

**10. FULL APPLICATION – FOR PROPOSED EXTENSIONS AND CONVERSION OF ATTACHED BARN TO FORM ADDITIONAL LIVING ACCOMMODATION AT 1 TEARSALL VIEW, THE SQUARE, WENSLEY (NP/DDD/0624/0656, GG)**

**APPLICANT: STEPHANIE AND GRAHAM ROBERTS**

**Summary**

1. The application is for the extension, and conversion of attached barn, to form additional living accommodation.
2. The development would result in harm to the character and appearance of the property and its setting within the Conservation Area due to the design, scale, massing and materials of the proposed development. This harm would be less than substantial but would not be outweighed by any public benefits.
3. The application is recommended for refusal.

**Site and Surroundings**

4. The property is a traditional, semi-detached dwelling house set off The Square in the village centre of Wensley. The dwelling house is of limestone and brick construction, which has been covered with a rough, grey render, and has a slate roof and timber sash windows with gritstone heads, jambs and cills.
5. A stone barn is attached to the east of the property and is built from random coursed limestone with a slate roof. Due to the sloping site, its floor level is 1.2m below the floor level of the house. The barn is currently used for storage. A small, lean to, brick outhouse has been added to the rear of the dwelling house and contains a wc and washing machine and a small, reconstituted stone porch has been added to the rear of the house.
6. The property is adjacent to other traditional, residential properties buildings and all within the Wensley Conservation Area.

**Proposal**

7. Planning permission is sought for the conversion and alteration of the barn attached to the dwelling house and for a single storey, flat roofed extension to the rear, all to provide for accessible, ground floor living accommodation. It is proposed that an internal connection to the existing ground floor would be provided and maintained.
8. It is proposed that the barn will contain a bedroom and wheelchair accessible en-suite at the floor level of the dwelling house. The existing windows are proposed to be replaced with new, double glazed, single casements. Flush conservation rooflights are proposed to allow light and ventilation to the proposed bedroom and new bathroom. The doors to the front of the barn are proposed to be replaced, but would be for decoration only due to the new floor level be raised above the current level.
9. It is proposed to extend off the rear elevation of the barn by some 5.6m, at which point the length across the rear is proposed to be some 7.5m; this would sit the extension a similar distance off the rear of the projecting gable of the existing dwelling house as the current brick outhouse which is proposed to be demolished. The extension would provide for a further living, bedroom and utility space, with access to the main dwelling house via the existing kitchen.

10. The Applicant advises that the overall footprint has been informed by minimum requirements for the living accommodation, keeping in mind accessibility and independence.

### **RECOMMENDATION:**

**That the application be REFUSED for the following reason:**

- 1. The proposed development, by virtue of its design, scale, massing and materials would relate poorly to the existing dwelling house and barn and would result in harm to the character and appearance of the property and the Wensley Conservation Area contrary to Core Strategy Policies GSP3 & L3, Development Management Policies DM5, DMC8, DMC10 & DMH7 and the Authority's Design Guide, Conversion of Historic Buildings and Residential Annexes Supplementary Planning Documents. The harm identified would be less than substantial but would not be outweighed by public benefits contrary to the National Planning Policy Framework.**

### **Key Issues**

- Impact upon the character and appearance of the buildings and the Conservation Area.
- Impact upon amenity and highway safety.

### **History**

11. None relevant.

### **Consultations**

12. Highway Authority: No objection but request information regarding safeguarding Wensley Footpath No. 10 be attached any grant of planning permission.
13. South Darley Parish Council: No response received to date.
14. PDNPA Ecologist:
  - no information regarding impacts on protected species has been included within the application
  - referring to photographs, the building appears to have bat roost potential e.g. with gaps and slipped tiles
  - advise that a building of this type, in this setting, would require a Preliminary Bat Roost Assessment by a qualified and licensed bat ecologist.

