

7. FULL APPLICATION: PROPOSED CHANGE OF USE OF REDUNDANT BARN TO DWELLING, INCLUDING REMOVAL OF LEAN-TO EXTENSION AND REPLACEMENT WITH 2-STOREY PITCHED ROOF EXTENSION, FROST BARN, SYCAMORE FARM, FAWFIELDHEAD, LONGNOR (NP/SM/0415/0280, P.3123, 407558/363644, 26/06/2015/KW)

APPLICANT: Ms J ELLIS

Site and Surroundings

The barn which is the subject of this application is situated in an isolated and prominent position in open countryside at Fawfieldhead about 1.8km south-west of Longnor. It is situated on the south-facing slopes overlooking Blake Brook and Reaps Moor to the south at the top of a small field about 132m below the main Fawfieldhead Road and 108m south-west of the applicant's home (Sycamore Farm). Access is via an adjacent field off the Fawfieldhead Road, which then follows the western field boundary for a distance of 125m before reaching the site. The perimeter of the application site is enclosed by adjacent fields.

The barn is quite a substantial detached traditional barn constructed of natural random-coursed gritstone under Staffordshire Blue natural plain clay roof. It is a local landmark and has an imposing presence and setting when viewed from distant vantage points from across the valley to the south. There is later single-storey lean-to building attached to the eastern gable of the main building. The barn also has an unusual and pleasant frontage with dressed gritstone surrounds and quoinwork. Of particular interest is the upper section of the main southern frontage which has an unusual series of larger square pieces of gritstone inserted into the more regular coursing of main frontage wall.

To the front of the barn is a small paved area and a circular low wall feature that is described as a midden. There are two mature sycamore trees situated within close proximity of the north-west corner of the barn. The existing grassed access track passes between the two trees. There is a public footpath which passes approximately 80m to the west of the building.

Although outwardly appearing to be in a reasonable structural condition, a closer inspection reveals that there is significant bowing to the front and rear walls that are so serious the building is in imminent danger of collapse and cannot be used at present. Notwithstanding these serious structural deficiencies, it is an important traditional building that makes a significant contribution to the landscape character of the locality and is, therefore, considered to be a 'valued vernacular' building for the purposes of the Authority's planning policies, and in particular, Core Strategy policy HC1(C)l.

Proposal

The application seeks full planning permission for the change of use of the redundant traditional barn to an open-market dwelling. The conversion scheme would be confined to the shell and footprint of the existing buildings, but would require significant rebuilding works involving the complete removal and rebuilding of the main southern elevation and the removal and rebuilding of the top half of the rear wall. The original submitted plans propose the demolition of the later lean-to and its replacement with a low 1½-storey pitched roof building.

The conversion scheme, as originally submitted, mainly uses existing openings; however, a new first floor window opening is proposed in the upper wall of the main southern elevation. A new first floor window is proposed in the west gable wall and two new openings and three rooflights are proposed in the rear elevation. A metal flue pipe would be inserted in the rear (northern) roof slope of the main barn.

The formal residential curtilage would be confined to the existing area immediately around the

buildings, with the remainder of the field in which the barn site being left open and grassed to preserve its field barn setting. Foul sewage is to be disposed of via a below ground package sewage treatment plant which is to be located within the field in which the building sits. The existing vehicular grassed access track is to be upgraded and a parking area is to be formed to the rear of the barn using grasscrete surfacing.

RECOMMENDATION:

That, the application be GRANTED subject to the following conditions/modifications:

Statutory Time Limit

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**

Approved Plans

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans.**

Completion of Section 106 Agreement Prior to Occupation of the Dwelling

- 3. Prior to the occupation of the dwelling hereby approved the applicant or owner shall complete a section 106 legal agreement relating to the retention of the open field area outside of the formal residential curtilage defined in condition 17 below.**

Mitigation Measures

- 4. The development hereby permitted shall be carried out strictly in accordance with mitigation measures for bats and birds first submitted to and agreed in writing by the National Park Authority.**

