

11. FULL APPLICATION – CONVERSION OF BARN TO ONE OPEN MARKET DWELLINGHOUSE AND ONE AFFORDABLE DWELLINGHOUSE – ROCHE GRANGE FARM, MEERBROOK (NP/SM/0519/0473, MN)

APPLICANT: MR AND MRS HULME

Summary

1. The proposed development seeks to convert a traditional stone barn in to two dwellinghouses – one open market, and one affordable dwelling to meet a local need.
2. Whilst the development would – when taken as a whole – conserve the building, its setting, and the landscape, it would result in unacceptable amenity impacts for the occupiers due to the position of the buildings relative to the working farm.
3. Accordingly, the application is recommended for refusal.

Site and surroundings

4. Roche Grange Farm is located approximately two miles north of Meerbrook, positioned to the north west of Cote Lane. It is located below the western slopes of the rock outcrop known as The Roaches. It is still a working farm, extending to approximately 35 acres.
5. The site comprises the main farmhouse and a range of both modern and traditional farm buildings.
6. The application building is a stone barn located within the centre of the farmyard. The building is two storey, with a pitched roof built of gritstone. A further stone building is attached to the northern gable. Attached to the rear of the building is a more modern mono-pitched lean-to, constructed of blockwork under a corrugated sheet roof and running the entirety of the length of the main building.
7. A concrete hardstanding is located in front of the building, and the driveway serving the farm and farmhouse passes the frontage.
8. There are modern agricultural buildings to the north, south, and north west of the barn.
9. There are neighbouring properties to the south east of the site, on the opposite side of Cote Lane.
10. The site is outside of any designated conservation area.

Proposal

11. The proposed development seeks to convert a stone barn in to two dwellinghouses. Originally proposed as two open market properties, the proposal has since been adjusted so that one would be an open market property, and the other would be an affordable dwelling to meet a local need.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **Due to the proximity of the proposed dwellinghouses to the activity of the working farm the development would result in unacceptable harm to the amenity of the occupiers as a result of noise and odour. Further, conflict with the movement of farm vehicles would risk the safety of the occupiers. The development is therefore contrary to policy DMC3.**
2. **The application fails to demonstrate that the development would make the most efficient and sustainable use of land and resources, take account of the energy hierarchy, and achieve the highest standards of carbon reduction and water efficiency. This is contrary to Core Strategy Policy CC1.**

Key Issues

- Whether the barn is suitable for conversion to one or more dwellinghouses under the Authority's housing policies in principle
- The impact of the development on the heritage significance, character and appearance of the building
- The amenity impacts of the development
- The landscape impacts of the development

History

1998 – Planning permission granted for the conversion of the barn to holiday accommodation.

2004 – Planning permission granted for livestock / tractor shed

2011 – Planning permission granted for replacement implement shed

2014 – Planning permission granted for two storey rear extension to farmhouse

2015 – Planning permission granted for two storey rear extension to farmhouse

Consultations

Highway Authority – No response at time of writing.

Parish Council – Full support.

District Council – No response at time of writing.

PDNPA – Ecology – No response at time of writing.

Representations

None received at time of writing.

Main policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, HC1, CC1.

Relevant Development Management Plan policies: DMC3, DMC5, DMC10, DMT8.

National planning policy framework

12. 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. It was updated and republished in July 2018. 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.

13. Paragraph 172 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.'
14. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
15. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
16. Paragraph 197 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 directly or indirectly affect 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.
17. Paragraph 198 continues that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
18. Paragraph 199 advises that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible⁶⁴. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Development plan

19. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.

20. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide housing.
21. Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park in more detail; 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.
22. It goes on to state that any scheme proposed under CI or CII that is able to accommodate more than one dwelling unit, must also address identified eligible local need and be affordable with occupation restricted to local people in perpetuity, unless:
23. III. it is not financially viable, although the intention will still be to maximise the proportion of affordable homes within viability constraints; or
24. IV. it would provide more affordable homes than are needed in the parish and the adjacent parishes, now and in the near future: in which case (also subject to viability considerations), a financial contribution¹⁰² will be required towards affordable housing needed elsewhere in the National Park.
25. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
26. Core Strategy policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
27. Policy DMH1 addresses new affordable housing, stating that A. Affordable housing will be permitted and outside of Core Strategy policy DS1 settlements (which this site is) by conversion of existing buildings provided that there is a proven need for the dwellings and that any new build housing is within specified size thresholds, the upper limit of which is 97m².
28. Policy DMH2 considers the first occupation of any new affordable housing, requiring that in all cases, new affordable housing must be first occupied by persons satisfying at least one of the following criteria:
 - (i) a person (and his or her dependents) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
 - (ii) a person (and his or her dependents) not now resident in the Parish but having lived for at least 10 years out of the last 20 years in the Parish or an adjoining Parish inside the National Park, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
 - (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.

29. Policy DMH3 leads on from this, addressing second and subsequent occupation of affordable housing (called 'the occupancy cascade'). This states that each and every time a previously occupied affordable home becomes vacant, owners and managers of affordable housing must, as stated in the Section 106 Agreement that it is necessary to enter in to when obtaining planning permission for affordable housing, follow the cascade mechanism until an eligible occupant is found.
30. For privately owned and managed affordable housing including self-build units, the cascade mechanism requires that owners and managers must:
- (i) sell or rent an affordable home to a person (and his or her dependents) with a minimum period of 10 years permanent residence over the last twenty years in the Parish or an adjoining Parish; or
 - (ii) a person who has an essential need to live close to another person who has a minimum of 10 years' residence in the Parish, the essential need arising from infirmity.
 - (iii) after a minimum period of 3 months, widen the search to include (in order of preference) those in the Parish or an adjoining Parish with residency of the previous 5 consecutive years, and those who meet the local occupancy criteria (10 years) in the next adjoining Parishes.
 - (iv) after a further month (minimum 4 months total) widen the search to include those who meet the local occupancy criteria (10 years) in the whole of the National Park.
 - (v) after a further 2 months (minimum 6 months total) widen the search to include those who meet the local occupancy criteria (10 years) in parts of a split rural Parish lying outside the National Park or rural Parishes entirely outside the Park but sharing its boundary.
31. DMH3 also states that the property should be advertised widely at the price advised by the District Valuer and prepared at the time marketing is required, or any other body appointed by the Authority for such purposes or, in the case of a rented property, at the target rent at the time. The Parish Council, Housing Authority and Housing Associations working in the area should be advised of the vacancy as soon as houses become vacant.
32. Finally, it notes that where a Parish is split by the National Park boundary, only those people living within the National Park part of the Parish should be eligible initially.
33. Policy DMH11 addresses legal agreements in relation to planning decisions, as provided for by Section 106 of the Town and Country Planning Act 1990. As a result, these are known as Section 106 Agreements. The policy states that in all cases involving the provision of affordable housing, the applicant will be required to enter into a Section 106 Agreement, that will:
- (i) restrict the occupancy of all affordable properties in perpetuity in line with policies DMH1, DMH2 and DMH3; and
 - (ii) prevent any subsequent development of the site and/or all affordable property(ies) where that would undermine the Authority's ability to restrict the occupancy of properties in perpetuity and for the properties to remain affordable in perpetuity.

34. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets. It explains development resulting in harm to a non-designated heritage asset will only be supported where the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.
35. Development Management Policy DMC8 addresses Conservation Areas, requiring development in them, or affecting their setting or important views into, out of, across or through them, to assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
36. It notes that applications should be determined in accordance with policy DMC5 and the following matters should be taken into account:
- (i) form and layout of the area including views and vistas into and out of it and the shape and character of spaces contributing to the character of the historic environment including important open spaces as identified on the Policies Map;
 - (ii) street patterns, historical or traditional street furniture, traditional surfaces, uses, natural or manmade features, trees and landscapes;
 - (iii) (iii) scale, height, form and massing of the development and existing buildings to which it relates;
 - (iv) (iv) locally distinctive design details including traditional frontage patterns and vertical or horizontal emphasis;
 - (v) (v) the nature and quality of materials.
 - (vi) It also states that development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect of their proposals on the character, appearance and significance of the component parts of the Conservation Area and its setting.
37. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.
38. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

Principle

39. Policy DS1 permits conversion of buildings to housing in principle, but policies HC1 and DMC10 restrict the type of buildings that can be converted and HC1 also restricts the type of housing that they can be converted to.

