

7. LISTED BUILDING CONSENT – CONVERSION OF FIELD BARN TO DWELLING AT BARKER BARN, MOOR LANE, ELTON (NP/DDD/0823/0975, AM)

APPLICANT: MRS PAULINE MORRIS

Update

1. This application was deferred at the March Planning Committee meeting to allow for a structural report to be provided and discussions with the Applicant and Officers to take place to establish what was necessary to secure the future use of the building.
2. A structural survey and amended plans were submitted at the start of June. These have undergone re-consultation and are considered further in the report below. The agent has also indicated that they have attempted to make contact with the Authority in regard to the potential for FiPL funding.

Summary

3. The application site comprises a Grade II listed barn located south of Elton.
4. Listed building consent is sought for the conversion of the barn to a market dwelling along with associated landscaping and drainage.
5. The proposed works would result in less than substantial harm to the significance of the listed building, its setting and would harm valued landscape character. Public benefits arising from the works would not outweigh the harm to the listed building.
6. The application is recommended for refusal for the reasons set out in the report.

Site and Surroundings

7. Barker Barn is a Grade II listed building located in open countryside on Moor Lane, approximately 1km south of Elton. The building is on the Authority's 'at risk' register.
8. The building is a two-storey field barn fronting directly onto the highway verge and to the fields behind with an overgrown access and small walled curtilage to the south west. The building is constructed from rubble limestone and gritstone. The roof of the building is partially collapsed.
9. The barn sits within the Limestone plateau and is visible in wider views in the landscape from surrounding highways, access land and footpaths. The nearest neighbouring property is Leadmines farm some 750m to the north east.

Proposal

10. Listed building consent is sought for the conversion of the barn to a single market dwelling.
11. The amended plans show that the whole building would be converted to a three-bedroom dwelling, with the bedrooms and kitchen / dining room at ground floor with a new stair providing access to an open plan living room at first floor.
12. A structural survey has been carried out and amended plans submitted to show the extent of re-building proposed. The plans show that the roof would be removed and new oak king post trusses installed to replace the existing trusses. Some purlins would be replaced and some retained. The main roof of the building could be clad with the same mixture of blue clay tile, welsh slate and stone slate as on the existing building. The plans also show that parts of the walls would be re-built.

13. The existing window and door openings would be retained with an alteration to reduce the height of the opening to the north east elevation (W15). New timber window and door frames would be installed in the openings along with recessed glazing to the slot vents.
14. Internally, works are proposed to lift and relay the stone paving floor while levelling it. A new first floor and stair would be installed along with internal walls to sub-divide the space at ground floor level. The majority of internal walls would be lime rendered.
15. The plans also show that the dwelling would be provided with a domestic curtilage, utilising the existing access adjacent to the building to a hardstanding with space for two cars to park and turn and a patio area to the rear of the barn. The curtilage would be bound by a new drystone boundary wall. A package treatment plant would be installed within the curtilage to serve the development along with bin store, shed and air source heat pump to the rear of the barn. The dwelling would be provided with an underground electricity supply.

RECOMMENDATION:

That the application be REFUSED for the following reason:

- 1. The works would harm the significance of this Grade II listed barn and its setting contrary to Core Strategy policy L3 and Development Management policies DMC5, DMC7 and DMC10. The harm would be less than substantial but would not be outweighed by public benefits, including securing the optimal viable use of the building. The application is therefore contrary to the National Planning Policy Framework.**

Key Issues

16. The impact of the works upon the significance of the listed building and its setting.

Relevant Planning History

17. 2020 – ENQ/38435 – Pre-application enquiry for conversion to house. Officer advice given that conversion would not be acceptable due to the impact of the development upon a very isolated building in an open landscape setting.
18. 2016 – ENQ/28302 – Pre-application enquiry for change of use of barn to either residential or holiday let.

“In the light of the planning history on the site, it is unlikely that the Authority would support a residential use for the property unless it could be demonstrated that:

- 1. The development would represent the optimal viable use of the heritage asset; and*
- 2. Alterations would not harm the significance (architectural and historic interest) of the listed building; and*
- 3. The setting of the listed building (the rural open landscape) would not be compromised by domestication.*

An agricultural use (the original use) is the preferred use for the barn. In line with my letter sent to the property owner, on 1st November 2007, a low-key leisure / recreation use, e.g. camping barn or low-key business use e.g. workshop or office might be supported but this would have to be in accordance with points 1-3 above.

My view is that holiday use is another possibility as this would have less impact upon the setting of the building than a permanent residential dwelling.”

