

6. S.73 APPLICATION FOR THE REMOVAL OR VARIATION OF CONDITION 2 ON NP/DDD/1221/1346: CHANGE TO LEAN-TO EXTENSION AND INTRODUCE SOLAR PV PANELS TO THE DEVELOPMENT (NP/DDD/1224/1328) HF

APPLICANT: MR AND MRS JAMES SMITH

Summary

1. This application seeks to vary condition 2 (approved plans) of an existing planning permission NP/DDD/1221/1346 which was granted for the conversion of Swallow Croft Barn to a market dwelling.
2. The application seeks to introduce a larger lean-to across the north elevation of the barn and in-roof mounted solar panels on its principal south elevation.
3. Officers consider the changes would harm, and would therefore not conserve the character or appearance of the barn, Litton Conservation Area or their settings. The public benefits arising from the development are not considered to outweigh the harm as part of the wider planning balance.
4. Furthermore, the development as varied would no longer achieve the conservation of a non-designated heritage asset, and would therefore no longer satisfy the exception for the creation of a market dwelling.
5. The proposal would therefore be unacceptable and the application is recommended for refusal.

Site and Surroundings

6. The application site is a large roadside barn in open countryside approximately 150m south of the built edge of Litton. The barn sits immediately south of and adjacent to Hall Lane, which leads from Litton south towards Cressbrook.
7. The building is identified as a non-designated heritage asset, and lies within the Litton Conservation Area.
8. The barn has two storeys and is constructed in natural limestone. It currently has a metal sheeted roof. There is a large single storey lean-to shelter constructed in metal sheeting, off the north facing (roadside) elevation of the building. A drystone wall encloses a small curtilage south and east of the building.

Proposal

9. This application seeks to vary condition 2 (approved plans) of planning permission NP/DDD/1221/1346 granted in June 2023 for the conversion of the building to a single dwelling, in order to amend the design of the approved development.
10. The amendments include the introduction of a larger lean-to extension on the north elevation of the barn and the introduction of solar panels to the roof.

RECOMMENDATION:

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

1. **The proposal would harm the character, appearance and significance of the barn as a non-designated heritage asset, its setting, the Litton Conservation Area and the landscape of the National Park. The proposal would undermine the design of the permitted scheme and would not achieve the policy aim of conservation or enhancement of the building required to justify conversion to a market dwelling. The harm identified would be less than substantial but would not be outweighed by public benefits arising from the development. The development is therefore contrary to Core Strategy Policies GSP1, GSP2, GSP3, L1 and L3, Development Management Policies DMC3, DMC5, DMC8 and DMC10; the Authority's Conversions SPD; the Climate Change and Sustainable Buildings SPD; and the National Planning Policy Framework.**

Key Issues

- The impact of the proposed changes to the character and appearance of the barn, Litton Conservation Area and their settings, and whether the development as varied would continue to achieve the conservation or enhancement of a non-designated heritage asset to justify the creation of a market dwelling.

History

11. NP/DDD/1221/1346: Proposed conversion of existing non-designated heritage asset to form a single dwelling unit – Approved 8th June 2023.
12. NP/DIS/0324/0335: Discharge of condition 3 on NP/DDD/1221/1345 – Part discharged 12th July 2024.
13. NP/DDD/1024/1050: S.73 application for the variation of condition 2 on NP/DDD/1221/1346 – Withdrawn.
14. NP/DIS/1124/1278: Discharge of conditions 3 b and c, 14 and 21 on NP/DDD/1221/1346 – Awaiting determination.

Consultations

15. Derbyshire District Council (Highways): No material impact on the public highway and no comments to make.
16. Derbyshire Dales District Council (Planning): No response received to date.
17. Litton Parish Council: Support the application as it will provide much needed accommodation for a local family and enable them to stay in the village.
18. Peak District National Park Authority Archaeology: No comments to make.
19. Peak District National Park Authority Conservation Officer: Swallow Croft Barn is a two-storey barn constructed from limestone rubble, its principal elevation facing south. It is situated in an area of fossilised strip fields to the south of Litton, featuring prominently in wide ranging views from the south.

