
11. FULL APPLICATION - CONVERSION OF BARN TO DWELLING, DALE HEAD BARN, HOUSLEY, FOLOW (NP/DDD/1114/1184, P1975, 29/12/2014, 421939 / 376372/AM)

This application was deferred at the January 2015 Planning Committee to allow for the consideration of alternative uses for the barn. The agent submitted additional information and amended plans in June. This additional information has been incorporated within the report.

APPLICANT: MR AND MRS MASON

Site and Surroundings

Dale Head Barn is situated in a prominent and isolated roadside position on the minor road between Foolow and the A623, in open countryside about 410m south of Foolow village.

The application building is an attractive range of barns comprising a main 'L'- shaped two-storey building with an attached smaller single-storey off-shot to the north-east side. Its south-west facing gable abuts the minor road. The barn is located on the western corner of a field parcel which forms part of the wider fossilised strip system in the landscape. The building opens out onto the wider field with no walled or fenced curtilage and is the only agricultural building on this 2.45ha parcel of land.

The barn has a strong, robust character constructed in natural rubble limestone under a natural gritstone slate roof. The barn is not listed but does have some notable architectural features including coped gables and gritstone corbelling.

There is a mere (dew) pond situated 7.0m away from the south-east side of the barn. The roadside frontage wall is around 1.5m high and there is an existing original vehicular access immediately to the south-east of the barn. There is a further vehicular access, created more recently into the field which is situated about 25m to the south of the barn.

The nearest residential property is situated 70m to the south. A bridleway open to all traffic (BOAT) runs approximately 215m to the east of the application site where there are clear views westwards towards the application site and the wider strip fields.

Proposal

This application seeks planning permission for the conversion of the barn to create a three-bedroom open market house.

The submitted plans show that the conversion would take place within the shell of the existing buildings. Two new openings are proposed, a new door opening in the south facing gable and a first floor bedroom window in the north-eastern elevation of the main barn. Four conservation roof lights are proposed in the south-east, north-west and north-east facing roof slopes of the main barn. A new garage door opening would be created in the single storey off-shot to facilitate its use as a single garage.

Vehicular access is proposed via the access 25m to the south of the barn. The access drive passes through the field to the barn which would be provided with a residential curtilage between the barn and the mere pond. The proposed curtilage is to be bounded by a drystone wall on its north-east side and a post and metal 'estate' fencing on its southern side. The existing gate access nearest the barn would be removed and the opening reduced in width and provided with a new pedestrian gate.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. The conversion of this prominent and isolated field barn and the impacts of its subsequent use as a dwellinghouse would fundamentally harm the architectural, historic and archaeological significance of the barn, its setting within the surrounding strip field system and the wider landscape contrary to Core Strategy policies HC1, GSP1, GSP2, GSP3, L1 and L3, saved Local Plan policies LC4 and LC8 and the National Planning Policy Framework.**

Key Issues

- Whether the proposed development would conserve the character and appearance of the application buildings and their setting within the landscape.

Relevant Planning History

April 1989 - Refusal of outline planning permission for conversion of the barns to a dwelling. Permission was refused on the grounds that the building was not of sufficient architectural merit to warrant conversion under the barn conversion policies operated by the Authority at that time. It was also considered that the associated access improvements and provision of visibility splays would result in an unacceptable change, reducing the attractiveness and open character of this area of the National Park.

September 1989 – Refusal of outline planning permission for conversion of the barn to a dwelling on same grounds as the April 1989 refusal. A subsequent planning appeal was dismissed. The Inspector commented that *“the building, although of simple and pleasing architectural form with some interesting details, is of no particular merit nor, although prominent, does it appear to have any importance in the landscape.”* The Inspector also considered that the creation of a long access drive, together with the change of the curtilage from agricultural to residential, would be harmful in this prominent location.

October 1990 - Refusal of outline planning permission for conversion of the barns to a dwelling on same grounds as the April and September 1989 refusals. A subsequent appeal was again dismissed on similar grounds to the previous appeal. The Inspector also commented that he was not satisfied that the barn was incapable of an agricultural or related use on the applicant's holding.