19. 2015 – ENQ/24539 – Pre-application enquiry for change of use to a dwelling and also to incorporate camping/caravanning on neighbouring land.
20. 1994 – Appeal against applications WED0393091 and 3092 dismissed.

In determining the appeal, the Inspector stated that “*any form of domestication would have a significant visual impact upon the character of the barn and upon that of its surroundings*”. The Inspector stated, “*the open character of the peak National Park countryside would, by implementation of the proposal, be unacceptably harmed*”.

The Inspector was satisfied that the scheme considered at appeal would preserve the exterior of the barn, however, the Inspector was concerned about the proposed insertion of a first floor to the whole of the northern wing. The inspector stated, “*this part of the barn is currently a high vaulted space which is an important and historic feature. By the insertion of the floor and the horizontal subdivision of this space, this internal feature of architectural and historic interest would be destroyed.*”

21. 1993 Planning permission and listed building consent for conversion of the barn to dwelling (WED0393091 and 3092) refused on design and landscape impact grounds.
22. 1991 Planning permission and listed building consent for conversion of the barn to a dwelling refused (WED0391132 and WED0991435) refused in principle and on design and landscape impact grounds.

Consultations

23. Parish Council – Strongly support the application.
24. PDNPA Conservation Officer – Object to the application.

Comments on the amended scheme are summarised below. The more detailed comments on the original submitted application which went to the March meeting are summarised after.

Current scheme:

“Structural appraisal

A structural appraisal has been provided by Peak Engineers, who it should be noted are not conservation accredited. The structural appraisal recommends the complete replacement of the roof, and a large amount of rebuilding to the southern extension and the rear facing walls to the main building.

Although only partial rebuilding is recommended, the report acknowledges that the areas identified for partial rebuilding may need to be rebuilt to the ground with new foundations. Major structural works of this nature also present a risk that further areas of the building (such as the front elevation) become unstable and require rebuilding after consent is granted.

The loss of the roof and large areas of rebuilding will result in a loss of significance. If the committee conclude that this is justified, then the risk to the rest of the structure will need to be managed by a condition that provides a detailed methodology (written by a structural engineer) on how the rest of the structure will be safeguarded during works.

The loss of significance is not simply a case of visual impact. Surviving historic construction techniques also contribute towards architectural interest and therefore significance. This loss can be mitigated (but not avoided) through conditions asking for a detailed methodology for the rebuilding of the walls and roof, requiring that they will be constructed in a truly like-for-like manner, both in terms of appearance and construction.

Design changes

- *The arrangement of the ground and first floors have been swapped, leaving an open plan living area on the first floor, preserving the formally open space. This is an improvement*
- *Roof lights have been removed*
- *Doors and windows have been altered, with the majority of both to be fully glazed.*

In addition to the above, the replacement roof covering is still proposed to be predominantly welsh slate to the rear, when the majority was previously stone slate. Overall, whilst some of the design details have been improved, the structural appraisal has demonstrated that a large amount of rebuilding will be required in order to facilitate the conversion. This will in itself lead to a loss of significance, but also presents the risk of further structural instability. Notwithstanding the impact on significance of the building caused by harm to its setting, the scheme still presents a high degree of less than substantial harm.”

The Conservation Officer goes on to recommend conditions if planning permission and listed building consent are granted.

Scheme which went to the March meeting:

“Barker Barn is a grade II listed building (1335216, listed on 14th December 1983). Built as a field barn in the late 18th century, the barn was extended with the addition of a loose box in the late 19th century.

Field barns were typically built in the Peak District from the late 18th to 19th century as formerly open fields and wastes were enclosed. ‘The Peak District Farmsteads Character Statement says: ‘Field Barns... are a highly significant feature of the Peak District, and combine with the intricate patterns of dry-stone walling and hay meadows to form an integral and distinctive part of the landscape.

Unusually the barn can be dated with some certainty to 1787, and is identified on the Elton Enclosure Award plan of 1809. The precise date is unknown, but it is reasonable to assume that the surrounding fields were enclosed from open wastes and commons not long before the construction of the barn, in a process that defines the present-day character of the White Peak.

The position of the barn with its near contemporary enclosed fields is highly illustrative of the process of enclosure, which has defined the present character of the White Peak. The presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming/mining economy of the area.

The heritage statement has also identified that the barn largely retains its original layout, as well as a surviving original roof structure (part of which lies on the floor), and an original gritstone floor. Most cow houses and field barns were altered in the 20th century due to hygiene regulations for the production of milk, which usually resulted in the loss of their original floor. Therefore, the survival of an original 18th century stone floor is significant.