Conversion and Rebuilding

- 5. The rebuilding of the front (south) wall and partial rebuilding of the rear (north) wall shall be carried out strictly in accordance with the Structural Report prepared by HWA Consulting Engineers dated 24 February 2014 and Schedule of Building Reconstruction Works prepared by LID Architects dated 15.10.2015. There shall be no other demolition works other than those contained within the Structural Report without the prior written approval of the Authority.**
- 6. Prior to the commencement of the demolition works, a drawn record of the layout of the external elevations of the building in accordance with the requirements of the Schedule of Building Reconstruction Works prepared by LID Architects dated 15.10.2015, shall be submitted to and agreed in writing by the Authority.**

Retain Trees

- 7. No trees on the site shall be wilfully damaged or destroyed or felled, topped, lopped or uprooted without the prior written consent of the Authority. Any trees proposed for removal shall be replaced as part of a planting scheme to be submitted to and agreed in writing by the Authority. Such a replanting scheme shall be submitted at the same time as any felling proposals.**

Submission of Arboricultural Impact and Working Method Statement

- 8. Prior to the commencement of the development hereby permitted an Arboricultural Impact and Working Method Statement in respect of the construction and post-construction phases of the development (in compliance with BS 5837), shall be submitted to and agreed in writing by the Authority. The development shall then be carried out entirely in accordance with the approved Arboricultural Impact and Method Statement**

Submit and Agree Details of the Construction Site Compound.

- 9. Before any operations are commenced, a scheme shall be submitted to and approved in writing by the Authority showing details of the space for provision within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, laid out and constructed all to the satisfaction of the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.**

External Lighting

- 10. Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.**

Access and Parking

- 11. A detailed specification of the upgrading and surfacing works to the access track and sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas shall be submitted to and approved in writing by the National Park Authority before the development commences. The development shall then be carried out in accordance with the approved details.**
- 12. Details of a vehicle passing place to be provided in a central position along the access track shall be submitted to and approved in writing by the Authority. The vehicle passing place shall then be provided in accordance with the approved details and shall then be permanently so maintained.**
- 13. Prior to the first occupation of the dwelling hereby permitted use, the access, parking and turning areas shall be completed in accordance with the amended block plan, and surfaced in accordance with the specifications approved under Condition 11 (above).**

Architectural Specifications

- 14. Confirmation of design details including timber external windows, and doors, recess for doors and window frames, window and door openings provided with natural gritstone lintels and sill and quoinwork surrounds where shown, black rain water goods on brackets, flue pipe to be finished in matt black, mortared roof verges, and the specifications for rooflights and glazing bars.**
- 15. Minor design conditions.**

Permitted Development Rights

- 16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the converted building shall be carried out and no extensions, porches, ancillary buildings, solar panels, satellite antenna, gates, fences, walls or other means of boundary enclosure shall be erected on the site without the National Park Authority's prior written consent.**

Residential Curtilage

- 17. The formal residential curtilage of the dwelling hereby permitted shall be restricted to the area delineated in orange on the attached plan no. 1/P.3123.**

Underground Services

- 18. All new service lines associated with the approved development and on land within the applicant's ownership and control shall be placed underground and the ground restored to its original condition thereafter.**

Foul Drainage

- 19. The provision of the private package sewage treatment plant shall be carried out in accordance with the details to be submitted to and agreed in writing by the Authority, and shall be completed prior to the first occupation of the dwelling hereby permitted.**

Photographic Survey

- 20. Prior to the commencement of the development the applicant shall carry out a photographic survey of all elevations and internal features of the building to be restored and the Authority shall then be provided with an electronic copy of the photographs.**

Spoil Disposal

- 21. Prior to the disposal of any spoil arising from the works, precise details of the disposal shall be submitted to and approved in writing by the National Park Authority. All spoil shall then be disposed of in accordance with the approved details.**

Key Issues

1. The principle of the open-market dwelling conversion scheme.
2. The impact of the conversion scheme and the proposed new access and access track on the traditional building, its setting and the surrounding landscape character.
3. Ecological issues.
4. Highway issues

History

There has been positive pre-application advice offered on these proposals, which is set out in a letter from the Authority to the applicant following discussions on site. The applicant was advised

that the barn was considered to be a ‘valued vernacular’ building, and due to the serious structural condition of the building it was acknowledged that its partial demolition and rebuilding was likely to make it uneconomic as a holiday cottage conversion.