40. Policy DMC10 makes clear that when considering proposals for the conversion of buildings to open market housing under the provisions of HC1, the building must be either a designated or non-designated heritage asset in order to be considered appropriate for conversion.
41. The barn proposed for conversion in this case is historic, dating from around 1800 according to the submitted heritage assessment. The assessment considers the significance of the building, concluding that it has historic, architectural, and evidential interest. Officers agree with this assessment. If it were not for the modern intervention of the rear lean-to then the building would retain a strong and largely unaltered traditional character and many original features, and contributes the understanding of the historic farmstead as a whole. The proposal as revised does proposes removing this modern rear extension – revealing the original rear wall. On that basis it is concluded that if the development was approved and carried out sufficient significance would be restored to the building for it to represent a non-designated heritage asset, and as such is suitable for conversion to housing under the terms of DMC10.
42. Policy HC1 and DMC10 both also require such conversion to be necessary for the long-term conservation or enhancement of the building. It is accepted that the current low-level agricultural/storage use will not achieve this, and the conversion is therefore considered necessary to do so.
43. As originally submitted the application was proposing to convert the building into two open market dwellings. Policy HC1 requires that in the case of conversion of a building capable of accommodating more than one property, the development needs to address identified eligible local need – unless this is proven to be unrequired in the locality or to be otherwise unviable. The application did not make the case that either of these circumstances applied, and so conversion to two market dwellings failed to comply with policy HC1.
44. Subsequently, the applicant's agent has advised that they are prepared to agree to one of the houses being provided as an affordable local needs dwelling, and the application has been amended to reflect this.
45. In terms of the need for affordable housing in the area, the most recent housing needs surveys for Leekfrith parish and the adjoining Quarnford parish show a total need for 10 affordable houses, with two of these being for a two bedroomed house, as is proposed. Whilst these surveys are now 5 years old, in the absence of other evidence officers are satisfied that there is a housing need and so the development complies with policy DMH1. We also conclude that the development of one two-bed affordable property at this address would not provide more affordable homes than are needed in the parish and the adjacent parishes, now or in the near future, as policy HC1 seeks to avoid.
46. On this basis, conversion of the building to one open market dwelling and one affordable local needs dwelling would comply with policies DS1, HC1, DMC10, and DMH1.
47. This would be subject to a legal agreement securing the property as an affordable dwelling as detailed by policy DMH11. Without this, the property could not be considered to be affordable housing in the terms set out in the Authority's planning policies. The applicant's agent has advised that they are prepared to enter in to such an agreement.
48. As the barn is only suitable for conversion to housing under policies HC1 and DMC10 due to its heritage interest; if permission was granted it would be necessary to remove permitted development for extensions, alterations, and outbuildings because each of these have the potential to significantly harm or alter the significance of the building, undermining the reason for permitting its conversion in the first place.

Impacts of the development on the character, appearance and significance of the building