Taking the above into account, the barn can be described as highly significant. The key elements that contribute to its significance are its age and rarity, its surviving historic layout, its surviving historic fabric, and its relationship with a landscape which hasn't changed for over 200 years.

Outline of proposals, summary of impact, and the principle of conversion

As I see it, aspects of the proposals can be divided into three categories: Proposals that will harm the significance of the building that can't be mitigated, proposals that lack sufficient information to judge their impact, proposals that would harm the significance of the building but could be changed or mitigated should the principle of development be approved. The latter two areas would need to be addressed should the principle of development be deemed acceptable.

Harmful proposals intrinsic to the scheme:

- The imposition of extra domestic curtilage and car parking space would have a negative impact on the barn's setting and the contribution this makes to its significance. Both of these, but particularly the garden curtilage, would harm the relationship between the barn and its setting, which contributes greatly to its significance.
- The floor finish has been identified as likely original and highly significant. The application proposes lifting the floor and reusing the paving stones in different places. Updated plans propose to lift and relay the stone paving, whilst levelling it. The floor would have to be recorded and re-laid as it was in order to preserve its significance, as patterns of wear contribute towards a buildings historic and archaeological interest. Levelling the floor would harm its significance.
- The insertion of a new, heavily subdivided first floor will destroy a previously open space and obscure the highly significant roof truss.
- The lining of the walls will obscure the original interior of the barn and destroy the evidence of its surface finish.
- The installation of roof-lights will inevitably have a negative impact on the significance and agricultural character of the barn.
- The addition of external plant for an air source heat pump, and a garden store will add to the barn's visual clutter, harming its character and significance.

Where more information is required should the principle of development be deemed acceptable:

- On visiting the site, it was noted that in addition to part of the building being roofless, cracks have appeared in the walls. In order to assess the application against DMC10, a structural appraisal should be undertaken by a suitably experienced engineer, ideally CARE registered. Drawings should then identify exactly what elements of the building require rebuilding, and where other structural interventions are required. If a significant amount of rebuilding is required this would harm the historic interest of the building, compounding the harm already proposed by the application.
- There is no information as to how much of the roof will be kept or replaced, or what the justification is for a steel ridge beam. The roof is highly significant and its loss would be very harmful to the significance of the barn.
- Repointing is mentioned but there are no details. I noticed on site that what remains of the current pointing is likely to be original mortar, which is itself of historical value. Historic mortar in good condition should be identified and retained. Replacement mortar should be visually and mechanically compatible with the historic mortar.

Unnecessary harmful proposals that should be amended should the principle of conversion be deemed acceptable:

If the principle of conversion is approved, there are a number of harmful elements to the proposal that would need addressing. These include:

- *The proposed doors and windows, which would erode the agricultural character of the building and harm its significance.*
- *The replacement of the varied roof coverings with uniform welsh slate. The updated drawings somewhat address this comment, with the inclusion of stone slate to the rear catslide roof. However most of the rear roof covering prior to its collapse was stone slate, and the front elevation is clad with clay tiles.*

Conclusion

Overall, in the language of the NPPF, the proposals would cause substantial harm. Substantial harm is quite a high test, so it is worth looking at the government's planning practice guidance, which states:

"in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

To break down the above statement, we should consider the key elements that contribute to the significance of the barn. These are; the building's age and rarity, surviving historic features, layout and fabric (such as the roof truss and stone floor), and the relationship between the barn and its landscape setting. The historic fabric of the barn and its landscape setting will be severely impacted by the proposals, leading to what can only be described as substantial harm to its significance, which could lead to the barn losing its listed status. If it transpires that the barn would need significant rebuilding, this would further undermine the barn's significance.

As per our development management policies and paragraph 201 of the NPPF, the application should be refused unless substantial public benefits are achieved, or the tests in paragraph 201(a-d) are demonstrated.

A read through the planning file for the barn suggest that attempts have repeatedly been made over the years to encourage the owner to maintain the listed barn, in order to arrest its decay. However, it appears that almost no attempt has been made by the owner to keep the building in good repair, which would have been considerably cheaper if done before the building's condition worsened.

It is important to state that the choice here is not between a barn conversion and a pile of stones. The PDNPA could serve an urgent works notice, which would give the Authority the power to carry out emergency repairs and recover the costs from the owner. Under the Levelling-up and Regeneration Act 2023, the costs could be recovered via a land charge.

