

9. APPLICATION - CONVERSION OF BARN TO A LOCAL NEED DWELLING AT LEACH BARN, LEADMILL, HATHERSAGE (NP/DDD/0518/0415, AM)

APPLICANT: MR T SMITH

1. Site and Surroundings

- 1.1. The application site is located in open countryside approximately 850m to the south east of the centre of Hathersage. The site is located part way down a track off the B6001 adjacent to the Leadmill Bridge and the River Derwent.
- 1.2. The site comprises a barn constructed from natural gritstone under a stone slate roof. There is a single large central doorway and smaller blocked doorway in the eastern elevation and a single smaller door in the rear elevation. The building is a typical small Peak District combination barn formerly used to house livestock and to store threshed straw or hay. It sits in the corner of a large field used for grazing horses and although previously in common ownership with the field, the barn was sold separately in 2016.
- 1.3. The barn is currently disused, a previous planning permission for use of the building as a workshop was granted on a personal basis only to a former occupier but understood not to have been implemented and therefore the planning use of the building appears to be a 'nil' use or the former agricultural use.
- 1.4. Access to the site is via the track from the B6001 which is also the route of the public footpath which follows the route of the River Derwent towards Grindleford. The application site is located within Flood Zones 2 and 3.

2. Proposal

- 2.1. The conversion and extension of the barn to one affordable dwelling to meet local need.
- 2.2. The submitted plans show that the proposed dwelling would have one bedroom. Internally the floor level of the proposed bedroom and kitchen would be raised 1.36m above the existing floor level of the barn on either side of the large central doorway with each floor accessed by a separate staircase.
- 2.3. An extension to the north of the barn would be erected to provide a living / dining room accessed through a new opening created through the northern gable wall of the barn. The extension would have natural gritstone walls and a stone slate roof with the east elevation of the extension predominately with glazed walls and a glazed roof. A new window opening would be inserted on the west elevation of the extension and this existing wall would be re-built to form the extension.
- 2.4. Two banks of three roof lights would be inserted on the east elevation of the main roof a single roof light would be inserted on the rear elevation.
- 2.5. The existing large central doorway would be glazed with timber frames and the existing smaller doorway would be opened and provided with a new partially timber and partially glazed frame. The doorway on the rear elevation would also be provided with a new door frame.
- 2.6. The land to the east of the barn would be utilised as domestic curtilage with the land to the east of the barn set aside for two parking spaces.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

- 1. The application site is located within Flood Zone 3b which is the functional flood plain associated with the River Derwent. The creation of a dwelling within the functional flood plain is contrary to Core Strategy policy CC1, the National Planning Policy Framework and National Planning Policy Guidance.**
- 2. The proposed development would seriously harm the significance of the barn and its setting within the wider landscape contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.**

4. Key Issues

- Whether the proposed development is acceptable in principle in terms of flood risk.
- Impact of the proposed development upon the character and appearance of the existing barn and its setting within the landscape.
- Whether the proposed dwelling would meet established local need for affordable dwellings.

5. Relevant Planning History

- 5.1. 1984: NP/WED/0584/225: Planning permission granted conditionally and on a personal basis for change of use of barn to workshop.
- 5.2. 2013 – 2017: Various pre-application enquiries received in regard to potential development to convert the barn.
- 5.3. 2017: ENQ 30759: Pre-application advice in relation to the current proposals. The following advice was given:
- 5.4. *“I have outlined below the current policy position and my views as to how an application for conversion to a dwelling would be likely to be viewed. As you will see, regrettably there are a number of planning policy issues which mean that a change of use of the building to a dwelling would not be supported in principle.*
- 5.5. *The National Planning Policy Framework states, amongst other things, that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and that Authorities should avoid new isolated homes in the countryside apart from where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.*
- 5.6. *Whilst not of such character or other significance to represent a valued vernacular building, the barn is still a heritage asset by virtue of its age and traditional design. The conversion would result in an isolated dwelling in the countryside however, and the proposed use and conversion works would not result in an enhancement of the immediate setting of the building in this context. Therefore, the development is not considered to comply with the Framework in this regard.*
- 5.7. *As noted, the site is in the open countryside - clearly separated from the settlement of Hathersage, where the Authority's local planning policies are also more restrictive. The Authority's Development Plan policy DS1 - which sets out the general development strategy for the National Park supports the principle of conversion of traditional buildings for*

housing, community facilities, and business uses including visitor accommodation. In terms of housing conversion though, policy HC1 of the Development Plan further restricts conversion of buildings in the countryside to those cases where the conversion is required to conserve a valued vernacular building.

