a minimum period of 10 years permanent residence in the parish; is forming a household for the first time and, it could be argued, has an essential functional need to live close to the Hardings Booth Farm complex, although this site is relatively remote from the farmstead.

It is considered that therefore that the applicant has demonstrated that he has a proven local need, and that this need cannot be met within the existing housing stock. Furthermore, his circumstances comply with the Authority's local qualification criteria, and the dwelling will be affordable by size and type to a local person on low or moderate incomes and would remain so, subject to the applicant completing a Section 106 Agreement relating to local occupancy/affordability.

In addition to the above considerations, criterion (v) of policy LH1 states that the proposal must also comply with the requirements of policy LC4. Policy LC 4 requires that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. These issues are addressed under the Issue 2 section of this report.

**Issue 2 - The impact of the proposed dwelling conversion on the character and setting of the barn and the surrounding landscape.**

Local Plan policy LC4(a) says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Local Plan policy LC4(b) goes on to say, amongst other things, particular attention will be paid to scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting.

Local Plan policy LC4 is now also supported by the more recently adopted policy GSP3 of the Core Strategy which says development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. GSP3 goes on to say, amongst other things, particular attention will be paid to:

- A. impact on the character and setting of buildings
- B. scale of development appropriate to the character and appearance of the National Park
- C. siting, landscaping and building materials
- D. design in accordance with the National Park Authority Design Guide

GSP1 states that all development in the National Park must be consistent with the conservation purpose of the National Park's statutory designation and where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.

GSP2 says that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon but proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area, and they should not undermine the achievement of other Core Policies.

L1 says that development must conserve and enhance the valued characteristics and landscape character of the National Park in accordance with the priorities for landscape conservation set out in the Authority's Landscape Strategy and Action Plan.

In terms of the Authority's Landscape Strategy and Action Plan, the application site is situated within the South West Peak, an area of upland and associated foothills. It is specifically located within the Upland Pastures which is characterised as an upland pastoral landscape with a traditional dispersed pattern of gritstone farmsteads of probable ancient origins. Permanent pasture is enclosed by drystone walls and some hedgerows. Trees are scattered along incised cloughs and around dispersed gritstone farmsteads. It is a very peaceful rural landscape with open views to surrounding higher ground. The overall strategy for this area is to protect historic field boundaries and historic settlement patterns whilst protecting or managing the diversity of the pastoral farmland.

Local Plan policy LC4 sets out further guidance on design, siting and landscaping whilst policy LC8 and L3 set out guidance relating to any new use of a traditional building with vernacular merit. L2 and LC17 promote and encourage biodiversity within the National Park and seek to safeguard nature conservation interests. LT11 and LT18 otherwise require development to be provided with appropriate access and parking provision that would not harm the environmental quality of the National Park. Further detailed advice on the conversion of buildings to other uses is provided in the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.

These policies and the Authority's adopted supplementary planning documents are otherwise considered to be consistent with the Framework because they promote and encourage development proposals that would be of a high standard of design and sensitive to the valued characteristics of the National Park.

In addition to the principle of the provision of the proposed affordable local needs dwelling conversion, a further important policy consideration concerns the physical impacts of the proposed introduction of the dwelling use on the character and setting of the barn and the surrounding landscape and consequently, the established landscape character of the National Park. Whilst the Authority's Core Strategy policies permit the principle of the conversion of barns in the open countryside for agricultural workers on an exceptional basis, the impact upon the landscape character of the area and the character and setting of the National Park is an important consideration. Core Strategy policy L1 A is of particular relevance to this aspect of the proposal. This states that development must conserve and enhance landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.

In terms of the Authority's Landscape Strategy and Action Plan, the application site is situated within the South West Peak, an area of upland and associated foothills. It is specifically located within the Upland Pastures which is characterised as an upland pastoral landscape with a traditional dispersed pattern of gritstone farmsteads of probable ancient origins. Permanent pasture is enclosed by drystone walls and some hedgerows. Trees are scattered along incised cloughs and around dispersed gritstone farmsteads. It is a very peaceful rural landscape with open views to surrounding higher ground. The overall strategy for this area is to protect historic field boundaries and historic settlement patterns whilst protecting or managing the diversity of the pastoral farmland.

The barn sits in a prominent and exposed position on the hillside above the road and occupies a prominent position in the landscape, particularly when approaching the site on the road from the south-west. From these viewpoints the barn presents a pleasing composition in the landscape and consequently, makes a significant contribution to the pastoral landscape character of the surrounding landscape.