The amended drawings somewhat answer some of my comments, and would somewhat reduce the level of harm proposed. However, the proposals still fail to answer the substance of my comments, resulting in a scheme that leaves questions to be answered, and substantial harm to the significance of the building."

25. PDNPA Archaeology – Makes the following comment:

“Supporting Information

This application has been supported by a heritage statement that describes the significance of the barn as a heritage asset, considers the below ground archaeological interest of the site and has consulted the Derbyshire Historic Environment Record and made use of the PDNPA Historic Farmstead guidance. It meets the requirements of NPPF.

Significance

The barn is a designated heritage asset and is of national significance, of 18th century origin with 19th century alterations. It has archaeological interest because the structure has potential for concealed or previously unknown evidence associated with its construction, development and use to be revealed through specialist study of the structure itself.

The site and barn has belowground archaeological interest for previously unknown and unrecorded archaeological remains from the prehistoric period to the post-medieval period, specifically:

- *Neolithic and Bronze Age settlement – the fields immediately to the west have produced a wealth of chert, flint and pottery artefacts that suggest occupation during the Neolithic and Bronze Age. Finds include arrowheads, scrapers, blades, axes and stone axe fragments, several polished stone axes, a spear head, awls, sickles, saws and cores, including from in this particular field, with a particular concentration of finds suggesting a settlement focus slightly further west and then surrounding agricultural activity. The site is recorded in the Derbyshire Historic Environment Record and the Peak District National Park Authority Historic Buildings, Sites and Monuments Record.*
- *Bronze Age funerary and ritual activity – a now lost barrow was excavated by Thomas Bateman in 1844. The precise location of the original barrow is unknown, with the location given only as Elton Moor. The site is recorded in the Derbyshire Historic Environment Record as in the immediate vicinity of the barn. Finds comprised human remains (inhumation and cremated bone), flint tools, ceramic vessels, and non-local pebbles.*
- *Medieval agricultural activity – LiDAR mapping data demonstrates the survival of ridge and furrow earthworks oriented north-east to south-west within the field associated with barn. These could be associated with the medieval field systems of Elton, Winster or associated with agricultural activity of the medieval grange at Mouldridge (Scheduled, NHLE # 1020947) to the south west.*
- *Post-medieval lead mining – the barn is within a landscape of lead mining remains that survive as belowground features, underground features and extant surface structures and earthworks. Two areas of scheduled remains lie within the immediate landscape setting of the site, Rainslow Scrins (NHLE # 1017749) c. 500m to the north east and remains of Dunnington and Hardbeat Mines, Rath and Cowlica Rakes, and Rath Rake Sough south west of Oddo House Farm (NHLE # 1019045) c.800m to the north west. Extensive non-designated lead mining remains are present within the immediate surrounding landscape of the barn as recorded in the Historic Environment Record and evident within the site itself as visible on the LiDAR mapping.*
- *Post-medieval agricultural – particularly the earlier phase of the barn at the south end as depicted on the 1809 Enclosure prior to the late 19th century alteration.*

Any such archaeological remains and features that survived on the site would be considered to be non-designated heritage assets. Any remains relating to the construction, use and development of the barn would contribute directly to the significance of a designated heritage asset.

The significance of archaeological remains and features that could be encountered can be estimated to be of local significance (post medieval agricultural) to regional (lead mining and prehistoric remains).

Previous ground impact can be anticipated from the creation of the barn itself, including levelling of the ground, excavation for any foundations etc. These previous ground impacts lowers the chance of finding entirely undisturbed remains within the footprint of the building itself, although this cannot be entirely ruled out as the level of previous impact and disturbance is unknown.

The chances of encountering such remains within the immediate vicinity of the barn and in the areas proposed to form the drive way, parking areas, residential curtilage etc. is deemed to be moderate-high.

Impact

The works to the building have the potential to encounter, damage and destroy concealed or previously unknown evidence associated with its constructions, development and use of the building, particularly its adaptation in the 19th century and the footprint of the original structure. This would result in minor harm to the archaeological interest of the building.

The groundworks associated with the proposed development, both within the existing barn structure (e.g. for the new concrete floor slab, associated membranes, insulation, any underfloor heating etc.) and in the area around it for the delivery of (but not limited to) the amenity space and curtilage, drive and parking areas, package treatment plant, electrical and other services connections, drainage, package treatment plant etc. have the potential to encounter, damage and destroy previously unknown and unrecorded archaeological remains and features of local to regional significance relating to a range of human activity (settlement, funerary and ritual, agricultural and lead mining) from prehistory to the post-medieval period.