- 5.8. *In this case the building, whilst traditional, is of modest size and simple form and character, and would not be considered to be of valued vernacular. It would not therefore be suitable for conversion to a dwelling under the Authority's adopted planning policies and for this reason my view is that conversion to a dwelling would not comply with policy HC1.*
- 5.9. *In terms of detail, Policies L1, L3, LC4 and LC8 address matters of landscape impact, design, protection of heritage assets, and conversion of traditional buildings. The primary matters addressed by these policies are the need for any development to conserve the buildings character and appearance, and for it to have an acceptable relationship with the wider landscape. The proposed extension, by virtue of its massing and detailing would be overly dominant and would not reflect the character of the existing building, detracting from its appearance.*
- 5.10. *Additionally the site is within Flood Zones 2 and 3, as designated by the Environment Agency and as you have determined in the submitted FRA. As also noted in the FRA, the use you are proposing falls in to the 'more vulnerable' classification. More vulnerable development would only be permitted in Flood Zone 3 if other less vulnerable sites are ruled out (in this case the building is pre-existing, so obviously it could not be sited elsewhere) and where the development provides wider sustainability benefits to the community that outweigh flood risk; and where a site-specific flood risk assessment is undertaken and demonstrates that the development will be safe for its lifetime without increasing flood risk elsewhere.*
- 5.11. *Both elements of the test have to be passed for development to be permitted. I do not consider that conversion to a market dwelling would offer wider sustainability benefits to the community that would outweigh flood risk, and so an application would raise objections on these grounds."*

6. Consultations

- 6.1. Parish Council: Make the following comments.
- 6.2. This is known to be a very wet area of ground due to the proximity of the leat.
- 6.3. The building is a substantial store barn in an historic setting. The building appears to be structurally sound at this time and this proposal will ensure that the building is maintained and be of heritage interest. Therefore there are no objections if this proposal helps maintain the barn and the heritage of the area and if the dwelling is to be for local need.
- 6.4. District Council: No response to date.
- 6.5. Highway Authority: No objections subject to conditions.
- 6.6. Lead Local Flood Authority: Refers Authority to standing advice.
- 6.7. Environment Agency: Makes the following comments:
- 6.8. Derbyshire Dales latest Strategic Flood Risk Assessment (SFRA) from 2016, includes this area of the National Park and shows this site to be within the SFRA defined 3b flood zone. This definition is taken as a precautionary approach and for the River Derwent at this location has used the 1 in 50 event to define 3b flood zone.