The Derbyshire Historic Environment Record lists the building as a former hosiery based on an observation made in 1960. Stocking weaving was a common trade in Litton up until the mid C19. Whilst possible the building was previously used as a workshop, I agree

with the agent's analysis there is no evidence for this use in the fabric of the building or in primary sources. It is more likely the HER record has been incorrectly located.

The building appears in the cartographic records between the 1847 Tithe Map and before the first edition OS map, surveyed in 1878. Evidence in the building's fabric suggests significant alterations have taken place since it was built. It is clear the ground floor previously had smaller window openings, which have since been infilled. It is likely the first floor was added later, as evidenced by the quoins starting at first-floor level. The machine-sawn softwood kingpost roof would indicate a late-nineteenth or very early twentieth century date for the roof and presumably the entire first floor.

The application asserts the rear lean-to is contemporary with the first floor of the barn and contributes towards its significance. It claims the construction of the lean-to roof and that of the barn are the same, and the lean-to roof structure is embedded in the first-floor stonework, therefore they must be contemporary.

These assertions are flawed. The barn roof is notably different from that of the lean-to. The kingpost roof trusses in the barn are framed using traditional carpentry techniques (for example, mortice and tenon joints), whilst the lean-to's roof is constructed from thin sections of wood that are simply lapped and bolted together. The barn has common rafters as it would have originally supported a traditional roof covering, whilst the lean-to roof has no evidence for common rafters, and instead has several sets of purlins to support corrugated iron sheeting. The fact the lean-to roof structure is embedded in the stonework indicates nothing, as this is easily and commonly retrofitted.

Overall, the barn is of low significance primarily derived from its architectural interest and the contribution made by its setting. The barn is not a particularly old or rare example of its type, but the vernacular construction of the barn and its striking symmetrical form – prominent in the landscape – contribute towards its architectural interest.

Litton Conservation Area

The Conservation Area covers the settlement of Litton and adjacent strip fields. The boundary was extended to include Swallow Croft Barn in 2008 on the flawed assumption the barn was a more significant hosiery workshop. Nevertheless, the barn and surrounding landscape form part of the setting of the conservation area and make an important contribution towards its significance.

Litton is a linear village on the limestone plateaux of the White Peak. The well-preserved field system surrounding it is particularly distinctive and a common feature of ancient White Peak Settlements, contributing strongly to the special qualities of the National Park.

The drystone walls effectively fossilise the medieval strip fields which would have been part of the common open field system. By the C19 these fields would have been used predominantly for pasture rather than arable crops, and often contain field barns to overwinter cattle. The presence, therefore of the barn, a late- C19 field barn, within a landscape of strip fields is highly illustrative of the evolving agricultural landscape around Litton. It contributes to the historic interest of the conservation area and forms its foreground from the wide-ranging views from the south of the settlement.

This application seeks to alter the previously consented planning application for conversion. The changes include the installation of solar panels on the south facing roof slope, and the erection of a full-length lean-to extension to replace the existing lean-to.

Overall, the proposals would cause less than substantial harm to the barn as a non-designated heritage asset, as well as the Conservation Area. This is primarily caused by the placement of solar panels on the south-facing roof of the barn, disrupting the historical

setting of the conservation area and harming the barn's architectural interest. The new extension would further domesticate the barn and further harm its significance.

DMC10 and the Conversion SPD lay out the principles by which heritage assets should be converted. They state that conversions should be achievable within the shell of the original building, should be achievable without substantial rebuilding, and in a way, which does not compromise the building's original character or significance.

The Solar Panels

The position of the panels would introduce a highly visible awkward modern element onto the building, which would harm its simple vernacular agricultural character. This would have large impact on the setting of the Litton Conservation area and harm the contribution it makes to its significance, contrary to DMC10, DMC8, DMC5 and NPPF chapter 16.