October / November 2007 and February 2011 – There are three letters from the Authority to the applicant on file advising that the conversion of the barns to a dwelling would not be in accordance with the relevant policies at that time. The applicant was also advised that an appropriate alternative use may be for stabling with part of the barn forming a camping barn for walkers. The applicant was advised that holiday accommodation or a permanent dwelling with the associated access, parking and curtilage would not be acceptable as these uses would impinge too greatly upon the character of the barn and its setting.

November 2012 – Planning application submitted for the conversion of the barns to an open market dwelling using the original vehicular immediately to the south of the barn. The application was subsequently withdrawn following the receipt of a highway recommendation of refusal and in order to provide additional ecological survey information in respect of the adjacent mere pond.

March 2013 – Planning application submitted for the conversion of the barns to an open market dwelling with alternative access provision. The determination of this application was deferred by the Planning Committee in June 2013 to allow the consideration of alternative uses. No further

information was submitted and this application was finally disposed of by the Authority due to the passage of time.

Consultations

Highway Authority – Recommend approval subject to conditions to ensure that the northernmost access is closed for vehicles, the first 5m of the new access track being surfaced with a solid, bound surfacing material and lowering of the roadside frontage wall to 1 metre in height to provide the maximum achievable visibility from the access, all works to be carried out prior to the first occupation of the dwelling.

Foolow Parish Meeting – Have responded to consultation but make no comment on the application.

District Council – No response to date.

Environment Agency – No objection.

Natural England – No objection in regard to designated sites and refers the Authority to standing advice in respects of protected species.

PDNPA Archaeology – Recommends refusal.

“This application involves a relatively isolated traditional field barn complex. It lies within an area which the Historic Landscape Character analysis describes as: Ancient Enclosure - Fossilised Strip System – it is known that the land was enclosed prior to the Eyam and Foolow enclosure map of 1813; there is no earlier map evidence. A structure is depicted in this location on this map however.

This complex makes a significant contribution to the landscape character of the locality, however I would advise that conversion to residential use is not an appropriate way to conserve these structures in their landscape. Buildings of this nature should be maintained for agricultural use, an approach which has been recognised by Natural England in its funding for the conservation of field barns as part of the Environmental Stewardship initiative. The current proposals will completely change the simple character of the structures in question by introducing domestic features such as parking, lighting, a garden area and a more formalised access.

If this proposal does receive planning permission I would recommend that there be a full drawn and photograph record made of the building and wider site before any conversion takes place. I would be happy to provide a brief for this work”.

PDNPA Countryside and Economy – Makes the following general comments.

Wishes to ensure that the pond feature is not lost for two reasons, from a historic landscape point of view and from a wildlife point of view. The submitted survey report indicates that there is no evidence that any Great Crested Newts (GCN) is present, however they may still be in the area. Therefore support any enhancement / restoration work to the pond. This should include repairing concrete cracks to increase water levels and protection of the pond from any runoff from the parking area.

If this application is approved then serious consideration should be made to the effects of the domestic curtilage on the character of this building and pond complex including access, driveway, garden, satellite dishes, external lighting and washing lines.

PDNPA Ecology - No response to date. The Authority's Ecologist raised no objection to the 2013 application subject to conditions to ensure that bat and bird mitigation was carried out and that the dew pond was restored and maintained as part of the development in accordance with a scheme to be agreed by the Authority.

PDNPA Historic Buildings Officer – Recommends Refusal.

The Authority's Historic Buildings Officer strongly opposes open market dwelling use of this barn for the reasons behind the previous refusals and in the Inspector's appeal decisions and considers that the effects of conversion on both the building and the setting will be disastrous. If the building is not retained in agricultural use (the optimal use), it should be a camping barn or limited holiday use.

PDNPA Landscape - No response to date.

Representations

One representation letter has been received at the time this report was written. The letter is from the occupants of the neighbouring property to the south of the application site known as Ash Lea. The letter raises the following concerns about the application:

- Potential for overlooking of the garden and rear facing windows to the neighbouring property and subsequent loss of privacy.
- The loss of one of the few barns of this type which remain in the area.