However, given that the retention of this building was considered to be important, the applicant was advised that conversion to an open-market dwelling may be accepted on an exceptional basis. The applicant was advised, therefore, that an application for an open-market conversion would need to be accompanied by a detailed Structural Report and a Schedule of Building Reconstruction Works to demonstrate how the front and rear walls would be faithfully restored. A financial appraisal would also have to be submitted demonstrating why other alternatives, such as holiday conversion, would not be a viable option.

In order to minimise the wider landscape impacts, a detailed landscaping scheme would also be required showing how the encroachment of the residential curtilage into the field would be restricted and controlled and how the impacts of vehicle parking could be minimised.

The applicant was advised that another key consideration would be the physical changes to the external elevations of the barn required to accommodate a residential use. Consequently, the submitted scheme should be sympathetic to the intrinsic character and integrity of the original building. In particular, the applicant was advised that the proposed scheme should not introduce any new first floor openings in the main front (south-facing) elevation and additional new openings and rooflights should be kept to a minimum.

Consultations

Highway Authority – No response to date.

District Council – No reply to date.

Parish Council – No response to date.

Authority’s Ecologist – Acknowledges survey methods and results, but initial concerns raised about the level of bat mitigation proposed, particularly in respect of the bat roost requirements for brown long-eared bats that were found to be present. Further amended plans are to be submitted, which address these concerns. The Authority Ecologist’s comments on the amended bat mitigation provision will be reported orally at the committee meeting.

Policy Framework

National Planning Policy Framework

The National Planning Policy Framework (‘the Framework’) says local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where such development would represent the optimal viable use of a heritage asset or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

In these respects, the Framework reiterates a long standing principle that local planning authorities should avoid granting planning permission for isolated new homes in open countryside except in exceptional circumstances.

This approach is consistent with the Authority’s development strategy set out in DS1 of the Authority’s Core Strategy, which says new residential development should normally be sited within named settlements, and policy HC1(C) of the Authority’s Core Strategy, which sets out very similar criteria to the Framework in terms of the exceptional circumstances in which a new house can be granted permission outside of a named settlement.

Main Development Plan Policies

Core Strategy policies: GSP1, GSP2, GSP3, HC1, L1 & L3

Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; and policy HC1(C) I says 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.

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.

Policy GSP3 of the Core Strategy is also relevant because it sets out detailed criteria for judging the impacts of new development on the valued characteristics of the National Park, and should be used to achieve the sensitive management of new development.

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.

Landscape Strategy and Action Plan

The application site lies within an area the Authority's Landscape Strategy and Action Plan identified as Southwest Peak Upland Pastures. This is an upland pastoral landscape with a traditional dispersed pattern of gritstone farmsteads of probable ancient origins. There are also localised village settlements. Permanent pasture is enclosed by drystone walls and some hedgerows. Trees are scattered along incised cloughs and around dispersed gritstone farmsteads. This is a very peaceful rural landscape with open views to surrounding higher ground.

The landscape surrounding the application site reflects these characteristics and the landscape setting of the application site is generally a peaceful rural landscape with open distant views to surrounding higher ground over the valley below. The Authority's Landscape Strategy and Action Plan says the landscape conservation priorities for this landscape setting is to protect and manage the distinctive and valued historic character of the settled, agricultural landscapes, through sustainable landscape management, whilst seeking opportunities to enhance the wild character and diversity of remoter areas.

Wider Policy Context

Relevant Core Strategy policies include: HC2, L2 and L3

Relevant Local Plan policies include: LC4, LC8, LC12, LC17, LH1, LT11 and LT18

LH1, LH2 and HC2 reaffirm the Authority's approach to new residential development in the National Park, and the strict controls on new housing outside of named settlements. These policies also provide criteria for assessing applications for affordable housing to meet local need, and for occupational dwellings.

Policy LC4 sets out 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 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.

In this case, it is considered the Authority's adopted design guidance and the wider range of design and conservation policies in the Development Plan are otherwise consistent with national policies in the Framework, 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.

Assessment

Issue 1 – The principle of the open-market dwelling conversion scheme.

For the purposes of the Development Plan, the barn clearly lies in open countryside because the application site lies well outside of physical limits of any village. It is situated in an isolated position in open countryside, but immediately next to a two mature sycamore trees. In this case, the proposed dwelling house is intended to meet general demand rather than any functional need or local need.

