

10. FULL APPLICATION - ALTERATION AND CHANGE OF USE OF REDUNDANT STONE BARN, TO A THREE BED DWELLING AT NEW ELM TREE FARM, CHURCH LANE, PEAK FOREST (NP/HPK/0914/0934), P9188, 411594 / 379653/SC)

APPLICANT: MR & MRS A AND J HOLLINGRAKE

The application is brought to the Committee, since views of the Parish Council are contrary to the Officer recommendation.

Site and Surroundings

Old Dam is a small hamlet approximately 400m north of the centre of the settlement of Peak Forest. The community consists of a collection of properties centred around a small green at the junction of Church Lane and Old Dam Lane. New Elm Tree farmhouse and its associated farm buildings are located on the western fringe of Old Dam and together with a separate dwelling (Elm Cottage), are served by a narrow access track off Church Lane.

The barn, subject of this application, is a traditional building and part of a group of more modern structures arranged around a courtyard. The barn had been used in the past as a shippon, for milking and for storage of hay/fodder. This use has long ceased, with the former function now being accommodated within a larger purpose-built modern livestock building on the site. Whilst the farmhouse, modern structures and farmyard lie outside the Conservation Area, the barn and access track to the farm lie within it.

Proposal

Full planning permission is sought, to convert the barn to a three bed roomed, open market dwelling. The submitted plans show an internal ground floor arrangement consisting of a lounge, kitchen/dining area and a circulation area/study space. A central staircase leads to a mezzanine walkway, which in turn gives access to three bedrooms and a bathroom/toilet.

A small shallow pitched roof outbuilding attached to the north east corner of the barn would be removed. No new openings are proposed in the walls, but six new roof lights are proposed, three on the south (farmyard facing) elevation of the roof slope and three to the north elevation in place of three 'glass slates'. A proposed garden/curtilage area, which would incorporate car parking and bin storage, would be sited adjacent to the north and east elevations of the barn.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. Contrary to Policy HC1C (I); the impetus of an open market housing is not required to achieve conservation and/or enhancement of a valued vernacular or listed building.**
- 2. Inadequate amenity for future occupiers of any conversion as a result of the close proximity to a working farmyard and access.**

Key Issues

- Whether the building is of valued vernacular merit and therefore of sufficient architectural or historic merit to justify an exceptional approval to an open market dwelling.
- Whether the conversion to an open market dwelling is required for the building's conservation or could this be achieved by a conversion to another use within policy.

- Does the scheme conserve or enhance the building's character and appearance or its setting.
- Does the scheme conserve or enhance the Conservation Area.
- Whether conversion to a dwelling have a detrimental effect on the amenity of future occupiers with regard to the close proximity to the working farmyard/access.

History

No planning history on file.

Consultations

Parish Council – Recommend approval.

Highway Authority – No objections, subject to conditions relating to space being provided within the site curtilage for site accommodation, storage of plant etc, with both on-site parking and bin storage being provided prior to occupation.

Representations

No third party representations.

Main Policies

Relevant Core Strategy policies: GSP1, 2, 3, DS1, HC1, L3

Relevant Local Plan policies: LC4, LC5, LC8, LT11

National Planning Policy Framework

It is considered that in this case, there is no significant conflict between prevailing policies in the Development Plan and Government guidance in the NPPF.

Development Plan Policies

Core Strategy (CS)

GSP1, GSP2 and GSP3 jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

DS1 sets out at paragraph C that conversion or change of use to housing and a number of other uses, is acceptable in principle, preferably by re-use of traditional buildings.

HC1 states that provision will not be made for housing to solely meet open market demand. However exceptionally, new housing from the reuse of existing buildings can be accepted where there is a local need or where in accordance with policies GSP1 and GSP2, is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings, or is required in order to achieve conservation or enhancement in settlements listed in policy DS1.

L3 is particularly relevant, as it deals with cultural heritage assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. 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 or its setting.

Local Plan

LC4 seeks to ensure that where development is permitted its detailed treatment is to a high standard that respects, conserves and, where possible, enhances the landscape, built environment and other valued characteristics of the area.

LC5 states that applications for development in a Conservation Area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

LC8 states that conversion of a building of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that: it can accommodate the new use without changes that would adversely affect its character (such changes include significant enlargement or other alteration to form and mass, inappropriate new window spacings or doorways, and major rebuilding); and the new use does not lead to changes to the building's curtilage or require new access or services that would adversely affect its character or have an adverse impact on its surroundings.

LT11 states that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.

Supplementary Planning Guidance has been adopted on Design and on Climate Change and Sustainable Building.

Officer assessment

Principle of conversion to an open market dwelling

DS1 provides the development strategy. It allows conversion or change of use for a number of uses including housing, preferably by re-use of traditional buildings, subject to other policies within the Plan.

Policy HC1 provides the detailed housing policy. This explains that provision will not be made for housing solely to meet open market demand. Exceptionally, new local needs housing or key agricultural or forestry workers dwellings may be permitted.

The most relevant provision to the current proposal is part C, which in accordance with GSP1 and GSP2, HC1C (I) states that development is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

Paragraph 12.18 of the Core Strategy (CS) sets out the key aspects of policy HC1, as follows:

“Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement (for example of a valued building) or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market values, but wherever possible and financially viable, such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park. It is accepted that for small schemes capable of providing only one dwelling (whether new-build or changing the use of a building such as a barn) this is unlikely to be viable. However, unless open-market values are demonstrably required for conservation and enhancement purposes, all other

schemes of this type that provide new housing should be controlled by agreements to keep them affordable and available for eligible local needs in perpetuity”.