This would result in permanent and irreversible harm to the archaeological interest of the site. The scale of the anticipated groundworks suggests that this harm would be moderate in scale to the site overall, but would lead to the complete loss of the remains and features within the footprint of the groundworks.

Recommendations

Should the proposals be considered acceptable with respect to the advice of the Building Conservation Officer and with respect to an appropriately weighted planning balance for the relevant designated and non-designated heritage assets in accordance with national and local policy then I recommend that the harm and impacts detailed above are mitigated through a conditioned scheme of building recording (nature and level to be specified by the Building Conservation Officer) and a programme of archaeological investigation (a scalable watching brief to strip, maps and sample excavation) on all internal and external groundworks.

This work needs to be carried out by a suitably qualified and experienced heritage/archaeological contractor in accordance with the nationally agreed standards of the Chartered Institute for Archaeologists, and to a written scheme of investigation

approved by the Senior Conservation Archaeologist. These recommendations are in accordance with NPPF para 205 requiring developers to record and advance the understanding of heritage assets to be lost wholly or in part in a manner proportionate to their significance and the impact of the development.”

26. PDNPA Ecology – No objection subject to conditions. Comments are summarised below:

“Baker Consultants Ltd undertook a protected species survey of Barker Barn, Elton in May 2023. The Baker Consultant’s survey involved a preliminary bat inspection of the building and although no evidence of bats was recorded, the barn was assessed as having moderate bat roost potential. The ensuing report therefore advised that two nocturnal surveys were undertaken in line with current best practice guidelines (BCT 2016). Subsequently, two dusk emergence surveys were carried out on 20th July and 7th August 2023 by Dunelm Ecology with an assessment of impacts and mitigation proposals presented within the report entitled Barker Barn, Elton Supplementary Bat Survey August 2023.

All surveys have been undertaken in line with the relevant guidelines. An appropriate impact assessment has been undertaken, along with suitable mitigation methods and enhancements.

The surveys by Dunelm Ecology found that the barn is used by low number <5 common pipistrelle bats. The report states:

“Without the implementation of mitigation measures, individual or small numbers of common pipistrelle bats could be disturbed and/or possibly injured or killed during conversion works. This action could, therefore, result in an offence under the legislation that protects bats and their roosts. However, since only low numbers of bats are considered likely to be present, the scale of impact is assessed as low at a local level.”

A bat mitigation class license from Natural England is required prior to commencement of the development.

All mitigation and Compensation measures as detailed within Section 4.4 of the Supplementary Bat Survey report by Dunelm Report (2023) to be adhered to.

No external lighting should be installed which would directly shine on or adjacent to new roosting sites with new lighting kept below 3 lux in the vicinity of roost access points.”

Representations

27. The Authority has received 26 letters of representation in support of the application to date. No additional representations have been received since the application was deferred. The reasons are summarised below:

28. Support

- a) The barn is an important part of the history of Elton and development of farming in the area. If allowed to remain in its current state its rate of deterioration will accelerate as the loss of the roof will allow the elements to further erode the structure and will attract theft and vandalism.
- b) Over the last 15 years the barn has gradually fallen apart. If something is not done soon it will be lost.
- c) Many of these barns are being lost.
- d) The plans present an opportunity for this building to be saved.
- e) The design is very sympathetic to the original design and purpose of the barn. The accommodation is contained within the existing building conserving its external appearance.

- f) Conversion of the barn to a market dwelling is preferable to the loss of the barn.
- g) The position of the development will not cause problems for the users of Moor Lane as there are no bends in the road and there will be plenty of off-road parking.
- h) A number of isolated redundant barns have been converted into dwellings in recent years. There is therefore a precedent.

Main Policies

- 29. Relevant Core Strategy policies: L3
- 30. Relevant Development Management policies: DMC5, DMC7, DMC10
- 31. Conversion of Historic Buildings Supplementary Planning Document (SPD)

National Planning Policy Framework

- 32. The National Planning Policy Framework (NPPF) is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date.
- 33. In the National Park the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies document (2019). Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between policies in the development plan and the NPPF.
- 34. Therefore, full weight should be given to policies in the development plan and the application should be determined in accordance with the Authority's policies unless material considerations indicate otherwise.
- 35. Paragraph 182 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.
- 36. Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It notes that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. It advises that as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 37. Paragraph 201 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 38. Paragraph 202 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be considered in any decision.