Design - Impacts of external alterations

49. As originally submitted the application proposed retaining the rear lean-to and making a number of changes to existing openings. We were of the view that the lean-to detracted from the heritage interest of the building, as well as its traditional character and appearance.
50. The scheme has since been revised and the lean-to is now proposed to be demolished. This would mark a large improvement to the legibility of the historic building and to its traditional character.
51. Openings would remain largely unaltered. The main interventions in this regard are the glazing of the front cart opening and the rooflights.
52. The glazing of the cart opening has been kept simple and minimal, allowing the opening to continue to be easily interpreted.
53. The rooflights have been kept low in number and small in size. Whilst it would be preferable for none to be included, this is a better alternative to introducing new openings in the walls and overall it would have a less than significant impact on the buildings character – subject to the rooflights being of a conservation type and being fitted flush with the roofslope.
54. It is unclear from the submitted plans if the existing windows are to be retained and repaired or replaced but, based on the small-scale plans available, they appear to be like-for-like if they are to be replaced. It would be necessary to secure this by condition if permission was granted in order to conserve the buildings character.
55. The subdivision in to two dwellings has required no new external openings in the building, allowing it to continue to read as a single building and helping to conserve its agricultural character.
56. No details of rainwater goods, any necessary ventilation for boilers, bathroom and kitchen extracts, or soil stacks has been detailed and would therefore need to be reserved by condition if permission was to be granted.

Design - Impacts of internal works

57. Whilst the building is not listed, the internal layout and features are part of the buildings heritage significance and as a result we do have to consider the impact of development upon them under the provisions of both local and national planning policy.
58. Whilst the submitted heritage statement includes no details of internal features, it was clear from visiting the site that internally few historic features remain – the building has concrete floors and stall partitions. The first floor appears to be of some age however and it does remain an open space. As proposed, existing internal historic planform would be lost, due to the level of subdivision proposed. This would result in some harm to the character and legibility of the building historic use.
59. Residential use is always likely to require some internal subdivision of space that would alter the character of buildings such as this. However, the decision to subdivide the building in to two units increases the need for this in this instance. As a single dwellinghouse subdivision of the space could be reduced.

60. Given that a less harmful alternative could be achieved, this weighs against the proposal in the planning balance.

Summary of design considerations

61. The significance of the barn lies in its characteristic agricultural appearance and the contribution that it makes to understanding the historic land management in this area.
62. Overall, the development seeks to work with the buildings existing shell and openings as adopted design guidance advocates, helping to ensure that, externally, this character and significance are respected.
63. Internally there would be some loss of significance through the changes to the floor plan.
64. However, the removal of the modern rear lean-to would mark a significant enhancement to the buildings heritage significance and character.
65. As a result, it is concluded that when taken as a whole the heritage asset would be enhanced by the proposed alterations, according with policies L3, DMC3, DMC5, and DMC10, and the provisions of the NPPF in relation to non-designated heritage assets.

Impacts on setting, and the landscape

66. It is proposed to introduce curtilages to the rear of the barn, generally kept open but with a short section of wall projecting from the rear wall of the buildings, defining the boundary of each in this location.
67. Whilst the remaining garden space is shown to remain open it is likely that occupiers may seek to treat 'their side' of the curtilage differently. This change to the buildings setting would harm its appearance as a single barn, reducing the legibility of its former plan and function. This side of the barn is not open to wide public view though, and would be seen only in some short-distance views from a footpath to the north.
68. Some weight is given to the fact that the curtilage would be positioned away from the building's principle elevation, and that the setting of the barn is already adversely affected by the large portal framed agricultural building to the rear, and by the range of modern farm buildings to the north.
69. We did query whether it would be possible for the farmhouse's existing garden – located in front of the barn to the southeast – to either be shared or split with the proposed dwellings, but the applicant's agent advises that their client is not prepared to do so.
70. As currently proposed, the proposed curtilages would therefore result in less than substantial harm to the buildings setting. Given the limited scope of these impacts – as discussed above – this harm would be outweighed by the benefits of bringing the building back in to a viable use.
71. Further, the applicant has offered to remove some of the modern buildings from around the barn for amenity reasons (discussed further in the amenity section of the report below). This would make a significant improvement to the setting of the barn – whilst they are agricultural in type they are of modern appearance and their large size makes them very imposing on the barns setting.

72. If the buildings offered to be removed were indeed removed then this would outweigh the harm to the buildings setting resulting from the creation of an area of lawned garden, and the development would accord with L1, L3, DMC3, and DMC5 in this regard.