Whilst there are public benefits to the installation of Solar Panels in mitigating climate change, these could likely be achieved by mounting the solar panels on the ground, on the north side of the southern boundary wall where they would likely be screened from view. Any future application would need to fully explore the visual impact of the panels.

The proposed lean-to

The application seeks demolition of the existing lean-to, and replacement with a new extension on the same footprint. The new extension would have a slate roof and be clad in vertical black timber boarding. It would feature three rooflights, two windows and a flue.

Confusingly, the application argues the existing lean-to is a significant part of the barn's heritage whilst proposing its demolition. If it were accepted the lean-to was significant, policy would dictate it should not be demolished. My assessment is that the lean-to is a later phase of construction, and does not contribute towards the significance of the barn.

The replacement of the existing extension with the proposed extension would have the effect of replacing a lightweight agricultural structure with a much more substantial structure that is domestic in appearance, further harming the barn's significance and eroding its agricultural character, contrary to policy DMC10.

20. Peak District National Park Authority Ecology: The updated survey concludes no evidence of bats on or within the building, or of nesting or active birds nests including barn owl. No other protected / priority species discovered on site. There was evidence of a barn owl roost within the upper floor. The 2021 survey recorded evidence of several swallows using beams on the upper floor and small birds roosting / nesting in wall gaps.

The updated survey results show broadly no change in site conditions and no evidence of bats. In combination of those findings and the previous survey results (no bats recorded and very low bat activity on site), satisfied no further surveys are required.

There is a requirement to mitigate for loss of breeding bird habitat (barn swallow and other 'small' (unspecified) birds). The recommendations in Section D of the updated survey would mitigate loss of potential bird and bat habitat and provide enhancements. Recommendations to be implemented include those relating to barn swallows in ecologist response dated 29/12/2021 to original application, the recommendations set out in Section D of the report by WDEC (2024) and that works are undertaken outside of nesting bird season unless preceded by a nesting bird check (including Barn Owl).

An informative is recommended that works cease and a suitable ecologist is contacted if bats are discovered during development works, in order to comply with bat legislation.

Representations

21. No representations received to date.

Main Policies

22. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, CC1, HC1
23. Relevant Development Management policies: DMC3, DMC5, DMC8, DMC10, DMC11, DMC12

National Planning Policy Framework (NPPF)

24. The NPPF (revised December 2024) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.
25. The development plan for the National Park comprises the Core Strategy 2011 and Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for determining this application. In this case there is not considered to be any significant conflict between prevailing policies in the development plan and the NPPF.
26. Paragraph 189 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these matters. The conservation and enhancement of wildlife and heritage are also important considerations and should be given great weight.

Peak District National Park Core Strategy

27. GSP1, GSP2 – Set out the broad strategy for achieving the National Park's objectives, and seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its wildlife and heritage.
28. GSP2 – Proposals intended to enhance the National Park will need to demonstrate they offer significant overall benefit to natural beauty, wildlife and cultural heritage.
29. GSP3 – All development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, materials, design in accordance with the National Park Authority Design Guide and adapting to and mitigating the impacts of climate change.
30. DS1 – Forms of development in the countryside which are acceptable in principle include the conversion for housing, preferably by re-use of traditional buildings.
31. L1 – Development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics, and other than in exceptional circumstances.
32. L2 – Development must conserve and enhance ant sites, features or species of biodiversity importance.
33. L3 – Development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings. Other than in exceptional circumstances development will not be permitted where likely to cause harm to the significance of any cultural heritage asset.

34. CC1 – All development must make the most efficient use of land and buildings and take account of the energy hierarchy by reducing the need for energy, using energy more efficiently, supplying energy efficiently and using low carbon and renewable energy. Development should be directed away from areas of flood risk.
35. HC1.C – Provision will not be made for housing solely to meet open market demand. Exceptionally, new development can be accepted where in accordance with Policies GSP1 and GSP2:
- I. It is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings;
 - II. it is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

Peak District Development Management Policies

36. DMC3 – Design is required to be of a high standard which where possible enhances the natural beauty, quality and visual amenity of the landscape, including cultural heritage that contributes to the distinctive sense of place. Design and materials should be appropriate to the context.
37. DMC5 – Planning applications for development affecting a heritage asset, including its setting must clearly demonstrate:
- i) its significance including how any identified features of value will be conserved and where possible enhanced; and
 - ii) why the proposed development and related works are desirable or necessary.