### **Representations**

15. The Authority has received 12 representations to date in support of the applications. The material planning reasons given are summarised below:
  - a) appropriate conversion/extension for the village
  - b) will create 3 bedroom family home into the housing stock for future owners
  - c) contemporary nature of the extension at the rear of the property does not affect the view from the front of the property
  - d) proposed development is to be carried out in a sympathetic way using local materials without increasing the volume of the building that is visible from the public parts of Wensley village square

- e) proposed link from the house to the former barn is to be carried out in a tasteful manner (similar to other recently approved and now constructed extensions in Wensley)
- f) the proposed work is at a very secluded point in the village and will not even be visible to most residents, neighbours and visitors
- g) will be no visual impact on any property or person
- h) in the event that this proposed development does not proceed it is likely that another old (and otherwise difficult to use practically) building will continue to fall into further disrepair
- i) use as a barn now obsolete and would gain a much needed function without impacting the front of the property
- j) extension would bring the barn back to constructive use - has not been used and has never been viewed by the local residents as a thing of beauty
- k) connection of the barn to the extension would not be seen from the front nor would it be visible from the rear as it would be behind the extension itself
- l) because there is no increase in the scale of the changes proposed to the barn it will not overshadow any other property
- m) overall scale of the entire proposal is very modest and will, similarly, not affect any other property
- n) proposed velux/vent over the wet room will face the private land belonging to the property
- o) see this development as a sensible solution as well as a long term benefit for the village housing stock
- p) during a short construction period there may be some additional noise and vehicle movements but in the longer term there will be no additional pressure on the parking area in the square. Concerned to what will be done to minimise the disruption

### **Main Policies**

16. Relevant Core Strategy policies: GSP1, GSP2, GSP3, CC1 & L3

17. Relevant Development Management policies: DM1, DMC3, DMC5, DMC8, DMC10, DMC11, DMC12 & DMH7.

### **Wider Policy Context**

18. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public
- When national parks carry out these purposes they also have the duty to:
- Seek to foster the economic and social well-being of local communities within the national parks.

### **National Planning Policy Framework**

19. In the National Park the development plan comprises the Authority's Core Strategy 2011 and policies in the Peak District National Park 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.

20. Paragraph 182 of the NPPF states that *'great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
21. Paragraph 205 of the NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, that being the Conservation Area in this case, 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.
22. Paragraph 208 of the NPPF 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.
23. Paragraph 209 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset, that being the dwellinghouse and barn in this instance, should be taken into account in determining the application. In weighing applications that directly, or indirectly, affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

#### Peak District National Park Core Strategy

24. GSP1 & GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park.* These policies set out the broad strategy for achieving the National Park's objectives, and jointly seek to secure national park legal purposes and duties through the conservation and enhancement of the National Park's landscape and its natural and heritage
25. GSP3 - *Development Management Principles.* This states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
26. CC1 – *Climate change mitigation and adaptation.* This requires all development to make the most efficient and sustainable use of land, buildings and natural resources to achieve the highest possible standards of carbon reductions.
27. L3 - *Cultural heritage assets of archaeological, architectural, artistic or historic significance.* This states that development must conserve and, where appropriate, enhance or reveal the significance of architectural or historic assets and their settings.

#### Local Plan Development Management Policies

28. DM1 - *The presumption of sustainable development in the context of National Park purposes.* This advises that Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework, and will work proactively with applicants to find solutions that are consistent with National Park purposes to conserve and enhance the natural beauty,

wildlife and cultural heritage of the National Park. applications that accord with the policies in the Development Plan will be approved without unnecessary delay, unless material considerations indicate otherwise.