- 6.9. Given that this application is situated within Peak District's planning boundary then we feel that the decision whether to use this information should be decided by the Planning Authority. If your authority decides that the site should be defined as 3b, then this development would not be acceptable within the floodplain as per the guidance within the PPG.
- 6.10. Natural England: Raise no objection in regard to statutorily protected sites and refers the Authority to standing advice in regard to protected species and natural environment.
- 6.11. PDNPA Conservation Officer: Objects to the development and makes the following comment.
- 6.12. *"The authority's previous stance has been that this building is not "valued vernacular", but is nevertheless a "non-designated heritage asset". I see no reason to depart from that previous conclusion, and see little merit in the potential argument that the building is listed as "curtilage" to Grade II Leach House, which might justify a more pro-active response to its retention. Historically, as now, it was detached from the farmhouse and attached buildings, and both barn and house had their own clearly-defined curtilages. Therefore the barn does not appear to meet the qualifying criteria in Historic England Advice Note 10 "Listed Buildings and Curtilage" (2018) that could make it rank as curtilage listed.*
- 6.13. *The requirement that re-use of redundant traditional buildings should conserve and enhance them is clearly not met in this application. Listed or not (and I conclude that the building is not listed, as reasoned above), the scheme would destroy such modest merit as the building has: The aesthetic appeal rests on its plain simplicity and bold, symmetrical form, with minimal openings. The proposed raising of the main floor level is very awkward and militates against good design; it increases the pressure for inserting roof lights, and the differing levels mean that the centre of the barn is virtually unusable. The main living space is therefore in an extension, which I consider unacceptable both in principle and detail.*
- 6.14. *It appears that former pigsties and runs attached to the northern end of the barn were replaced with a greenhouse, which was adjoined by a further greenhouse to the west. The freestanding wall running north of the barn appears to have been raised in height to provide an abutment for these vanished greenhouses; the junction between the original and raised sections can still be discerned in the photographs.*
- 6.15. *While the barn is a traditional building, this wall was not part of the traditional character, as the upper part related to the relatively modern greenhouses. The original northern extension would have been of much smaller scale, and the raised ground level required to form living accommodation there means that any replacement structure would be much too large and high to be acceptable. Moreover, the domestic "conservatory" form is incongruous with the character of the existing building; the fact that there was a formerly a greenhouse there does not alter that assessment.*
- 6.16. *In conclusion, therefore, I can see no merit whatever in favour of this proposal from an historic environment point of view. On the contrary, I believe these proposals would deface the building and turn it from a positive landscape feature to a negative one. I suggest that this application should be refused."*
- 6.17. PDNPA Archaeology: Objects to the development, describes the interest and makes the following comment.
- 6.18. *"Leach Barn is a non-designated heritage asset and is of local historic, archaeological and architectural interest. Leach Farm is identified in the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record and the Derbyshire Historic Environment Record, as a partially extant 19th century farmstead, L-shape in plan with an attached farmhouse and agricultural buildings forming one side of the yard, with detached elements*

to the main plan. Leach Barn forms one of these detached elements.

- 6.19. *It is a typical of a small Peak District combination barn, the typical kind of barn on Peak District Farmsteads, used to house livestock and used to store threshed straw or hay.*
- 6.20. *The proposed conversion will result in harm to the significance of this non-designated heritage asset. Changes to the historic fabric, including the insertion of a new opening in the north gable through to the proposed extension, in an area where the function of the barn meant there would not traditionally have been an opening; will affect the historic interest of the building and the impact of the three proposed roof lights of the historic roof structure. Such changes will result in permanent changes to the visible fabric and structure of the building, which will affect the legibility of its function and historical development, and the roof changes affect an area of the building's core significance.*
- 6.21. *Also of concern is that the proposed changes will result in harm to the traditional historic agricultural character of the building, again a core aspect of its significance. The proposed glazing, roof light and door treatments are too domestic in character for former agricultural building and the large glazed element to the proposed extension are untypical of a combination barn and out of character with the traditional form, materials and function of this building and is incongruous in a building of this type.*
- 6.22. *The conservation through finding a viable use of this non-designated heritage asset is a desirable outcome, but the new use must sustain its heritage values and significance. The proposed development would not conserve the buildings character, appearance or historic interest, and does not conform with national or local planning policy (NPPF Section 12, LDF L3, and Local Plan saved policies LC15, LC8). Consequently, from an archaeological perspective, I wouldn't support the positive determination of this application."*

7. Representations

- 7.1. No representations have been received to date.

8. Policies

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
- Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. 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 NPPF.

- 8.3. Para 115 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.'*
- 8.4. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to delivery affordable housing to meet the needs of local communities.
- 8.5. Paragraph 54 and 55 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.
- 8.6. Para 129 of the NPPF 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.7. Para 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Development Plan policies

- 8.8. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.9. Policies GSP3 and LC4 set out development management principles and state that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.10. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.11. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which a new house can be granted planning permission in the National Park.

- 8.12. Policy HC1. C I and II states 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.
- 8.13. Policy L2 states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
- 8.14. Policy LC17 provides more detailed criteria to assess development that may affect protected sites, species or habitats.
- 8.15. Policy L3 states that 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. 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.
- 8.16. Policy LC8 provides more detailed criteria to assess development proposing to convert existing buildings to new uses respectively. Policies LC15 and LC16 provide detailed criteria to assess development that affects archaeological and historic sites.
- 8.17. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency. CC1. B says that development must be directed away from flood risk areas, and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream.
- 8.18. Policies LT11 and LT18 require development to be provided with appropriate access and parking provision which conserves the environmental quality of the National Park.
- 8.19. Further detailed policy on appropriate design for new housing is provided in the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.
- 8.20. It is considered the Authority's adopted design guidance and the wider range of design and conservation policies in the Development Plan are consistent with national policies in the NPPF, which emphasise the great weight that should be attached to the conservation and enhancement of the National Park landscape, its wildlife and cultural heritage in any planning decision, and also promote high standards of design that would be sensitive to the valued characteristics of the National Park.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1, CC5 and HC1