Development causing harm to a designated asset will not be permitted unless less than substantial harm to significance is outweighed by the public benefits including securing an optimum viable use. Development causing harm to a non-designated asset will not be permitted unless the development is considered to be acceptable following a balanced judgement accounting for the significance of the heritage asset.

38. DMC8 – Development within or which affects the setting of (including important views into) a Conservation Area should clearly demonstrate how the character or appearance of the Conservation Area will be preserved or enhanced, accounting for views and vistas into the area and locally distinctive design.
39. DMC10.A – Conversion of a heritage asset will be permitted provided that:
- (i) it can accommodate the new use without changes that adversely affect its character (such as enlargement, subdivision or other alterations, 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 tranquillity, dark skies or other valued characteristics.
40. DMC10.B – Proposals under Core Strategy policy HC1CI will only be permitted where the building is a non-designated asset and it can be demonstrated conversion to a market dwelling is required to achieve the conservation, and where appropriate enhancement, of the significance of the asset and contribution of its setting.

41. DMC10.C – In all cases attention will be paid to the impact of domestication and urbanisation brought about by the use on landscape character and the built environment including the supply of utility and infrastructure services, adequate amenity and parking space, introduction of domestic curtilage, alteration of agricultural land and field walls, and any other engineering operation associated with the development.
42. DMC11 – In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss, as outlined by the policy.
43. DMC12 – For internationally designated or candidate sites, or European Protected Species, the exceptional circumstances where development may be permitted are those where it can be demonstrated that the legislative provisions to protect such sites or species can be fully met.

Supplementary Planning Documents

44. Climate Change and Sustainable Building SPD: Locating panels on the front roof slope should be a last resort and will be resisted in the case of a listed building, where the effect on the building's character and appearance is likely to be too damaging to be acceptable. For historic buildings in particular, the best solution is to avoid roofs entirely and use a ground mounted array in an area of the garden or curtilage least harmful to the setting of the building (page 59).
45. Conversion of Historic Buildings SPD: Historic buildings should be large enough to accommodate the proposed new use and associated storage without extensions. Extensions to standalone buildings will require a strong and convincing justification (paragraph 2.5). Solar panels may be incompatible with the character of the building or surroundings. Exceptions may be where they can be located on a hidden elevation or roof valley. It may be preferable to locate solar panels on the ground (paragraph 5.56).

Assessment

Principle

46. The principle of converting the existing building to a dwelling has been accepted under NP/DDD/1221/1346 under Policy HC1 where development is required to achieve conservation and / or enhancement of non-designated assets.
47. Nevertheless, any permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to amended conditions.
48. In varying condition 2 via a Section 73 application, any permission still needs to achieve the conservation and / or enhancement of the building, which is a non-designated asset, in order to justify the exceptional creation of a market dwelling. An assessment of whether the variations to the approval continue to achieve this is carried out below.

Impact on barn, Conservation Area & setting

49. The original permission NP/DDD/1221/1346 secured conservation of the barn alongside enhancements such as the addition of traditional stone slates to the roof.
50. Whilst the building was originally considered to have medium significance due to its past use as a hosiery workshop, further assessment suggests a potential discrepancy in the building's recording as a workshop. The Conservation Officer indicates there

appears to be no evidence of such a use in the building fabric or primary sources, and that the building design and form is reflective of a field barn for housing cattle.