Officers acknowledge that the physical building conversion scheme is sympathetic to the character and appearance of the existing barn and involves no new openings and a restricted curtilage contained by new sections of drystone walling. However, it is considered that the building is in such an exposed and prominent position that that the changes to the barn through the introduction of a residential use into the building, such as the glazing of openings and the activities generated around the barn would significantly and adversely impact upon the character and setting of the barn and the surrounding landscape.

This impact would be further exacerbated by the creation of an access track to the barn from the lower field levels below. Whilst the applicants have stated that they do not wish to create a formal track to the barn, officers consider that this would be impractical and would eventually lead to the submission of a subsequent application for a track in the future. Officers consider that it would be unreasonable and impractical to expect visitors and service/delivery vehicles to park at the bottom of the field. In either scenario, the impact of parked cars next to the barn or at the bottom of the field would further impact upon the landscape character of the locality.

Since the submission of the previous proposal for the agricultural worker's conversion, the route of the access track leading up to the barn has been amended. The previous route involved the creation of a track through the middle of the field, which would have been in a very prominent position, particularly when viewed from the adjacent road. The amended route now follows the lower western boundary of the field and then turns sharply eastwards up the adjacent sloping field towards the barn, where views of the track from the road would be screened by the existing drystone field boundary wall.

Officers acknowledge that the overall landscape impact of the revised access track would be less than the original proposal, particularly when appreciating the setting of the barn from the adjacent road. However, the amended route of the access track will remain visible from the nearby public footpath which runs 118m to the west of the barn and is around 40m away from the lower section of the proposed access track. Officers are also concerned that the entry point of the access drive into the rear yard is immediately flanked by two of the three mature trees that presently contribute to the barn's setting.

Moreover, officers still remain concerned that should the affordable local needs dwelling be accepted on the site, it still may be difficult to resist future proposals for agricultural buildings on the site, given that the land immediately surrounding the barn is in the applicant's ownership and the land and buildings at Hardings Booth Farm is tenanted. Establishing a farm centre at Bassetts Building would further exacerbate the harm to the established landscape character of the locality.

For these reasons it is considered that even though there is a strong case for the principle of the conversion of the barn to an affordable local needs dwelling, the proposal would still be open to strong landscape objections and would be contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local Plan policies LC4 and LC8, and national planning policies in the Framework

### **Issue 3 – Design issues**

In terms of the building conversion scheme itself, officers consider that this is generally a sympathetic scheme that requires no new openings in the walls and only one small conservation rooflight in the screened rear roofslope. New sections of drystone boundaries walls are also proposed which would be in keeping with the barn's setting.

However, whilst the scheme as submitted is sympathetic, the bedrooms are modest in size, with a significant proportion of the headroom below the normal building regulation standards for habitable rooms. Moreover, the internal floor area is 55m<sup>2</sup>, which is some way below the maximum floorspace for a five person local needs dwelling (87m<sup>2</sup>). It is considered, therefore, that should a dwelling use be accepted within this building, there is likely to be future requests to increase the size of the barn, which could adversely impact on existing its simple, humble character and appearance.

### **Issue 4 – Highway issues**

The Highway Authority has raised no objections subject to the vehicular access track being suitably hard-surfaced for a minimum distance 5.0m rear of the carriageway edge and to be permanently so maintained. Officers consider that should the proposed affordable local needs dwelling conversion be accepted, it would be necessary for a suitably surfaced track to be constructed up to the barn to provide access to a parking area to the rear of the barn. As previously stated, the provision of the track, even in its amended form, together with the prominent parking of vehicles adjacent to the barn would be open to strong landscape objections. It is therefore considered that the creation of the proposed access track would be contrary to Local Plan policy LT18 as it would adversely impact upon the valued characteristics of the area.

## **Conclusions**

Officers acknowledge that the proposed affordable local needs dwelling will be occupied by the applicant's son who works full-time on the farm at Hardings Booth. It is also acknowledged that the fact that as it is owned and is situated within the applicant's owned parcel of land mean that this would be the applicant's preferred option.

However, it is considered that whilst there is a strong case for the local needs dwelling, officers still maintain that the proposal would still be open to strong landscape objections and would be contrary to Core strategy policies GSP1, GSP3 and L1 and saved Local Plan policies LC4 and LC8. The Framework says that great weight should be afforded to the conservation and enhancement of the National Park, and the current proposals would conflict with landscape conservation objectives and detract from the scenic beauty of the National Park.

Accordingly, the current application is recommended for refusal because the proposals do not comply with the relevant policies in the Development Plan or national planning policies in the Framework.

## **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