Main Policies

Relevant Core Strategy policies: HC1, GSP1, GSP2, GSP3, L1, L2 and L3

Relevant Local Plan policies: LC4, LC8, LC16, LC17, LH1, LT11 and LT18

Housing Policies

National policies in the National Planning Policy Framework ('the Framework') and local policies in the Development Plan set out a consistent approach to new housing in the National Park.

Paragraph 54 of the Framework states that in rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

Paragraph 55 of the Framework says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances (such as meeting the essential need for a rural worker to live at or near their place of work in the countryside or where development would represent the optimal viable use of a heritage asset).

Core Strategy policy HC1 reflects the priorities set out in national policies and the development strategy for new housing in the National Park set out in Core Strategy policy DS1 because HC1 states that provision will not be made for housing solely to meet open market demand and prioritises the delivery of affordable housing to meet local needs within named settlements.

Core Strategy policy HC1 also sets out the exceptional circumstances where new housing can be accepted in open countryside which closely reflects those set out in paragraph 55 of the Framework. These exceptional circumstances are where the new house would be for key

workers in agriculture, forestry or other rural enterprises (in accordance with Core Strategy policy HC2), or where the conversion of an existing building is required to achieve the conservation and enhancement of a valued vernacular or listed building, or where the conversion of an existing building would be for affordable housing to meet local need.

Design and Conservation Policies

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should be given great weight in National Parks.

Paragraph 132 of the Framework says that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Authority's housing policies are supported by a wider range of design and conservation policies including GSP1 of the Core Strategy which states all policies should be read in combination. GSP1 also says all development in the National Park shall be consistent with the National Park's legal purposes and duty and where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area.

Core Strategy policy L1 requires all development to conserve and enhance valued landscape character as identified in the Landscape Strategy and Action Plan. Policies L2 and L3 require all development to conserve and enhance the National Park's biodiversity, geodiversity and cultural heritage respectively and state that other than in exceptional circumstances, development which will have a harmful impact will not be permitted. Saved Local Plan policies LC16 and LC17 give more specific advice in regards to archaeology and wildlife protection.

Policy GSP3 of the Core Strategy and Policies LC4 and LC8 of the Local Plan are also directly to the current application because they set out the design principles for conversions of existing buildings in the National Park, and also seek to safeguard the amenities of properties affected by development proposals, and set out criteria to assess design, siting and landscaping. The Authority's Supplementary Planning Documents (SPD) the Design Guide and the Building Design Guidance offer further advice on design issues.

Policies LT11 and LT18 of the Local Plan require new development to be provided with adequate access and parking provision but also say that access and parking provision should not impact negatively on the environmental quality of the National Park.

Assessment

Principle of proposed development

The application site clearly lies in open countryside because it is outside of the physical limits of Foolow village, despite the presence of some other isolated residential properties in the vicinity of the site (Local Plan policy LC2). In common with Government guidance in paragraph 55 the Framework, the Authority's housing policies do not permit new isolated homes in locations such as this unless there are special circumstances.

In this case, the proposed house is intended to meet general demand rather than any functional need or local need for affordable housing. Therefore, the special circumstances in which permission could be granted for the current application are set out in Core Strategy Policy HC1 which says that in accordance with policies GSP1 and GSP2 of the Core Strategy, exceptionally, new housing can be accepted where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

Dale Head Barn is not listed. However, notwithstanding previous planning decisions and appeal decisions from Planning Inspectors, Officers do acknowledge that this is in an important building and that it does possess features of architectural significance along with historic and archaeological significance related to the age of the building and its connection with the surrounding historic field system. The barn has a prominent position in the landscape where it makes a strong positive contribution to the character of the surrounding area and the National Park landscape.

It is therefore considered that Dale Head Barn should properly be considered as a non-designated heritage asset and therefore that the barn is considered to be ‘valued vernacular’ for the purposes of Core Strategy policy HC1 C. In this case the building would not be able to accommodate more than one dwelling and therefore the key issue is whether or not the proposed development would actually conserve or enhance Dale Head Barn.