51. This indicates the barn has lower significance, albeit it still has significance as a non-designated heritage asset. The significance of the building derives from its agricultural character, architectural interest and the contribution made by its setting. Its vernacular construction and striking symmetrical form – prominent in the landscape – contribute to its architectural interest.
52. The barn and well preserved strip field system to the south of the Conservation Area make an important contribution towards the character of the Conservation Area and landscape. The strip fields are a distinctive feature of ancient White Peak settlements, contributing strongly to the National Park's special qualities. The presence of the barn in this landscape is highly illustrative of the evolving agricultural landscape around Litton, contributing towards the historic interest of the Conservation Area and forming part of wide-ranging views from the south.

Solar Panels

53. The application seeks to install in-roof mounted solar panels on the roof of the principal (south) elevation of the barn. The panels would have black frames with matt finish.
54. As set out earlier, the barn's significance derives partly from its simple agricultural and vernacular character (architectural interest) and contribution made by its setting, with the barn occupying a highly prominent position in the landscape south of Litton, visible from multiple public vantages including Hall Lane, Bottomhill Road and footpaths to the south, east and west.
55. The installation of solar panels on the roof slope over the principal elevation of the barn is considered to result in visual harm to the character and appearance of the historic building, and harm to the Conservation Area and setting.
56. The panels would be a modern and alien feature that would be at odds with the simple, vernacular and historic character of the non-designated asset, occupying a considerable proportion of the traditional stone roof which is to be re-instated. This would result in harm to the architectural interest of the building and would introduce a domestic appearance to the building, harming its agricultural character.
57. The resulting harm to the setting of the barn and Conservation Area to the south is described by the Conservation Officer as large. The panels and alteration to character would be extremely prominent in surrounding views of the building, including from the south across the historic agricultural landscape which forms an important setting to Litton. For the purposes of DMC5 and paragraph 215 of the NPPF, this harm to the barn, its setting and the Conservation Area would be 'less than substantial'.
58. The siting of the panels on the principal elevation roof is contrary to the Climate Change and Sustainable Building SPD which states panels on the front roof slope should be a last resort. For historic buildings in particular, the best solution is to avoid roofs entirely and use a ground mounted array in a sensitive location within the garden or curtilage.
59. Officers have discussed with the agent potential scope for ground mounted panels in the south west corner of the site, subject to details that satisfy that the panels would not be visible in views from outside the site. However, the applicant wishes to proceed with the proposed roof mounted panels. The application therefore should be determined as submitted in this respect.

Lean-to Extension

60. The existing planning permission is for a smaller lean-to extension to that now proposed. Discussions as part of that original application saw the scale of the approved lean-to reduced following concerns regarding its scale and appearance, which included a similar arrangement to that now proposed albeit with different roof material and glazing.
61. The latest plans now show a lean-to spanning the full rear elevation of the barn, reflecting the footprint of an existing metal lean-to shelter with internal timber structure.
62. The agent outlines the existing lean-to is an important part of the building's heritage due to its age and construction, which includes an internal trussed timber frame. This however is disputed by the Conservation Officer who considers the lean-to is a later phase of C20 construction and does not contribute towards the significance of the barn, with there being no evidence in the timber frame to the lean-to is historic. The lean-to is not considered to be worthy of retention or capable of conversion.
63. Even if it were, the drawings indicate the entire existing lean-to structure would be removed. Therefore, any significance associated with the existing structure would be totally lost.
64. The new lean-to would be a replacement and would therefore comprise an alteration and new extension to the barn. The Conversions SPD (2.5) states historic buildings should be large enough to accommodate the proposed use and associated storage without extensions or new buildings. Extensions to stand alone buildings require a strong and convincing justification.
65. The lean-to would replace the existing less traditional lean-to shelter that whilst more lightweight in appearance, obscures and detracts from and therefore harms the character of the barn when viewed from Hall Lane.
66. The replacement is a more solid and substantial structure that conceals the entire rear elevation. Whilst retaining a partly open elevation to the east, a solid wall is inset very close to the east edge of the structure and would be clearly visible from Hall Lane.
67. The black timber clad walls are not considered to offer a sympathetic material to the barn's traditional character. The windows, glazed door (east elevation), rooflights on the full roof length and flue would create the appearance of a large domestic lean-extension.
68. As a more solid and substantial lean-to, the proposal compounds the harm caused by the existing lean-to in obscuring much of the rear elevation and harms the barn's agricultural character and legibility as a result of its scale and domestic appearance, thereby harming its significance. There are similar reasons why Officers negotiated the reduced scheme granted planning permission.
69. The larger lean-to proposed would provide a lobby / cloakroom and would achieve larger bedrooms at first floor, with a guest bedroom re-located to the lean-to. Whilst the benefit of additional living space is recognised, this would be a private benefit to the occupant and would not be considered to represent strong or convincing justification for the addition of an extension as required under 2.5 of the Conversions SPD. The approved scheme has demonstrated that a new use for the barn which conserves significance can be achieved. There is no compelling justification for further extension where this would result in harm.