The special circumstances in which permission could be granted for the current application are set out in CS Policy HC1 which says that in accordance with core policies GSP1 and GSP2 of the Core Strategy, exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings. These exceptional circumstances are consistent with the circumstances set out in the Framework (at paragraph 55) in which a new house can be granted permission outside of a designated settlement.

The barn is situated at the top of a small field about 132m below the main Fawfieldhead Road and 108m south-west of the applicant's home (Sycamore Farm). Access is via an adjacent field off the Fawfieldhead Road, which then follows the western field boundary for a distance of 125m before reaching the site. The perimeter of the application site is enclosed by adjacent fields.

This is a substantial detached traditional barn constructed of natural random-coursed gritstone under Staffordshire Blue natural plain clay roof. It is a local landmark and has an imposing presence and setting when viewed from distant vantage points from across the valley to the south. There is a later single-storey lean-to building attached to the eastern gable of the main building.

To the front of the barn is a small paved area and a circular low wall feature that is described as a midden. There are two mature sycamore trees situated within close proximity of the north-west corner of the barn. The existing grassed access track passes between the two trees. As noted above, there is significant bowing to the front and rear walls that are so serious, the building is in imminent danger of collapse and cannot presently be used.

Notwithstanding these serious structural deficiencies, it is an important traditional building that makes a significant contribution to the landscape character of the locality and is therefore considered to be a 'valued vernacular' building for the purposes of the Authority's planning

policies, particularly Core Strategy policy HC1(C)I. In these respects, one key issue in terms of compliance with Core Strategy policy HC1(C)I concerns whether conversion of the building to an open-market dwelling is 'required' to achieve its conservation and/or enhancement.

In summary, the Authority's housing policies prioritise the conversion of traditional buildings to affordable housing to meet local need or to occupational dwellings to meet the essential need of a rural worker to live close to their work. Therefore, it is important to ascertain whether the barn could not be conserved or enhanced without the impetus of open market values to ensure any permission for a house to meet general demand would not undermine the aims and objectives of the Authority's housing policies. In other words, there has to be evidence that a conversion to meet the needs of the local communities within the National Park would not be viable and an open market house is the only option to secure the long term conservation of the building given the very limited opportunities for residential development within the National Park.

This is an unusual case, in that whilst the barn is clearly a 'valued vernacular' building in terms of the Authority's Core Strategy policy HC1 C I, it is in a serious structural condition, even though outwardly it appears to be a strong robust building, with very few visible cracks in its external walls. Its structural condition is presently so precarious that the accompanying structural report states that persons should not venture inside the building. Further inspection of the exterior of building reveals that the front and rear walls of the building have suffered from serious bowing.

Consequently, the structural report states that in order to save the building, significant demolition and rebuilding works are required. These comprise the complete demolition and rebuilding of the main front wall from ground to eaves and the demolition and rebuilding of the rear wall from internal window to internal window at first floor level. When assessing barn conversions, it is usually the case that applicants are advised that the barn should be in a reasonable structural condition, with any rebuilding works kept to a minimum. In most cases it is hoped that any rebuilding works would be localised and would not involve rebuilding of the main walls or features of interest on the building.

In this case, the major rebuilding works are required on the main south elevation, which contains the most significant and interesting features of interest. In this case, the barn is not readily visible from close viewpoints, but is an important building when seen in the wider landscape from some distance across the valley. The upper section of its rear elevation is also visible from the Fawfieldhead road 132m to the north. Officers consider that this building is of sufficient worth in architectural and landscape terms, to support its retention, even with the extent of the rebuilding works that will be required. This would only be the case, however, provided that faithful reconstruction of the barn is carried out.

Given that some of the character and integrity of the original building would inevitably be lost as a result of the rebuilding works, officers advised the applicant in pre-application discussions that the conversion of the building to holiday accommodation or local needs would be more fully meet the Authority's Core Strategy policies and she would firstly need to demonstrate that this was not a viable option. Given the size of the barn and the cost of the rebuilding works and conversion costs, it is not considered suitable for local needs housing.

Suitability of the barn for a tourism use

The application is accompanied by a viability assessment of the conversion of the barn to holiday accommodation. The agents state that the provision of holiday accommodation within the Peak District amounts to approximately 20% of the available housing stock. Consequently, only the highest quality properties in terms of specification and location are managing to maintain satisfactory booking levels.

