

**6. FULL APPLICATION – CHANGE OF USE AND ALTERATIONS AND EXTENSION OF EXISTING BARN TO FORM DWELLING AT BARN, CHURCH LANE, TIDESWELL (NP/DDD/0824/0896), HF)**

**APPLICANT: MR DANNY HOPKINS**

**Summary**

1. This application seeks permission for the change of use and alterations and extension to an existing roadside barn on Church Lane, Tideswell, within the Tideswell Conservation Area. The barn is considered to be a non-designated heritage asset, albeit works have been carried out which are considered to have resulted in harm to its character.
2. Planning permission was granted for the conversion of the barn in 2015. However, whilst that permission required works to be undertaken entirely within the shell of the existing building, except for those areas shown to be subject to reconstruction, works that have taken place involve re-construction that goes beyond that permission. Permission is also sought for additional extension. A new application has therefore been submitted.
3. The extensions and alteration of the barn and associated works are considered to harm to the character and appearance of the barn and Conservation Area. The development would not achieve the conservation or enhancement of a non-designated heritage asset, and would not meet one of the exceptions for new housing in the National Park.
4. The Highways Authority have also objected regarding concerns over the safety of the access point and associated visibility.
5. The application is therefore recommended for refusal.

**Site and Surroundings**

6. The application relates to an existing stone barn located on the south west edge of Church Lane, on the edge of Tideswell and within Tideswell Conservation Area. The barn is formed of limestone with pitched roof.
7. The building has been subject to construction works following the grant of planning permission for its conversion in 2015 (NP/DDD/0915/0863). The extent of reconstruction is considered to have gone beyond the existing permission, including re-building of parts of the existing external walls and raising of the eaves, ridge and roof pitch. Changes to the boundary walls have also occurred.
8. Prior to works commencing, the barn had a natural gritstone roof, single lean-to on its north west elevation and single storey off-shot. The barn fronts the roadside. The nearest neighbouring properties are dwellings on Chantry Lane to the north side of Church Street. Further properties are north west on Church Lane with allotments to the north east.
9. The site is within the catchment of the Unit 70 and 71 of the Wye Valley Site of Special Scientific Interest (SSSI), a component of the Peak District Dales Special Area of Conservation (SAC), a European protected site which is in unfavourable condition.

**RECOMMENDATION:**

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

1. **The proposed dwelling is not acceptable in principle as it does not achieve the conservation and / or enhancement of a non-designated heritage asset, and it does not meet any other exception for new housing in the National Park, contrary to Core Strategy Policy HC1 and Development Management Policy DMC10.**
2. **The proposed development would have an unacceptable design and would result in harm to the character and appearance of the non-designated barn and Tideswell Conservation Area. The harm to the Conservation Area would be less than substantial but would not be outweighed by any public benefits, and harm to the non-designated barn is not outweighed as part of the planning balance. The development is therefore contrary to Core Strategy Policies GSP1, GSP3, L1 and L3, Development Management Policies DMC3, DMC5 and DMC8 and the NPPF.**
3. **The development fails to demonstrate a safe and suitable vehicular access to site, contrary to Development Management Policy DMT3 and NPPF paragraph 115.**

### **Key Issues**

10. Whether the proposed dwelling is required to achieve the conservation and / or enhancement of a non-designated asset.
11. Whether the development is acceptable in relation to impact on character and appearance of the building, Conservation Area and landscape, and impact on neighbouring amenity, highway safety and ecology.

### **History**

12. NP/DDD/0915/0863: Conversion of redundant agricultural barn to form dwelling – Granted conditionally 13<sup>th</sup> November 2015.
13. Planning conditions of that permission included that the conversion was to be carried out within the shell of the building, with any rebuilding limited to that specifically shown on the approved plan.
14. NP/DDD/0820/0726: Change of use and alterations and extension of existing barn to form dwelling – Withdrawn.
15. 21/0051: An enforcement case was opened on the site as the works to the building had gone beyond what was permitted by the 2015 planning permission.
16. Following a meeting in July 2024, the view from the Authority was that the extent of works carried out went beyond the 2015 permission as they included substantial re-building and construction of extensions significantly larger than the approved dimensions.