70. The harm caused to the character of the barn would also result in harm to the character and appearance of the Conservation Area, where the large domestic lean-to would be visible from Hall Lane, where the character particularly looking west is strongly agricultural, and in views out of the Conservation Area towards the historic medieval limestone strip field landscape that forms an important setting to the Conservation Area. This harm arises through the introduction of domestic extension with unsympathetic materials and change in agricultural character within that local context.

Ecology

71. The applicant has provided an updated Bat Survey Report, Supplementary Bat Roost Appraisal (Plus: Breeding Bird Assessment). This supplements the existing ecological survey work carried out on site under the original application.
72. The survey concludes no evidence of bats discovered on or within the building, no evidence of nesting birds or active birds nests including barn owls, and no other protected and / or priority species discovered on site. There was evidence of a barn owl roost (non-breeding) in the upper floor of the building.
73. The Authority's ecologist has confirmed they are satisfied there is no requirement at this stage for further survey work based on the findings of the update survey results (broadly no change in conditions and no evidence of bats), in combination with the previous survey results (no bats recorded, very low bat activity on site).
74. The recommendations of the original survey and associated mitigation should continue to be secured by condition. The recommendations of the latest survey (2024) which include provision of a bat box, barn owl nest / roost box and swallow nest bowls / terraces should be secured to mitigate for the loss of potential habitat and provide ecological enhancement. Works should also avoid nesting bird season. These measures could be secured through an additional condition.
75. In light of the latest survey report and recommended conditions, the development would accord with Policies L2, DMC11 and DMC12 of the development plan.
76. As a self-build and S.73 application, the proposals are exempt from Biodiversity Net Gains.
77. It was established under the original permission NP/DDD/1221/1346 that the proposed development lies outside of the Units 70 and 71 of the Wye Valley SSSI and no nutrient neutrality calculation is required. Impact on the Peak District Dales SAC and Cressbrook Dale SSSI were also judged unlikely, as pollutants from the site are likely to be attenuated within soil following discharge to a proposed soakaway.
78. The nature of the proposals as part of this Section 73, comprising addition of solar panels and larger lean-to footprint, are not considered to alter that conclusion. A full assessment under Section 63 of the Conservation of Habitats and Species Regulations 2019 (as amended) (the Habitats Regulations) is therefore not required as the proposed variations do not give rise to likely significant effects on a designated site.
79. The proposed development is exempt from statutory biodiversity net gain (BNG) as it is a variation to a development permitted before the regulations took effect.

Other Matters

80. The proposals do not alter the existing access or parking arrangements and do not raise any concerns in respect of highways. There are no amenity concerns from the revised proposals, with the nearest neighbour being some 150m to the north.