29. DMC3 - *Siting, design, layout and landscaping*. This states that where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
30. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their settings*. This advises that development of a designated or non-designated heritage asset will not be permitted if it would result in any harm to, or loss of, the significance, character and appearance of a heritage unless, for designated heritage assets, such as Conservation Areas, clear and convincing justification is provided that, in the case of less than substantial harm to its significance, the harm is weighed against the public benefits of the proposal and, for non-designated heritage assets such as the property, the development is considered by the Authority to be acceptable following a balanced judgement that takes into account the significance of the heritage asset.
31. DMC8 - *Conservation Areas*. This advises that applications for development in a Conservation Area should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced. The application should be determined in accordance with policy DMC5 and take into account the form and layout of the area, including views and vistas into and out of it, scale, height, form and massing of the development and existing buildings to which it relates, locally distinctive design details and the nature and quality of materials.
32. DMC10 - *Conversion of a heritage asset*. This advises that the conversion of a heritage asset, in this case the barn, will be permitted provided it is capable of conversion and it can accommodate the new use without changes that adversely affect its character the building is capable of conversion, the extent of which would not compromise the significance and character of the building and conserves or enhances the heritage significance of the asset and its valued built environment.
33. DMC11 - *Safeguarding, recording and enhancing nature conservation interests*. This advises that proposals should consider whether a proposal conserves and enhances species of wildlife importance and all reasonable measures must be taken to avoid net loss and details of appropriate safeguards and enhancement measures.
34. DMC12- *Sites, features or species of wildlife, geological or geomorphological importance*. This advises that development will only be permitted where significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained and the need for, and the benefits of, the development in that location clearly outweigh any adverse effect.
35. DMH7 – *Extensions and alterations*. This advises that these will be permitted provided that the proposal does not detract from the character, appearance or amenity of the original building, its setting or neighbouring buildings and does not dominate the original dwelling particularly where it is a designated or non-designated cultural heritage asset.

#### Supplementary Planning Guidance

36. The PDNPA Design Guide refers to the principles of good design and designing in harmony with the local building tradition. However, this must only be applied where a

development is otherwise justified by other policy criteria. Consideration needs to be given the guidance contained in the Authority's the Conversion of Historic Buildings Supplementary Planning Document.

37. In addition, and whilst the application is to convert the barn and to create an interlinking extension to the dwellinghouse, it is considered reasonable to have regard to the aims of the Authority's Residential Annexes Supplementary Planning Document.

## **Assessment**

### **Principle of the development**

38. Policies DS1 and DMH7 allow for extensions and alterations to dwellings in principle along with the conversion of heritage assets. The site is within Wensley and the barn is well related to the dwelling and its garden. In principle the development would therefore not result in any harm to the landscape. Therefore, the key issues are the impact of development upon the character of the buildings and the Conservation Area, amenity, highway safety and whether the development would harm protected species.
39. The Applicants have advised of the need for the development to address matters of mobility, which are currently constrained in the dwelling house. To this end, there is an identified need for level access to living space, a bedroom and bathroom facilities. The Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010, sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Regard needs to be also given to the rights conveyed within the Human Rights Act 1998 in the balance of consideration of the proposals.

### **Design and impact upon character and appearance and the Conservation Area**

40. The proposed extension is of different materials and form to the dwellinghouse and barn and would be read as a clear contemporary intervention to the property. Chapter 3 of the Authority's Design Guide relates to new development and to designing harmoniously and sympathetically. It identifies form, detailing and materials as the three main factors to consider. Chapter 7 relates specifically to alterations and extensions to dwellinghouses. It is advised that all extensions should harmonise with the parent building and respect its dominance and that the original character of the property should not be destroyed when providing additional development. Nevertheless, the Design Guide advises that it may be possible to add a well-designed extension, in a modern style, provided it is in harmony with the original building and does not diminish its quality or integrity.
41. The barn is considered to be a non-designated heritage asset that contributes to the character and appearance of the Conservation Area which is a designated heritage asset. The proposals therefore need to be considered having regard to the Authority's Conversion of Historic Buildings Supplementary Planning Document (SPD). This advises that when converting a non-residential historic building into residential use, the introduction of domesticating features should be minimised.
42. The SPD advises that new openings should only be inserted into roofs and walls where necessary. To this end, two rooflights are proposed which are considered reasonably necessary to provide natural light into the bedroom and bathroom space. The rooflight proposed to serve the bathroom would not be visible from the public domain. Whilst the building is a 'barn', given its context it could be deemed to be more of a workshop attached to a dwellinghouse and, in this respect, the addition of two rooflights, one on

either roofslope, is not deemed harmful to the underlying character and appearance of the building.