Would conversion to a single dwellinghouse conserve or enhance Dale Head Barn and its setting within the landscape

The application site is located within the limestone village farmlands landscape character type identified by the Authority’s Landscape Strategy. This is an open pastoral landscape characterised by nucleated limestone villages, set within a repeating pattern of narrow strip fields bounded by drystone walls which originate from medieval open fields.

Dale Head Barn is a relatively isolated traditional field barn complex, the barn is located within the field with no defined curtilage and therefore forms an integral part of the surrounding strip fields. The Authority’s Archaeologist advises that the barn lies within an area which the Historic Landscape Character analysis describes as: Ancient Enclosure - Fossilised Strip System – and that the land was enclosed prior to the Eyam and Foolow enclosure map of 1813 (there is no earlier map evidence). A structure is shown in this location on the 1813 map.

It is therefore clear that the significance of Dale Head Barn not only relates to the architectural significance of the buildings but perhaps more importantly to their historic and archaeological significance due to their age and their relationship and setting within the surrounding landscape and historic field system.

In this case, Officers have very significant concerns about the impact of the proposed conversion and use of the application site as a dwelling upon the character of the barn and its setting within the strip field system and the wider landscape. The Authority’s Historic Buildings Officer and Senior Archaeologist both strongly advise that the proposed development is not an appropriate way to conserve the building. It is considered that the proposed changes to the building itself, the creation of a defined domestic curtilage and the provision of a new access track would seriously harm the significance of the barn and its setting.

Furthermore, although the proposed curtilage is restricted to the area in front of the barn the use of this area as a garden with associated domestic activity along with car parking would further detract from the simple agricultural character of the building and its setting within the surrounding landscape which in this case is a fundamental aspect of the significance of the building. Lighting from within the dwelling would also be inevitable and would have a further harmful impact in an area characterised by profound darkness at night.

The harm to the character of the buildings and their setting would be readily apparent due to the prominence of the building in a very open location which is clearly visible from the adjacent highway and from more distant views from the A623 and the BOAT to the east where the buildings are seen fully in the context of the surrounding strip fields.

The agent has submitted amended elevation and plan drawings which omit the new glazed door opening on the front elevation and provide a timber door for the widened garage opening. These amendments have followed advice from Officers and are considered to be the best solution in terms of design detailing for minimising the impact of the development upon the barn itself. However, taking into account the impact of the development as a whole, it is considered that the changes to the building, the creation of a defined domestic curtilage and the provision of a new access track would seriously harm the significance of the barn and its setting.

Furthermore, full residential conversion would leave the associated 2.45ha land holding without any building serving its needs. Although Officers acknowledge the barn would not be suitable for modern working farm practices, nevertheless it is of a suitable scale and type to continue serving this small land holding. If the development was approved then potentially the barn would be sold with some or all of the adjacent land. In such circumstances experience has shown that over time creeping domestication, outside of planning control, of the associated land coupled with potential pressures for replacement agricultural buildings or stables can, over time, significantly change the character and appearance of the landscape and exacerbate the harm caused by the initial conversion.

The applicant has stated that he would not sell the land around the barn to any purchaser; however any future disposal of the land is not a matter which the Authority would have any control over. Following discussions with Officers the agent has made an offer that the applicant would be willing to enter into a S.106 legal agreement (planning obligation) with the Authority. The effect of the legal agreement would be to prevent the erection of any development including buildings, hard standings or fences on the adjoining fields.

The proposed planning obligation would act to prevent further development around the barn and would be enforceable irrespective of how the barn and the land around it were disposed of in the future. The planning obligation would therefore potentially mitigate more long term impacts of the development in the landscape. The proposed obligation would not, however, mitigate the impact of the proposed conversion of the barns and its use for domestic purposes which for the reasons given above Officers consider would be harmful.

If Members conclude that the proposed development would not have a harmful impact upon the barn and the landscape, it is considered that weight could be given to the proposed planning obligation because such an obligation could be considered to make the development acceptable in planning terms, would be directly related to the development and fairly and reasonably related in scale and kind.