Planning Balance

81. In weighing the public benefits of the proposals against the less than substantial harm arising towards the Conservation Area, regard has been had towards paragraph 167 of the NPPF which states *significant weight* should be afforded to the need to support energy efficiency improvements to existing buildings, although it also states Chapter 16 of the NPPF the same should be applied for proposals affecting Conservation Areas.
82. Considerable importance and weight are also afforded to the desirability of preserving or enhancing the Conservation Area, having regard to the duty required under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
83. The conservation and enhancement of cultural heritage in National Parks should also be given *great weight*, whilst the landscape and scenic beauty of the National Park has the *highest status of protection* in relation to these issues (paragraph 189 of the NPPF).
84. Whilst significant weight is afforded to the benefits of renewable energy associated with the proposed solar panels, these panels would result in harm to the character and appearance of a non-designated asset, the Litton Conservation Area and their settings.
85. The significant benefits associated with the panels would be limited to a single property, whereas the harm they would cause would be experienced on the principal elevation of a prominent building in the Conservation Area which is extremely visible in the wider setting across the preserved strip field system.
86. The introduction of a large, more substantial domestic lean-to would also harm the agricultural character and appearance of the barn and Conservation Area, with this harm readily appreciated along Hall Lane and footpaths to the east and west. Whilst this would provide additional space to a future occupant, that is a private benefit.
87. The conversion as a whole would provide a future use for a non-designated asset and the Parish Council response which supports the creation of home for a local family is also noted. However, the variations relate to a permission for a conversion to create a market dwelling. The variations as part of that conversion now cause harm to, and therefore do not conserve, the non-designated asset and Conservation Area, and fail to satisfy the Authority's policy for a new market dwelling.
88. The proposals result in harm to the special qualities of the National Park including its historic landscape character and scenic beauty south of Litton, which paragraph 189 of the NPPF confirms due to the National Park designation has the highest status of protection in relation to these issues. The conservation of cultural heritage is also be afforded great weight in National Parks.
89. An alternate scheme is achievable as approved under NP/DDD/1221/1346 which secures the future use of the building through a more sensitive proposal. Inclusion of the panels and a larger lean-to are not considered to be critical factors in enabling the building's conversion, and there are potentially more sensitive solutions to mitigate the impacts of climate change such as an air source heat pump, conditioned under the original approval, or more discreetly sited ground mounted solar panels. These alternatives would achieve the same benefits but with no or less harm to the landscape or cultural heritage.
90. Having regard to Policy DMC5 and paragraph 215 of the NPPF, the less than substantial harm towards the Conservation Area and its setting is therefore not considered to be outweighed by the public benefits of the development.

91. Addressing the harm to the non-designated barn as part of the wider planning balance, as required by DMC5 and paragraph 216 of the NPPF, it is similarly considered the benefits in respect of conversion and sustainability would not outweigh the harm arising towards the character and appearance of the building, Conservation Area and wider setting, and the fact the permission as varied would not achieve a conversion that conserves the building's character, contrary to the Authority's policies.

Conclusion

92. The Section 73 application seeks to vary the approved plans associated with NP/DDD/1221/1346 which granted approval for the conversion of a non-designated barn to a market dwelling. The changes seek to alter the scale and appearance of a lean-to extension and introduce solar panels to the roof of the principal elevation.
93. The variations would harm the traditional and agricultural character and appearance of the non-designated barn, Conservation Area and setting south of Litton, where the character of the barn, landscape and preserved medieval strip field system contribute strongly to the area's historic character and special qualities of the National Park.
94. The variations are therefore not considered to be acceptable and considering the proposed conversion as a whole, the development would not conserve or enhance the non-designated barn, Conservation Area or wider landscape setting, contrary to Policies GSP1, GSP2, GSP3, L1, L3, DMC3, DMC5, DMC8 and DMC10, and paragraph 189 of the NPPF.
95. The less than substantial harm arising towards the Conservation Area and its setting is not considered to be outweighed by any of the identified public benefits of the development, and harm to the non-designated asset is not outweighed as part of the wider planning balance, contrary to Policy DMC5 and NPPF paragraphs 215 and 216.
96. Furthermore, the proposed condition variation would be unacceptable as the development would no longer achieve the conservation of a non-designated heritage asset, and therefore not satisfy the exception for a new market dwelling under HC1.1.
97. The proposal is therefore recommended for refusal.

Human Rights

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

List of Background Papers (not previously published)

Nil

Report Author

Hannah Freer – Planner – North Area