39. Paragraph 203 states that in determining applications account should be taken of desirability of sustain and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.
40. Paragraph 205 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.
41. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional.
42. Paragraph 207 states that where a proposed development will lead to substantial harm (or total loss of significance of) a heritage asset consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or that all of the following apply:
 - a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
43. Paragraph 208 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.
44. Paragraph 211 states 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 accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Peak District National Park Core Strategy

45. Policy L3 states that development must conserve and enhance cultural heritage assets.

Development Management Policies

46. Policy DMC5 provides detailed criteria relevant for 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 applications.
47. Policy DMC7 provides detailed criteria relating to proposals affected listed buildings and states that;

- a. Planning applications for development affecting a Listed Building and/or its setting should be determined in accordance with policy DMC5 and clearly demonstrate:
 - (i) how their significance will be preserved;
 - (ii) why the proposed development and related works are desirable or necessary.
 - b. Development will not be permitted if applicants fail to provide adequate or accurate detailed information to show the effect on the significance and architectural and historic interest of the Listed Building and its setting and any curtilage listed features.
 - c. Development will not be permitted if it would:
 - (i) adversely affect the character, scale, proportion, design, detailing of, or materials used in the Listed Building; or
 - (ii) result in the loss of or irreversible change to original features or other features of importance or interest.
 - d. In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to (amongst other things):
 - (i) removal of original walls, stairs, or entrances or subdivision of large interior spaces
 - (ii) removal, alteration or unnecessary replacement of structural elements including walls, roof structures, beams and floors.
48. Policies DMC10 sets out detailed criteria for the assessment of proposals to convert heritage assets. Development will be permitted provided that:
- (i) it can accommodate the new use without changes that adversely affect its character (such changes include enlargement, subdivision or other alterations to form and mass, inappropriate new window openings or doorways and major rebuilding); and
 - (ii) the building is capable of conversion, the extent of which would not compromise the significance and character of the building; and
 - (iii) the changes brought about by the new use, and any associated infrastructure (such as access and services), conserves or enhances the heritage significance of the asset, its setting (in accordance with policy DMC5), any valued landscape character, and any valued built environment; and
 - (iv) the new use of the building or any curtilage created would not be visually intrusive in its landscape or have an adverse impact on tranquility, dark skies or other valued characteristics.

Assessment

The impact of the development upon the significance of the listed building and its setting

49. Barker Barn is a Grade II listed building standing in an isolated and very prominent location on Elton Moor. The barn is on the Authority's 'at risk' register. Unusually, the barn can be dated with some certainty to 1787, and is identified on the Elton enclosure Award plan of 1809. The precise date is unknown but it is likely that the fiends were enclosed from open wastes not long before the construction of the barn. The enclosure process defines the present-day character of much of the White Peak.

50. The main structure was built as a field barn with the addition of a loose box in the late 19th century. The position of the barn within its near contemporary enclosed fields is highly illustrative of the process of enclosure. Furthermore, the presence of the barn so close to scheduled lead workings is also highly illustrative of the dual farming / mining economy of the area.
51. The application is supported by a heritage statement which meets the requirements of policy DMC5, the conversion SPD and the NPPF. The heritage statement identifies that the barn largely retains its original layout, as well as a surviving original roof structure (which is partially collapsed) and an original gritstone floor. Most cow houses and field barns were lost their original floor during the 20th century due to hygiene regulations for the production of milk and therefore the survival of an original 18th century floor is significant.
52. Overall and having had regard to the submitted heritage statement and advice from the Authority's Conservation Officer and Archaeologist, it is clear that the building is a designated heritage asset of national interest. The barn can be described as highly significant due to its age and rarity, its surviving historic layout, fabric and its relationship with a contemporaneous landscape which has seen little change since it was enclosed over 200 years ago.
53. Relevant policies in the development plan and the NPPF make clear that great weight must be given to the conservation of the significance of the barn and its setting, particularly in the National Park bearing in mind its statutory purposes. Furthermore, in considering this application the Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
54. This application seeks listed building consent for the conversion of the building along with associated landscaping to create a parking and garden area and to provision of services to the building. Following the deferral of the application in March further amended plans have been received. The Authority's Conservation Officer has been consulted and has provided a detailed assessment of the impact of the works.
55. The conversion of the barn to a market dwelling and likely any type of residential accommodation would require changes to the curtilage of the building due to the fact that the building is effectively sandwiched between the road and the field with only a very limited enclosed curtilage to the side. This application proposes alterations to the existing walling and erection of new walling to form a parking and turning area to the side of the barn and a patio area to the rear of the barn.
56. The proposed curtilage is relatively modest and would be enclosed by dry-stone walling which would be appropriate in the landscape. However, the introduction of parked cars and an albeit small domestic curtilage with bin storage, shed and air source heat pump, associated domestic paraphernalia and lighting would result in a change to the setting of the building and its relationship with the surrounding open landscape.
57. The setting of the barn and its relationship with the surrounding landscape is a key aspect of the significance of the building. The formation and existence of the barn is closely tied with the enclosure of the surrounding land. The setting is therefore of high significance and sensitive to change. The proposed changes therefore would result in harm to the setting of the building.
58. Externally, the conversion is within the shell of the existing building which would be repaired and partly re-built. The repair and re-building, subject to appropriate details and methodology is welcomed in principle as it would be a significant enhancement to the building. The application is now supported by a structural appraisal by Peak Engineers, who it should be noted are not conservation accredited (CARE).