The agent consider that Sycamore Farm is not an ideal situation for a holiday, other than for a simple walking holiday, and is not within easy walking distance of an attraction or local pub. On

an inspection of local holiday letting companies in the area, this found that there were some holiday properties with better facilities and nearby attractions that were not fully booked up during the main summer holiday period and still had plenty of reservations available outside the main summer holiday period.

Assuming that the barn would be booked out every week of the school holidays and every weekend between March and October outside of the school holidays, the total yearly rent based on the absolute best case scenario is expected to be in the region of £15,800. With added utility/insurance/advertising costs, this would bring the income down to £13,200. This figure does not include account of agency or web site fees or other costs, such as, cleaning breakages, redecorating, administration, which would in reality reduce the income to £10,000.

Given the estimated conversion costs of £250,000, which includes an additional £60,000 for the stabilisation and reconstruction works, it is expected that it would take between 18 to 25 years to pay back the initial costs. The agent considers that when the high investment costs of converting the barns to top specification holiday accommodation is taken into account and weighed against the risk of empty letting periods and low letting values in comparison with other in a flooded market, together with the reality of a very long term return on investment, it is clear that holiday-let option is unviable.

Having carefully considered the agent's viability assessment, officers concur that a holiday-let conversion would be unviable and, consequently, the only remaining viable option that would secure the retention of the building, would involve its conversion to an open-market dwelling. As previously stated, officers consider that in both architectural and landscape terms, this is a building worthy of retention and its conversion to an open-market dwelling would comply with Core Strategy policy HC1 C I, provided that the barn was faithfully restored, sympathetically converted and its landscape setting was preserved.

Issue 2 - The impact of the conversion scheme and the proposed new access and access track on the traditional building, its setting and the surrounding landscape character.

Barn restoration works.

As previously stated, the main front (south) wall and the upper half of the rear wall of the building need to be carefully dismantled and rebuilt. The main front wall of the barn is particularly notable in that it has dressed surrounds to the openings and an unusual series of staggered jumper stones which meander across the middle of upper section of the wall.

In order to faithfully restore all the elements of the building, a Schedule of Building Reconstruction Works accompanies the application. This is basically a working method statement designed to ensure that the roof and walling components are carefully dismantled and retained, and then carefully rebuilt. This includes the preparation of a drawn record of the external elevations, made in sufficient detail to enable true reconstruction. This highlights the need to record the following features:

- Stonework coursing levels because the existing coursing is randomly sized heights, with distinct horizontal course levels;
- Location and size of key large stones set within the external leaf;
- Sill and head heights; and
- Opening sizes including identifying unique numbers for large retained stone heads, sills or quoins to enable on-site labelling and identification.

Officers consider that the submitted Schedule of Building Reconstruction Works demonstrates the applicant's intentions to provide a faithful restoration of the building are practicable and reasonably likely to happen. Consequently, it is considered that the proposed restoration works are to be carried out to a high standard, subject to a planning condition requiring the reconstruction works being carried out in accordance with this Schedule and subject to the submission and approval by the Authority of the drawn record of the external elevations required by the Schedule.

Barn conversion scheme.

The conversion scheme, as originally submitted, mainly uses existing openings; however, a new first floor window opening is proposed in the upper wall of the main southern elevation. A new first floor window is proposed in the west gable wall and two new openings and three rooflights are proposed in the rear elevation. A metal flue pipe is to be inserted in the rear (northern) roof slope of the main barn.

The scheme also includes the demolition of the later lean-to and its replacement with a low 1½-storey pitched roof building.

Officers have raised concerns about the following elements of the originally submitted scheme:

- (i) Insertion of the first floor window in the main (south) elevation of the barn. This would seriously detract from the intrinsic character of the barn and interrupt the series of staggered jumper stones, which form an integral element of the architectural character of the building.
- (ii) The rebuilding of the later lean-to building and its replacement with a taller pitched-roof extension. This would not constitute a faithful reconstruction of all the component parts of the building, and would provide an unusual, more domestic form to the building that would compromise the character and integrity of the original barn composition.
- (iii) The number and disposition of rooflights on the rear elevation.
- (iv) The window frame pattern proposed for the ground floor window openings. These are shown as four-light window frames, matching the style of the majority of the existing window frames. However, these are not considered to be the original frames and were more likely to have been inward opening hopper windows that have a more 'agricultural' character and appearance.