### **Consultations**

17. **Derbyshire County Council (Highways):** NP/DDD/0915/0863 approved drawing 1517-02 Rev C shows visibility splays mentioned in the HA response, but the submitted information provided for has not provided any visibility splays for assessment, although the supporting statement mentions that a safer access with better visibility in the direction of Tideswell is proposed. The HA requested to see visibility splays provided to match those shown on approved drawing 1517-02 Rev C prior to determination.

The latest response states the existing barn would generate limited traffic, typically 1-2 two-way vehicle trips per day, whilst a single dwelling would generate around 6-8 two-way trips daily. Whilst the uplift is modest, it is significant when considering a substandard access. Even a modest intensification would increase the risk of conflict on the highway. The assessment under a previous application did not fully account for the physical

constraints of the barn which obstructs sightlines, such that necessary visibility splays cannot be achieved within the applicant's control or the highway.

Church Lane has a 60mph speed limit and the required visibility splay is 215m in both directions. The drawings show visibility splays of 20.5m (west) and 44m (east) which are significantly substandard. The obstruction caused by the barn would cause drivers to edge into the carriageway before any meaningful intervisibility with oncoming vehicles, representing a material intensification incapable of being rectified without altering or removing the barn itself. The development fails to ensure safe and suitable access as required by paragraph 115 of the NPPF and conflicts with paragraph 116 which confirms development should be refused where there are unacceptable highway safety impacts.

18. Derbyshire Dales District Council (Planning): No response received to date.
19. Natural England: Initial response requiring further information comprising a Habitat Regulations Assessment and nutrient budget calculations, as the site is within the catchment of a European site vulnerable to nutrient impacts.
20. Peak District National Park Authority Archaeology: *1) No heritage statement has been submitted and there is not a sufficient understanding of what the heritage value and significance of the structure is. In my comments to the previous application (0820/0726) I did request sufficient supporting heritage information. When the conversion application was approved in 2015 the building was clearly still a traditional farm building, and what we would call a non-designated heritage asset. But from the look of the photos on the enforcement case it looks like a lot of rebuilding has taken place; it is not clear what historic fabric or features survive, and what of the historic plan form survives. In short, it is not clear if there is enough left that the Authority should consider the building to be a heritage asset, which could have a significant bearing on what policies are relevant. Could we request clear information as to the extent of rebuilding, and be able to check this on site? This would be key information to allow us to consider if we still think the building is a heritage asset or not, and then request a heritage statement if needed.*
- 2) Boundary walls – the boundary wall to the south west of the barn, which formed the northern edge of a long thin field was of historic importance because it formed the boundary of field that fossilised the arrangement of part of the medieval field system of Tideswell. As such I have previously advised that its historic alignment should be retained in the boundaries of the site. I am struggling from the plans and the 2 written descriptions provided in the Design, Access and Planning statement to be sure of what is proposed for the boundaries, which sections are to be rebuilt on the historic alignment and which will deviate. Could clarity, and a clearer site plan, be sought please?*
- 3) Site plan – the application includes a block plan but not a clear site plan that shows the curtilage, access, turning areas and boundaries in enough detail or appropriate scale.*
21. Peak District National Park Authority Ecology: Following a site visit the Authority's ecologist has confirmed they are satisfied further ecology surveys are not necessary to inform the application. However, a precautionary approach is advised during works.

The building is assessed as having negligible potential for roosting bats due to water ingress and limited crevices, cracks and missing stones and mortar. There are nesting bird opportunities within the structure with barn swallow previously recorded. The pond in the adjoining field was unsuitable for amphibians. There are rubble piles which could provide refugia for amphibians or reptiles and a trench that poses a risk to animals.

A condition is recommended that before development commences a Wildlife Mitigation and Enhancement Scheme is submitted with details of replacement and additional bat roost provision such as bat panels, tubes and / or bricks and specifications and methods

for incorporation into the building fabric. Details of bat friendly lighting and bird nesting provision, and wildlife friendly planting with other enhancements are also recommended.

Precautionary working measures for nesting birds, discovery of birds or bats, the covering of provision of escape ramps for any excavations of trenches overnight, and care when moving rubble piles also advised. In the event any protected species are discovered, works must cease and an ecologist contacted for advice.

22. Tideswell Parish Council: The PC Strongly support this application. The development will allow a local family to have a family home. The PC strongly support this application.