Relevant Local Plan (LP) policies: LC4, LC8, LC15, LC16, LC17, LC22, LH1, LH2, LT11 and LT18

9. Assessment

Flood Risk

- 9.1. Policies CC1 and CC5 in accordance with the NPPF and national planning policy guidance seek to direct development away from areas of flood risk. The Strategic Flood Risk Assessment (2008 SFRA) which has been carried out and underpins the Authority's Core Strategy identifies the application site as being within Flood Zone 3b. Flood Zone 3b is the functional flood plain which is defined as land where water has to flow or be stored in times of flood.
- 9.2. This application proposes the conversion of the barn to create a dwelling house which for the purposes of national planning policy guidance is a 'more vulnerable' use in relation to flood risk. National planning policy guidance is clear that any use which is vulnerable to flooding is not appropriate within Flood Zone 3b and therefore the proposed development is not acceptable in principle on the grounds of flood risk.
- 9.3. The Environment Agency has drawn the Authority's attention to the more recent SFRA carried out for Derbyshire Dales in 2016. This SFRA also identifies the application site as being within Flood Zone 3b.
- 9.4. The application is supported by a Flood Risk Assessment (FRA) which acknowledges that the site is identified as being within Flood Zone 3b by the 2008 SFRA. However the FRA goes on to refer to data from the Environment Agency based on a survey from 2005 which indicates that the building is sited adjacent to but outside of Flood Zone 3b.
- 9.5. The Environment Agency has given clear advice that the proposed development is not acceptable in principle if it is within Flood Zone 3b. Given that the data used in the submitted FRA pre-dates the 2008 SFRA and the more recent data from Derbyshire Dales it is considered clear that taking a pre-cautionary approach that the site should be considered to be within Flood Zone 3b and therefore that the development is not acceptable in principle.
- 9.6. Officers have queried the appropriateness use of the earlier survey data within the application with the Environment Agency. No further response has been received to date, Officers will update the meeting if there is any change in position on this point.
- 9.7. Notwithstanding the substantial issue of the creation of a dwelling house within the Flood Zone 3b – the functional flood plain it is necessary to address other planning issues raised.

Justification for proposed dwelling house

- 9.8. The relevant housing policy is Core Strategy policy HC1. This policy continues the Authority's long standing policy position that housing will not be permitted solely to meet open market demand. This approach is consistent with the National Park Circular and the NPPF.
- 9.9. Policy HC1 therefore sets out the exceptional circumstances in which new housing will be permitted within the National Park. The approach of allowing affordable housing and workers housing where there is an established need, and, of allowing market housing where it is required to achieve significant conservation and enhancement in accordance with policies GSP1 and GSP2 is considered to be a sustainable approach for providing housing within the National Park without undermining the landscape and valued characteristics.

- 9.10. This application is for an affordable house to meet established local need. The application has provided some information in regard to the applicant's circumstances. From the information provided it is clear that the applicant would not meet any of the Authority's definition of a person with local qualification set out by saved Policy LH2 or emerging Development Management policies.
- 9.11. The Authority is aware of a significant need within the parish of Hathersage for affordable housing and Officers note that the Parish Council are supporting of the application provided that it would provide affordable housing. The agent has indicated that if the applicant would not be considered to have a local qualification then the dwelling would be required to meet the wider need within the parish.
- 9.12. There is an up-to-date Parish Need Survey for Hathersage which clearly establishes that there is an un-met need for affordable housing within the parish. The identified need is for two bedroom four person houses and bungalows and three bedroom houses. The survey states that there are sufficient existing one and two bedroom affordable flats within the parish to meet need.
- 9.13. Therefore while there is a clear established need for affordable housing within the parish the current need survey indicates that there is no requirement for additional one bedroom properties which this development would deliver. It is therefore considered that there is no clear case for the provision of an affordable house.
- 9.14. Policy HC1 does make provision for the creation of market housing if it is demonstrated to be required to achieve conservation or enhancement of a valued vernacular or listed building. It is clear from the submitted application and from consultation responses received from the Authority's Conservation Officer and Archaeologist that the application building should be considered to be a non-designated heritage asset.
- 9.15. Therefore irrespective of whether the proposed dwelling was to be affordable to meet local need or a market dwelling a key issue would be whether the development is required to achieve conservation or enhancement of the building.