Following discussions with the applicant and agent amended plans are to be submitted in respect of points (i) to (iii) above. These amendments are also a response to additional ecological requirements to provide a protected roofspace area to accommodate roosting opportunities for brown long-eared bats (see Issue 3 of this report).

The scheme is to be amended as follows:

- (i) First floor window in front (south) elevation omitted.
- (ii) Later lean-to building to be demolished and rebuilt on the original footprint and form.
- (iii) The number of small rooflights to be reduced for three to one rooflight, with a central section of patent glazing positioned at the lower eaves level. This patent glazing is required to light the upper central section of the barn resulting from the omission of the first floor window opening in the main south elevation. An additional 'picking hole' window is to be inserted into the east gable wall to compensate for the loss of the rooflight to the internal bedroom space.

Officers consider that with these amendments the character, form and integrity of the original barn will be retained. The additional openings and rooflights proposed in the rear elevation are considered to be a necessary and acceptable compromise in order to facilitate the residential conversion. However, it is considered that in the absence of agreed amendments on the detailing of windows and doors, these details should be reserved by a condition attached to any permission, in the interests of the character and appearance of the completed development.

Given the special character of the barn itself and its immediate setting, it is also considered that exceptional circumstances exist that justify a planning condition withdrawing permitted development rights for alterations to the external appearance of the converted building, extensions, porches, solar panels, ancillary buildings, gates, fences, walls or other means of boundary enclosure. This type of condition would mean that these developments would need the National Park Authority's prior written consent, which is considered to be reasonable and necessary in this case to allow any future alterations to the proposed barn conversion to be managed appropriately.

Residential curtilage

The landscape impact of the proposed residential conversion is considered to be a key consideration in respect of this proposal. Whilst the physical conversion scheme is considered to be sympathetic, the presence of the barn and the preservation of its setting in the landscape is a key component in justifying its conversion.

The barn presently sits in the top corner of a small sloping field. Whilst the immediate setting to the front of the barn is not particularly visible from close viewpoints, including the nearby public footpath, it does command a wider presence in the landscape from very distant viewpoints across the valley to the south. From such viewpoints it is seen as a fairly large field barn surrounded by open fields, with few trees, except for the two large sycamore trees in the top corner of the field, immediately behind the barn, which serve to 'anchor' the building into the surrounding landscape.

In order to preserve this setting, therefore, it is vital that the formal residential curtilage is restricted to paved area alongside the immediate frontage of the barn (including the curved midden feature), and the rear of the barn. The remainder of the field would then be retained as a field and officers suggest that this could be developed as a hay meadow that could enhance the ecological interests of the site.

Providing necessary controls can be imposed to ensure that the open setting of the barn in the landscape can be preserved, it is considered that the landscape impact of the conversion would be fairly limited, with the character and appearance of the barn on its main southerly aspect remaining largely unchanged.

In order to achieve the required controls to preserve the open setting of the barn in perpetuity it is considered necessary to achieve this through the completion of a Section 106 legal agreement. Officers are concerned that the attaching of a condition would not necessarily achieve the long-term preservation of the barn's open setting and without it there could be further encroachment of undesirable domestic uses, boundary enclosures and inappropriate planting into the adjacent field.

In respect of the attaching of planning obligations, the Framework and Planning Practice Guidance very clearly state that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and where it may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation under section 106 of the Town and Country Planning Act 1990; in such cases the local planning authority should use a condition rather than seeking to deal with the matter by means of a planning obligation.

In this respect, it is considered that in this case the attaching of a planning obligation is vital in ensuring that the open setting of the barn is preserved in the longer term. There is danger that without such an obligation, the setting of the barn would be eroded by subsequent occupants, who may not be made aware of a planning condition attached to the original planning consent, but would be informed of the requirements of the planning obligation as this would be registered as a land charge on the property and would therefore be disclosed upon every subsequent change in ownership of the property.