### **Representations**

23. One letter has been received which does not object to the application, but raises a number of matters of consideration and / or concern:

- The reconstruction quality looks good and will likely maintain building character.
- It is understood the barn would be for open market use rather than locally tied.
- If an owner is not interested or able to farm the land associated with the barn, then conversion of agricultural buildings is the best alternative where these have merit. If the property was sold on the open market it would appeal to someone interested in farming and they would require the barn that has been converted.
- The development would drain to a field above a neighbouring property. It is not clear if the design or inspection of the installation accounts for drainage path and cellars of the properties down the hillside where waste water would ultimately fall.
- There is no discussion about how the agricultural buildings required by the new owner would be arranged. There could be permitted development rights for agricultural development on associated land that would see further development.
- Wish for the greenfield site to be protected from becoming a housing estate.

A period of further re-consultation is underway and any additional representations received after completion of this report will be presented verbally at planning committee.

### **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L2, L3, HC1, CC1

Relevant Local Plan policies: DMC3, DMC5, DMC8, DMC10, DMC11, DMC12, DMT3, DMT8

### **National Planning Policy Framework (NPPF)**

24. 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: to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. When they carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities in National Parks.
25. The NPPF is a material consideration and carries particular weight where a development plan is absent, silent or relevant policies are out of date. Paragraph 189 states that 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 issues.

26. In the National Park, the development plan comprises the Authority's Core Strategy (2011) and the Development Management Policies (DMP) (2019). The development plan provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the development plan and the NPPF.

### **Relevant Development Plan Policies**

#### **Core Strategy**

27. GSP1, GSP2: These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.
28. 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.
29. DS1: Forms of development in the countryside which are acceptable in principle include the conversion for housing, preferably by re-use of traditional buildings.
30. 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.
31. L2: Development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
32. L3: Seeks to ensure all development conserves and where appropriate enhances the significance of any heritage assets. In this case the building is a non-designated asset.
33. CC1: Development must make the most efficient and sustainable use of land, buildings and natural resources. Development should have regard to the energy hierarchy.
34. HC1: Provision will not be made for housing solely to meet open market demand. Housing land will not be allocated in the development plan. Exceptionally, new housing (whether newly built or from re-use of an existing building) can be accepted where:
- C. In accordance with core policies GSP1 and GSP2:
- i. it is required to achieve conservation and / or enhancement of valued vernacular; or
  - ii. it is required to achieve conservation or enhancement in settlements listed in DS1.

#### **Development Management Policies**

35. DMC3: A high standard of design is required which where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context.
36. DMC5: Planning applications affecting a heritage asset must demonstrate: (i) its significance including how any features of value will be conserved and where possible enhanced; and (ii) why the development and related works are desirable or necessary.

37. 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: Requires development in a Conservation Area to assess and clearly demonstrate how the character, appearance and significance of a Conservation Area is preserved.
39. DMC10: A. Conversion of a heritage asset will be permitted provided it can accommodate the new use without changes that adversely affect its character (such as enlargement or other alterations) and the changes conserve or enhance the significance of the asset and its setting.
- B. Proposals under HC1.C(I) will only be permitted where the building is a designated heritage asset or non-designated asset, and where it can be demonstrated that 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.
40. 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.
41. 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 Guidance

42. Conversion of Historic Buildings SPD: Sets out the principles of conversion should work with the existing form and character. Schemes should work within the shell of the building, avoiding additions and extensions. Where room heights are low, first floor rooms can be partly contained within the roof space. An increase in eaves or roof heights may change the character of the building.

#### **Assessment**

##### Principle of development

43. In approving the application to convert the barn in 2015, the Authority concluded the barn was a non-designated heritage asset and worthy of conversion.
44. Works have been carried out to the barn between that permission and current application, including reconstruction of the lean-to on the north west elevation and of the original gable wall above, and part of the south east elevation. Ventilation holes have been blocked up, the eaves and ridge raised and lintel to south east elevation door replaced. Works have also been carried out to the drystone wall west of the barn.
45. The development that has been carried out is therefore considered to a different one to that approved in 2015 and is therefore subject of a fresh application.
46. The Authority's Senior Archaeologist raises concerns that the application has not been supported by a Heritage Statement to establish the significance of the barn and the impact of the works carried out to date and whether the barn is still of significance.
47. The impact of the works is addressed further below; however, the starting point is that prior to unauthorised works to the barn commencing, it was considered to be a non-

designated asset. That is not disputed by Officers, although it is important to consider if the works undertaken since, and other work proposed, harms the barn's significance.