Amenity impacts

73. We have significant concerns regarding the impacts of converting the barn to independent dwellinghouses given its relationship to a working farm.
74. There are agricultural buildings associated with the farm located to the immediate north, south, and north west of the barn, and the only farm access runs past the front of the building to the farm buildings and land to the east and north.
75. If the buildings were taken in to use as dwellinghouses that were not associated with the farm then the occupiers would, effectively, be living in a farmyard. It would be likely that they would suffer an unacceptable level of noise and odour impacts from the farm operation. Their safety would also be a concern, with the movement of large farm vehicles around the dwellings posing a risk to those entering and exiting them.
76. The occupiers would have no control over these impacts, and they could not be reasonably controlled by conditions or agreement as part of this planning application.
77. Whilst the applicant's agent has advised that their client is seeking to wind down the farm, it remains a 35-acre holding. In any case, the Authority would have no control over future expansion or intensification of the farm use were the owners to change their plans or to decide to sell the farm on.
78. They have advised that they would be prepared to remove and relocate the portal framed building to the rear of the barn, and some of the buildings running perpendicular to the barn to the north. Whilst this would move some farm storage away from the buildings, it would not overcome the concerns regarding general farm activity in close proximity to the dwelling.
79. We explored whether it would be possible for the farm access to be re-located and for the existing farm access to be altered to serve only the new dwellings, with the access being blocked beyond this to prevent through-traffic. This would at least remove the movement of farm vehicles from immediately around the dwellings and would make the assessment more finely balanced. The applicant has advised that they do not wish to agree to this.
80. Given all of the above, we conclude that the development would result in unacceptable living conditions for the occupiers, contrary to policy DMC3.
81. The amenity of the neighbours to the opposite side of Cote Lane would be conserved given the proposed use and due to the intervening distance between them and the application site.

Ecological impacts

82. The application has been accompanied by a bat report, which concludes that the building includes one day roost (maternity) of brown long-eared bat, three day roosts (non-maternity) of common pipistrelle, and one day roost (non-maternity) of whiskered bat.
83. The report recommends mitigation measures for the loss of habitat – including the provision of a bat loft in the adjacent building, bat access tiles, and ridge tiles.

84. Subject to securing the recommended bat and bird mitigation and enhancement measures the proposal would conserve the ecological interests of the site as required by policy LC2.

Highway impacts

85. The proposal includes utilising the existing access for the new dwellings. This is an existing access on to a minor road. Visibility distances are relatively short in each direction, but given that the winding nature and narrow width of the road approach speeds are anticipated to be slow. The minor nature of the road further reduces risk of incident.
86. Given the above, that the access is pre-existing and already serves a dwelling and working farm we do not consider that the development would have any significant impact on highway safety in the locality.
87. The proposal includes adequate parking space adjacent to the building for use by residents.
88. The highway authority have made no comments on the application.
89. Overall, there are no objections to the proposal on highway grounds and it complies with policy DMT8.

Service provision

90. Details of power and water supply to the site have not been submitted with the application. It would be important for these to be routed underground to ensure that they did not further impact on the character of the site and setting of the building. In the case of approval a condition would be required to secure this.
91. An environmental management statement has not been submitted, and the application makes no mention of energy efficiency measures that have been considered, or whether the applicant has looked at the potential to introduce renewable energy measures.
92. If the application had been concluded to be acceptable in other regards then further discussion on this point would have been undertaken, or additional measures could have been secured by condition.
93. As things stand however, the development is concluded to be contrary to policy CC1.

Conclusion

94. Conversion of the barn to one open market dwelling and one affordable dwelling to meet a local need would comply with planning policy in principle.
95. We conclude that when taken as a whole the development would conserve the heritage significance of the barn.
96. It would also conserve the character and appearance of the site and landscape more generally.
97. However, the creation of two independent dwellinghouses in such close proximity to the farm would result in unacceptable harm to the amenity of the occupiers because of noise and odour. Further, conflict with the movement of farm vehicles would risk the safety of the occupiers, contrary to policy DMC3.

98. We therefore recommend that the application be refused.

Human Rights

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

List of Background Papers (not previously published)

100. Nil

Report Author: Mark Nuttall, Senior Planner (South)