Impact of development

- 9.16. Leach Barn is a non-designated heritage asset and is of local historic, archaeological and architectural interest. Leach Farm is identified in the Peak District National Park Authority's Historic Buildings, Sites and Monuments Record and the Derbyshire Historic Environment Record, as a partially extant 19th century farmstead, L-shape in plan with an attached farmhouse and agricultural buildings forming one side of the yard, with detached elements to the main plan. Leach Barn forms one of these detached elements.
- 9.17. The building is typical of a small Peak District combination barn, the typical kind of barn on Peak District Farmsteads, used to house livestock and used to store threshed straw or hay. Leach Barn has a typical arrangement with a large opening marking to position of the threshing bay in its east elevation, with a typical cambered arch opening, and a smaller winnowing door in the west elevation to provide a through draft for threshing.
- 9.18. The core significance of the building as a non-designated heritage asset is considered to be its traditional agricultural character and its relationship to the wider landscape which demonstrates its agricultural origins and function, the use of traditional materials, surviving historic fabric, in particular the roof structure which appears to be original and the location, form and size of historic openings.

- 9.19. Significant concerns have been raised by the Authority's Conservation Officer and Senior Archaeologist about the impact of the proposed development upon the significance of the barn.
- 9.20. Internally the proposed raising of the main floor to mitigate for potential flood events creates differing levels internally which would contrast with the plain, simple and bold symmetrical form of the building reflecting its former function. Raising the floor level also necessitates roof lights which would significantly disrupt the existing stone roof which is a key aspect of the significance of the barn and add domestic elements unrelated to the character of the existing building.
- 9.21. The application also proposes an extension to the northern gable which would further disrupt the simple symmetrical form of the building and introduce a very domestic glazed conservatory form which would be seriously incongruous with the character of the existing building. The proposed extension would also necessitate the removal of substantial historic fabric to create an opening into the extension in a position where historically there would not have been an extension and also the removal and re-building of the existing wall which projects from the northern gable.
- 9.22. The proposed glazing to the large central opening and glazing to the smaller doors would also add further domestic elements. Parking of domestic vehicles and the use of the area of land adjacent to the building as domestic garden with all the activity that entails would further domesticate the setting of the building to its detriment.
- 9.23. The combined impact of the proposed alterations and extension to facilitate the change of use of the building to a dwelling would seriously compromise the core characteristics of the building which form its significance and for which the building is valued.
- 9.24. The conservation through finding a viable use of this non-designated heritage asset is a desirable outcome, but any new use must sustain its heritage values and significance. The proposed development would not conserve the buildings character, appearance or historic interest, and does therefore is contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.

Other considerations

- 9.25. Given the distance of the barn to the nearest neighbouring property Leach House and the orientation of proposed openings and location of the curtilage there are no concerns that the development would harm the amenity, privacy or security of any neighbouring property.
- 9.26. Access to the property is good with ample visibility onto the highway. There is also room within the site for adequate parking and turning space onto the track to avoid conflict with users of the footpath. Therefore Officers agree with the Highway Authority that subject to conditions that the development would not harm Highway Safety.
- 9.27. A protected species survey has been carried out and submitted with the application. The survey report concludes that no evidence of bats, birds or any other protected species were identified on site. Therefore subject to the implementation of reasonable avoidance measures and suitable enhancements Officers conclude that the development would not harm the favourable conservation status of any protected species or habitat.

10. Conclusion

- 10.1. The application site is located within Flood Zone 3b which is the functional flood plain associated with the River Derwent. The creation of a dwelling in the functional flood plain is contrary to Core Strategy policy CC1, the National Planning Policy Framework and National Planning Policy Guidance.
- 10.2. The proposed development would seriously harm the significance of the barn and its setting within the wider landscape contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, L3 and HC1, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.

11. Human Rights

- 11.1. All human rights issues have been identified in the preparation of this report.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Adam Maxwell, North Area Senior Planner