59. The structural appraisal recommends the complete replacement of the roof and a large amount of re-building to the southern extension and the rear facing walls to the main building. Although only partial re-building is recommended, the report acknowledges that the areas identified for partial re-building may need to be re-built to the ground with new foundations.
60. Major structural works of this nature may would likely constitute the erection of a new building rather than a conversion and therefore be beyond the scope of this application. Such works would also present a risk that further areas of the building (such as the front elevation) become unstable and require re-building.
61. The loss of the roof and large areas of re-building will result in a loss of significance. The loss of significance is not simply a case of visual impact. Surviving historic construction techniques also contribute towards architectural interest and therefore significance. If it is concluded that the proposed re-building works are justified then the risk to the rest of the structure would need to be managed by planning condition to ensure a detailed methodology (provided by a structural engineer) is followed to safeguard the rest of the structure.
62. Internally the building would be converted to habitable accommodation as shown on the plans. The barn retains its original layout and gritstone floor and therefore these elements are of particular significance. The application proposes to retain the gritstone floor which would be lifted and re-laid. The retention of the floor is welcomed provided that it is appropriately recorded to retain historic patterns of wear. The levelling of the floor would result in some harm to its significance.
63. The amended plans have changed the layout with part of the ground floor now proposed to be subdivided to create the bedrooms with a new stair to an open plan living room at first floor. The amended layout would better conserve the open space at first floor which relates to the historic function of the building and therefore of high significance.
64. Finally, the application proposes to line the internal walls with lime plaster. This is an appropriate finish to an historic building; however, the lime plaster would conceal the original interior of the barn and destroy and evidence of its surface finish. This element of the works would also therefore result in some harm to the significance of the building.
65. Overall it is concluded that the amended scheme is an improvement, particularly in regard to the proposed floor plan. However, the works would still result in significant harm to the setting of the building and harm to internal elements including the walls and to the gritstone floor. Externally the works would have the potential to enhance the structure through repair if the extent of re-building proposed is concluded to be justified.
66. In accordance with policies DMC5 and DMC7 and the NPPF the level of harm to the listed building must be identified. The Authority's Conservation Officer advises that the works would cause a high degree of less than substantial harm to the listed building. There is a strong presumption against works which results in harm in our policies and the NPPF.
67. The impact of the works must be considered and weighed in the planning balance bearing in mind the duty of the Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The impact of the works along with other issues such as alternative options and public benefits are considered further in the conclusion section of the report.

Is there evidence of deliberate neglect to the heritage asset

68. Whether or not there is evidence of deliberate neglect to the listed building was raised at the March planning committee. This is capable of being a material consideration and paragraph 202 of the NPPF states: *“Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.”*
69. This policy makes clear that while policies allow for some types of development which otherwise would not be acceptable because they would secure the long term conservation of a heritage asset, such as a listed building, the deteriorated state of a heritage asset should not be considered where there is evidence of deliberate neglect. This is to prevent any incentive in planning policies for land owners to not appropriately maintain historic buildings.
70. This is an important consideration and one Members must consider in assessing this application. If it is concluded that there is evidence of deliberate neglect then the current deteriorated state of the building should not be considered in accordance with paragraph 202 of the NPPF. If this is the case then the building should be considered as being in fair condition when weighing the potential harm and benefits of the proposal in the planning balance.