43. To achieve the level access the internal floor level of the barn is raised to be level with that of the dwellinghouse. This has the impact of having to address the existing openings on the barn and to raise the height of the barn's roof by 150mm to accommodate for such in order to provide headroom. Such alterations are generally not appropriate, however, the proposal would not in this case result in any significant change to the building. The doors to the front elevation are proposed to be blocked up, but timber doors would still be provided as facings to retain the appearance of the barn. On the rear elevation, a doorway is proposed to be partially blocked to leave a window that would be set just above the floor level proposed.
44. With regard to the extension, this would jar in terms of form, massing and materials with the traditional dwellinghouse and barn. However, this has to be also considered in the context of what the extension and conversion seek to provide. The purpose is for level access around the ground floor for a person with mobility difficulties and would allow for ground floor living accommodation rather than having to move from the property. The impact of this constraint results in the extension having a flat roof, in order that the roofscape does not project above the barn. To this end, it is considered that a contemporary approach is in principle the most appropriate and the reasons for the development and constraints of the site are understood.
45. The property's rear elevations and garden space are screened from public view and, in this respect, the visual impact on the character and appearance of the Conservation Area would be limited to that of the views from the site itself and the attached neighbouring property (2 Tearsall View). During the site visit, it was noted that a dwellinghouse nearby had a flat roofed, timber faced, extension that appeared reasonably recessive, notwithstanding that this was open to public view, where the proposed extension would not be in this case.
46. The Applicants' Agent advises that the form and materials for the extension have been chosen because of its compatibility with the traditional stone and ability to better reveal the character of the barn and principal dwelling. The flat roof will reduce the extension's presence on the elevation and also allow the dwellinghouse and barn to still be read. The glazed doors to the rear of the extension will allow the Applicants to maintain daylight to the rear of the property and will take advantage of the views out towards the garden beyond. All doors and windows will benefit from ease of opening and closing and flush thresholds for accessibility and for ease of escape.
47. Nevertheless, the proposal extension is considered overbearing on the barn and in its relationship to the dwellinghouse, with its size and interrelationship to the existing buildings being determined by the space required internally and the need to raise the ground floor level within the barn. Whilst a modern style of extension can be acceptable in principle, this is on the basis that it is in harmony with the original building and does not diminish its quality or integrity. The extension proposed would be a substantial and disparate structure that wraps around the rear and side of the dwellinghouse and, particularly where the flat roof abuts the roof of the barn at a high level, would give a contrived interrelationship between the traditional and the modern.
48. The width of the extension could be reduced to make it less imposing. However, this would not address its abutment high on the barn roofslope and the contrived appearance this creates. It would also not deliver the extent of accommodation required to meet the needs of the Applicants. Had the extension been able to meet the barn at its existing eaves level, the impact would have been less harmful given the deference of the extension to the barn which could potentially have been achieved.

49. It is appreciated that, without providing the accessible living accommodation, the Applicants may be forced to find a more suitable property elsewhere. This is unfortunate but does not add weight from a planning perspective as to whether the proposals should therefore be deemed acceptable. As the Applicants' Agent has stated, the use of the property could become a second home or holiday let should the Applicants leave the property. However, the property is a market dwelling and so this would be the case whether or not the application is approved. In addition, without the extension being provided, anyone purchasing the property in the future may choose to repurpose the barn without impacting on its character and appearance in such a manner as proposed, as they may be able to utilise it with its existing floor level, thus preserving its current height and internal integrity.
50. In assessing the application under the Equality Act, the Authority must give due regard to the public sector equality duty (PSED). However, the Authority must also have regard to its other statutory purposes and duties in the context of its adopted policies. In this instance, whilst the needs of the Applicants are acknowledged, along with the fact that the development would advance equality of opportunity, the site is nevertheless located within the Conservation Area and therefore the personal benefit must be balanced against the provisions of S.72 of the Planning (Listed Building and Conservation Areas) Act 1990 and policies in the development plan and NPPF, which require that great weight is given to the conservation of heritage in general, but particularly in a National Park bearing in mind its statutory purposes.
51. As such, the proposals would result in harm to the non-designated heritage assets (the dwellinghouse and barn) and to their setting within the designated heritage asset (the Conservation Area). Whilst this harm would not necessarily be perceptible in the public realm, and whilst the proposals would have clear benefits to the property owners by allowing them to remain at the property, it is not considered that the less than substantial harm of the proposals is outweighed by any public benefits. Therefore, the proposal fails to accord with Paragraphs 208 and 209 of the NPPF and with Core Strategy Policies GSP1, GSP2 & L3, Development Management Policies DM5, DMC8, DMC10 & DMH7 and guidance contained in the Authority's Design Guide, Conversion of Historic Buildings and Residential Annexes Supplementary Planning Documents.