Prior to the adoption of the Core Strategy policies, dwelling conversions in the open countryside outside the confines of Local Plan Settlements, were restricted to local needs dwellings, holiday accommodation or agricultural worker’s dwellings. The adopted Core Strategy policy HC1C now permits the conversion of a traditional building to a single open-market dwelling, provided that it is required to achieve conservation and/or enhancement of a valued vernacular or listed building.

In this case, the application has been submitted solely for open market housing. The key judgment therefore in assessing whether the proposal meets the Authority’s policies in respect of the conversion of buildings to open-market dwellings, is whether the building is a valued vernacular building of sufficient architectural or historic merit to justify an approval on an exceptional basis and if so, whether an open market dwelling is required to achieve its conservation and/or enhancement.

The barn is a traditional building, constructed of gritstone under a Hardrow tile roof, but it is considered to be a relatively ordinary and modest agricultural outbuilding, with no exceptional architectural or historic features of any note. Consequently, the barn is not considered to be a valued vernacular building and therefore, the principle of its conversion to an unrestricted open market dwelling fails to comply with policy HC1C.

Alternative options

Given the policy objection with regard to HC1C, it is considered that the applicant has not fully explored why the proposal is required to conserve and/or enhance, with which to meet the test of Policy HC1C, and that this could not have been achieved by other uses acceptable within policy, such as agricultural worker’s dwelling, ancillary accommodation, or holiday accommodation as diversification to the current farming business for example.

Amenity issue

Whilst the proposal includes the provision of necessary amenity provision for the proposed dwelling, in terms of parking, bin storage and a separate garden area, Officers have strong concerns over the level of residential amenity that the proposed dwelling would have in this location, given that the south elevation of the barn faces into the working area of the farmyard and also the access to the barn would be shared with the farm. It is therefore considered that a separate dwelling would potentially interfere/conflict with the normal day to day working of the farm and the operations of the farm would give rise to conditions that would adversely affect the residential amenity and reasonable enjoyment of the property by potential future occupiers.

Whilst a conversion which is linked to the existing agricultural use or the occupiers of the business would potentially overcome this objection, by ensuring that accommodation remains within the same ownership and control as the existing use, the current proposal is for an independent dwelling. An alternative use on this basis would also help to address the current policy issue, (HC1C), as the Core Strategy tests for acceptability would be less stringent for the other uses previously indicated.

Design/impact on Conservation Area

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings. Design principles are set out in the Authority’s Supplementary Planning Documents.

Policy LC5 states that applications for development in a Conservation Area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

LC8 states that conversion of a building of historic or vernacular merit to a use other than that for which it was designed will be permitted provided that: it can accommodate the new use without changes that would adversely affect its character (such changes include significant enlargement or other alteration to form and mass, inappropriate new window spacing's or doorways, and major rebuilding); and the new use does not lead to changes to the building's curtilage or require new access or services that would adversely affect its character or have an adverse impact on its Surroundings.

Design principles are set out in the Authority's 1987, 2007 and 2014 Supplementary Planning Guidance and Documents.

In terms of the external appearance of the barn, there is little change, with the proposed conversion being completely within the shell of the building, without the need for further significant window or door openings, other than the addition of six roof lights, three on the south (farmyard facing elevation) of the barn and three on the north side. In addition, a small almost flat roofed extension will be removed from the south east corner of the barn. In this case, the insertion of roof lights would not be considered harmful to the simple character and appearance of the barn, provided they are kept to a minimum in both scale and a 'conservation type' sited close to the eaves. It is therefore considered that this could be subject to a planning condition if the principle of the development is acceptable.

In addition, the removal of the later extension would be an improvement and is considered to be an enhancement to the building. Consequently, these changes would not harm the simple character and appearance of the barn and its setting, and are therefore considered to be acceptable in design terms, preserving the character and appearance of the Conservation Area.

Other issues

The Highway Authority has no objections, subject to the applicant providing space within the site during construction to accommodate storage of plant etc, with on-site parking and bin storage being provided prior to occupation. These matters could be covered by conditions if the principle of conversion is accepted.

No structural condition survey or bat survey has been submitted. However, the barn appears to be in sound structural order and the roof of the barn has been replaced in the recent past and is considered in good overall condition. Officers are therefore of the opinion that no protected species would be affected and therefore no survey required.

Conclusion

Whilst Officers recognise that the alterations to the external appearance of the building are minimal and therefore acceptable in design terms (subject to minor changes regarding roof light size and position), there are clear objections on fundamental policy grounds regarding the principle of the conversion to open market housing. In this case, the barn is in sound condition and has a relatively new roof. The proposed conversion is therefore considered not required to conserve and or enhance this traditional building.

The provision in policy HC1C is intended to allow conversions on an exceptional basis, where other alternative uses would not be sufficient to protect a building which is of particular merit. The policy is not intended to permit the conversion of relatively ordinary buildings to open market dwellings and especially so in cases like this, where the building is already in good condition and does not need the impetus of an open market approval to ensure its conservation. Such buildings, which may have some vernacular merit/character, are directed by policy into to a range of other uses such as affordable local needs housing, agricultural workers dwellings, visitor accommodation, ancillary accommodation or workspace where the site specific impacts are more acceptable.

In addition, the issue of amenity arising from a conversion to an independent open market dwelling in close proximity to a working farmyard and access, is a key concern. In this case, as previously stated, a conversion which is linked to the existing agricultural/ancillary use may help to overcome this concern, as it would allow the accommodation to remain within the same ownership and control. A proposal for a dwelling on this basis would also help to address the policy issue, (HC1C), as the Authority may accept a lower threshold for the quality of the building.

In this case, the recommendation of refusal would ensure that the Authority's housing policies are protected. Approval of this application contrary to policies, would potentially allow other non-valued vernacular buildings to be converted to open market housing, therefore directing investment away from development that can support the conservation and enhancement of the National Park more widely.

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