Whether the works are acceptable in all other respects

71. The application is supported by protected species reports. The building was surveyed and this found that the building is used by a low number of Common Pipistrelle bats. The report concludes that a mitigation class licence will be required from Natural England and recommends mitigation and compensation measures including appropriate working methods and creation of roosting opportunities in mortar cavities in the stonework.
72. The impact of the works upon bats is a material consideration as a protected species. The submitted information is sufficient to understand the potential impact of works upon bats and to be confident that the works will not harm the conservation status of identified species. If the works were considered to be acceptable then the impact upon bats would be justified and meet the derogation tests. If consent were granted planning conditions would be recommended to ensure that the works are carried out in accordance with the recommendations of the report and that details of external lighting were controlled.
73. There is no evidence to suggest that the works would harm any birds or other protected species and the works would not harm any designated sites. There are limited opportunities for biodiversity enhancement given the nature of the proposals and the desire to minimise impact upon the building and its setting, however, the works would incorporate additional bat roosts in wall cavities.

Conclusion

74. The Authority’s Conservation Officer advises that proposed works would result in a high degree of harm to the significance of the Grade II listed barn. The harm identified would be less than substantial.
75. In accordance with policies DMC5 and DMC7 and the NPPF the Authority must therefore refuse the application unless it is demonstrated that public benefits arising from the works would outweigh the harm identified. The barn is on the Authority’s at risk register and the works would result in the repair of the barn and would provide a use which would secure the long-term conservation of the building.

76. If the works would secure the optimal viable use of the building then this would constitute a public benefit which could be weighed against the harm. If there is only one viable use for a building, then that use is the optimal viable use. If there are a range of alternative viable uses then the optimal viable use is the one likely to cause the least harm to the significance of the building.
77. Officers agree with the applicant that use of the building for agricultural purposes is unlikely to be viable as the building no longer meets current welfare requirements and there are no large openings for storage of equipment or machinery. The submitted application considers alternative uses to the proposal including: stabling, a camping barn, commercial purposes such as an office or workshop or holiday accommodation.
78. The application concludes that use as stabling would not be viable due to the investment required to make the building safe. The application accepts that use as a camping barn would have less impact upon the significance of the barn but again concludes that this would not be viable. Use as an office or workshop the application considers would be equally impactful as the proposal and unlikely to be viable. Finally, the application considers that use as holiday accommodation would be marginally less harmful than the proposed market dwelling but considers that a market dwelling would be preferable as it would be more beneficial to the community.
79. The barn is in a poor state of repair and therefore significant investment would be required to repair the structure before any use could be considered. How much weight should be given to the deteriorated state of the building depends upon the conclusion whether there is evidence of deliberate neglect. This would mean that less economically viable options with lower impact could be the optimal viable use.
80. It is accepted that use for agriculture or stabling would be unlikely to be viable. The application considers that use as a camping barn or office / workshop would not be viable. However, there is no evidence to indicate what the cost of repair works are and what projected incomes from these uses could be. There remains therefore insufficient evidence to conclude that these uses would not be viable.
81. Use as a camping barn would have a significantly lesser impact than the proposal in terms of setting and internal layout in particular. It is accepted that a workshop or office use would require parking, however, there would be no requirement for a garden or the domestic paraphernalia which accompanies this.
82. Finally, a holiday let would result in less impact as there would be no requirement for a garden. The application rules out use as a holiday let on the grounds that use as a market dwelling may be more beneficial for the community. This point is understood; however, it must be stressed that the proposal is for a market dwelling not an affordable dwelling to meet eligible local need. A market dwelling could be purchased on the open market and there would be no occupancy restriction. Furthermore, currently a market dwelling could be used as holiday accommodation.
83. Therefore, on the basis of information provided use of the barn as a camping barn, workshop / office and holiday let cannot be ruled out as not viable. These uses would be likely to result in less harm to the listed building than the proposed market dwelling. Therefore, the application has not demonstrated that the proposed market dwelling represents the optimal viable use of the heritage asset. Therefore, the public benefit of the works of restoring the building would not outweigh the harm identified. The application is therefore contrary to policies L3, DMC5, DMC7 and DMC10 and the NPPF.
84. The concern raised about the condition of the barn is understood as is the need to find viable uses to secure the long-term conservation of heritage assets. However, the nature of the barn and its setting makes it very sensitive to change and the application has not demonstrated that the proposal represents the optimal viable use or that harm,

particularly to the setting would be minimised. It is reasonable to conclude that there are alternative options that could secure the building with less harm to the building or the landscape.

85. There it is therefore concluded that having had regard to all matters raised that the works would be contrary to the development plan there are no material considerations that indicate that consent should be otherwise granted.

Human Rights

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

List of Background Papers (not previously published)

87. Nil

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