Consequently, taking in to account Government guidance on obligations, and on the individual circumstances of the case as set out in this report, it is considered that a planning obligation is essential in order to preserve the landscape setting of the barn in perpetuity.

Given the pressing need, however, for the barn stabilisation and reconstruction works to be carried out in a timely and ordered manner, it is considered appropriate attach a planning condition requiring the completion of the Section 106 legal agreement prior to the occupation of the building. This would avoid any delays in the commencement of stabilisation and reconstruction works and the planning obligations are designed to preserve the landscape setting upon the subsequent residential occupation of the building.

Retention of existing trees and upgrading of existing access track

Another important element of the landscape setting of the barn is the proximity of the two mature sycamore trees to the barn. These are proposed to be retained. The current vehicular access passes between these two trees, and whilst they appear to be in a reasonable condition, concern is raised that there could be damage to their roots during the construction period and afterwards, due to the more frequent use of the access by vehicles.

Consequently, the Authority's Tree Officer is to inspect the trees, but has already advised that the construction phase should be accompanied by a working method statement in compliance with BS 5837 to ensure that the tree roots are not damaged during construction, and also to provide a suitable surface treatment to ensure no long term damage to the tree roots following the residential occupation of the converted barn.

The existing access track down to the barn is mainly grassed and it is expected that this would have to be upgraded for permanent residential use of the barn. The existing track does not presently have a significant landscape impact as it follows the line of an existing drystone wall. It is considered that any upgrading works required should take the form of two wheel tracks with a grassed centre to preserve the agricultural character of the surrounding area.

Issue 3 – Ecological Issues

Core Strategy policy L2 and Local Plan policy LC12 state, amongst other things, that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. National Planning policies in the Framework

A bat and bird survey has now been undertaken on the barn. Based on the results of the activity surveys, this found that the building is being used by local bats, including pipistrelles, but there is also evidence of use by brown long-eared bats.

The Authority's Ecologist acknowledges survey methods and results, but has raised concerns raised about the level of bat mitigation proposed, particularly in respect of the bat roost requirements for brown long-eared bats that were found to be present. Further amended plans are to be submitted which address these concerns. The Authority Ecologist's comments on the amended bat mitigation provision will be reported orally at the committee meeting. In order to accommodate the bat roost requirements for brown, long-eared bats, a loft space of around 5m x

4m x 2.5m high has to be provided within the roofspace of the building. It is expected that this can be provided, but it will require the omission of a rooflight serving the internal bedroom space.

Amended plans are currently being prepared to accommodate the bat roost requirements and further bat mitigation is to be submitted. It is anticipated that an acceptable level of bat and bird mitigation measures can be provided to the satisfaction of the Authority's Ecologist through the attaching of appropriate ecological conditions. The Authority Ecologist's comments on the amended bat mitigation provision will be reported orally at the committee meeting.

Highway Issues

No comments have been received from the Highway Authority, however, the access on to the Fawfieldhead road is considered to be adequate in terms of its width and visibility on to the main road. Sufficient parking/turning facilities for the parking of two vehicles in a fairly screened area to the rear of the barn are proposed. Given the length of the access track from the main road, however, it is considered prudent to provide a layby passing place half way down the access track. Subject to this, and the attaching of appropriate highway conditions, it is not considered that there are any significant highway impacts generated by the proposed development.

Conclusions

It is therefore concluded that there are exceptional circumstances in this case that would justify the conversion a building of vernacular merit to a new house to meet general demand because the conversion is required to conserve and enhance the barn and its setting. The conversion would otherwise be of a sufficiently high standard of design to ensure it would have a limited impact on the character of the surrounding landscape, and would not harm the valued characteristics of the local area.

Therefore, the current application is considered to be in accordance with the relevant policies in the Development Plan and national planning policies in the Framework. However, this is a finely balanced judgement taking into account the location of the barn, and its isolated position, and the proposals would only meet the requirements of national and local planning policies subject to the conditions suggested in the above report, and the legal agreement, which are necessary to ensure that the barn and its setting would be conserved and enhanced.

In this case, it would not otherwise be appropriate to consider that the barn should be subject to any occupancy restriction because its conversion would not be affordable and it would not be viable to convert it to a holiday-let. Accordingly, the current application is recommended for conditional approval on the basis that planning permission would be granted for a new house in open countryside to meet general demand.

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