### Amenity

52. Chapter 4 of the Design Guide deals with material planning considerations relating to neighbourliness, outlook and amenity, privacy and daylight, which are fundamental considerations when altering or extending a property. To this end, the extension to the rear projects no further than the existing outhouse which is proposed to be demolished and, whilst the mass would be greater given the height and flat roofed nature of the extension, this would not result in significant harm to the amenity of occupiers of the attached dwelling house. The raising of the roof of the barn by 150mm is also considered to be so minor as to not significantly impact on the amenity of the occupiers of the dwellinghouse opposite.
53. Whilst the extension takes up some garden space, such is the extent of the domestic curtilage that this extension will not impact on the amenity space associated with the property.

### Highway Matters

54. The Local Highway Authority has raised no objection to the proposals but does ask that an informative be attached to any grant of planning permission with regard to safeguarding Wensley, Footpath No. 10, which must remain open, unobstructed and on



its legal alignment at all times and have no disturbance to its surface. The footpath is some way from the property, to the south and east with intervening properties, and it is considered that this would be highly unlikely to be impacted upon but, nevertheless, it is considered reasonable to advise of the Applicants of this matter.

### Ecology

55. The Authority's Ecologist advises that that the barn has bat roost potential and therefore requires a Preliminary Bat Roost Assessment, by a qualified and licensed bat ecologist, along with a survey of nesting birds.
56. The Applicants' Agent has advised that they have appointed a consultant to assess whether the building provides habitat for protected species such as bats and nesting birds. Whilst the survey work is advised to have been undertaken, there has been no report submitted at the time of preparing this Officer's report and recommendation. It is expected that the ecology report will be received prior to the meeting but, if this is not the case and depending on the results of the survey, a further reason for refusal may be required based on insufficient information to assess impacts upon protected species and their habitat.

### Sustainability

57. Policy CC1 requires development to make the most efficient and sustainable use of land, buildings and natural resources in order to build in resilience to and mitigate the causes of climate change. To this end, the applicant has advised that sustainably sourced timber is renewable and emits less carbon during production than other building materials and is one of the most environmentally friendly materials available.
58. The Applicant's Agent advises that, to create a low energy envelope, local recycled or low carbon alternatives will be chosen for new construction materials. The extension is proposed to be highly insulated, to exceed building regulation requirements. The installation of wet, low temperature underfloor heating systems would allow the heating systems to operate more efficiently and would also allow clear walls, free from radiators, for accessibility. A condition can be attached that the above are incorporated into the extension and conversion prior to it becoming first occupied.

### Conclusion

59. The proposed development would meet the particular needs of the Applicants by providing access to living facilities on a single level. Details of the circumstances under which this need has arisen have been provided. There are also benefits that the development would be likely to render the property more energy efficient given modern construction requirements. However, in weighing the above in the balance of the assessment of this planning application, consideration has to be given to the harm that would be caused to the character and appearance of the host dwelling, the barn and the Conservation Area if the development was permitted contrary to relevant policies in the Development Plan and the NPPF.
60. To this end policy DMC5, DMC8 and the NPPF state 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. The proposal will serve to put the 'barn' to a use that would be more likely to secure its longer term retention, albeit in a modified form, which could be regarded as a marginal public benefit. However, other than the above, there are deemed to be no public benefits that would outweigh the harm identified. In the absence of any other material considerations the application is recommended for refusal.

**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

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