Therefore, whilst Officers accept that the application building is 'valued vernacular' for the purposes of the Authority's housing policy, it is considered clear that the impact of converting the building and use as a permanent dwelling would actually harm the significance of the building and its setting and therefore that any approval would be contrary to Core Strategy policies HC1, GSP3, L1 and L3 and saved Local Plan policies LC4 and LC8.

Other Alternative Uses

The agent has submitted amended information including an updated development appraisal which costs three alternative schemes, the first to convert the whole of the building to holiday accommodation, the second to convert part of the building to an affordable dwelling to meet eligible local need and the third to convert only the first floor of the building to a dwelling. The full costs of converting the building have been calculated by an appropriately qualified quantity surveyor. The submitted cost estimate for converting building to holiday accommodation is £408,000, the estimate to convert the building to an affordable dwelling is £272,000 and the estimate to convert the first floor of the building to a dwelling is £236,000.

The agent has explored the potential alternative uses of the building as requested by Members in January and considers that all three of the above options would not be viable because the costs of carry out alternative developments would mean that a willing developer would not make a reasonable return or profit on capital invested.

However, Officers recommend that very limited weight can be given to the submitted revised cost estimates because significant costs have been attributed to works which would not be necessary to facilitate the conversion of the building or are stated as not required in the submitted structural survey. For example, the costs of a new roof structure and new blue slate roof to replace the existing stone slate roof form a significant proportion of all three of the projected costs. Significant provisional sums have also been allocated to underpinning the walls, which is stated as 'not required' by the submitted structural survey.

In any case, whether or not alternative uses are financially viable would not justify approval of development which would have a significant harmful impact upon the significance of the barns and their setting within the National Park landscape. The key national and local policy test is whether the proposed dwelling represents the optimal viable use of the heritage asset, which Officers consider is not the case here.

Other Issues

Having had regard to the consultation response from Natural England, it is considered that the proposed development would be unlikely to have any adverse impact upon designated ecological sites.

The barns and its surroundings have been surveyed for the presence of protected species including bats and birds, and the mere pond has been surveyed for the presence of great crested newts. The survey reports have been submitted in support of this application. No bat roosts were identified as a result of the surveys, however, evidence of the use of the buildings by nesting swallows was found. There is considered to be no ecological constraint to the conversion of the barns, subject to a precautionary approach being adopted in respect of bats, and any building works being carried out outside the main bird breeding season.

No evidence was found of the mere pond being used for great crested newts; however, it is considered that this water feature should be retained and maintained so that it can remain available for use by aquatic species. If permission is granted, planning conditions could be imposed to ensure that appropriate ecological mitigation is agreed prior to the commencement of the development and implemented thereafter.

Officers agree with the advice from the Highway Authority that sufficient visibility splays can be provided from the proposed access which would be safe in accordance with saved Local Plan policy LT18. There is adequate space within the proposed domestic curtilage for the parking and turning of two domestic vehicles which is appropriate for a three bedroom house. Therefore it is considered that the proposed development would be unlikely to harm highway safety or the amenity of road users subject to the imposition of conditions recommended by the Highway Authority.

Concern has been raised in representations in regard to the potential for occupants of the proposed dwelling to overlook the nearest neighbouring property, known as Ash Lea. At the nearest point, the garden to this neighbouring property would be located approximately 65 metres from the proposed dwelling. Given this significant separation distance, intervening walls and mature boundary planting it is considered that any potential overlooking would not harm the residential amenity of either the occupants of Ash Lea or the proposed dwelling.

Conclusion

In this case, there are no concerns that the new house would be unneighbourly primarily because of the significant distance from the nearest neighbouring property. The development would be served by a safe access and adequate parking. The submitted ecological survey reports demonstrate that the proposed development would not harm any protected species, or their habitat subject to the implementation of appropriate mitigation measures.

However, these factors do not outweigh or override the fundamental objection to the proposed development on the grounds that, if allowed, the proposed development would significantly harm the significance of the barn and its setting within the landscape in conflict with Core Strategy policies HC1, GSP3, L1 and L3 and saved Local Plan policies LC4 and LC8. The relevant policies in the development plan are consistent with the more recently published National Planning Policy Framework and there are no other material considerations that indicate that permission should otherwise be granted.

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