48. It is therefore necessary to establish if the proposed conversion, alterations and extensions (part retrospective) are necessary to achieve the conservation and / or enhancement of a non-designated heritage asset under Policy HC1.C(i).
49. Whilst a response has been received concerning the use of the site and wider land for agricultural purposes, the application proposes a residential use and is therefore assessed accordingly in line with the Authority's policies for housing.

#### Impact on Character and Appearance

50. Permission is sought for a replacement lean-to and reconstruction of the north west elevation, reconstruction of parts of the south east and north west elevation, parts of the rear elevation, the raising of the ridge and eaves, change to roof pitch and re-alignment of drystone wall (part retrospective). Permission is also sought for a two storey extension and lean-to garage on the rear elevation and creation of a new access west of the barn.
51. The below considers if the development conserves and / or enhances the character and appearance of the barn, Conservation Area, and the surrounding landscape. In doing so, regard is had to policies GSP1, GSP3, L1, L3, HC1, DMC3, DMC5 and DMC8.

#### Reconstruction of Barn Walls and Changes to Roof

52. The original permission allowed for reconstruction of the roof structure and re-cladding with existing stone tiles. However, the plans show the barn's ridge height has increased from around 5.7m to 7.3m (on north west elevation). The roof pitch is now steeper.
53. 3.11 of the Alterations & Extensions SPD states that: "*Raising the eaves and/or the ridge to increase head height is generally unacceptable*". Principle 2 of the Conversions SPD states development should work with the existing form and character. 5.8 states most farm buildings are generally simple and functional in form. 5.13 states existing features may impose constraints on a conversion's design, such as restricted headroom and that allowing the existing building form to influence the design may require creative thinking. 5.14 states schemes should work within the shell of the existing building and "*where room heights are low, for example, first floor rooms can be partly contained within the roof space as an increase in eaves or roof heights may change the character of the building*".
54. Page 19 of the Building Design Guide states the overall shape of traditional buildings is horizontal and ground-hugging. Page 40 states in reference to barn conversions that: "*It is best to work within the existing shell of the building and avoid extending upwards or outwards. Where room heights are low it is better, and cheaper, to use part of the roofspace for the first floor rooms rather than increase the height of the walls.*"
55. The raising of the eaves and ridge and change to roof pitch is contrary to the Alterations & Extensions SPD, Conversions SPD and the Building Design Guide. The alteration has visually changed the barn so that it has a more vertical form, rather than traditional horizontal. The gap between the first floor window lintels and eaves emphasises this and the roof pitch is visibly steeper and more domestic. The alteration is unacceptable and harms the form and architectural interest of the barn.
56. The reconstruction of the external walls includes reconstruction of part of the south east elevation, parts of the rear elevation, and all of the north west elevation including lean-to. The front elevation has been retained although ventilation holes have been filled in.
57. The reconstruction of the walls, whilst regrettable and beyond the scope of the original permission, is not considered to result in particular harm with the exception of the infilling

of ventilation holes which has eroded part of the barn's character and evidence of its historic use. The changes that have arisen as part of the general reconstruction of walls, including raising of eaves, and elements of the reconstructed lean-to, do result in harm.

### Proposed Extensions

58. The lean-to on the north west elevation appears to have been replaced. The form of the lean-to constructed on site has a footprint similar to the original structure. However, the form is different as the original structure included a lean-to that generally reflected the width of the gable which it was attached to. There was a small rear projection to the lean-to however this was mono-pitched and, whilst unsympathetic in form, less conspicuous due to its height. The lean-to approved in 2015 reflected the gable width.
59. The lean-to now proposed reflects the footprint of the original lean-to and flat roofed projection taken together, with a lean-to roof across the entire footprint. It is also 0.3m taller. The result is a longer lean-to which is taller across its entire length and harms the barn by obscuring its west corner, diminishing its solidity and complicating its simple form.
60. There has been some discussion around reducing the length of the lean-to to reflect the gable width. Amended plans have not been received although if that were only area of concern, it is understood the applicant may be willing to consider amending this.
61. The extension to the rear is a part two storey gable, part single storey lean-to. It is understood the increased scale over the original approval is due to a desire for additional internal living accommodation, larger bedrooms and to provide a garage.
62. The proposed extension on the rear is not considered to be acceptable, and is considered to conflict directly with Principle 2 of the Conversions SPD, with 5.14 stating "*Schemes should work within the shell of the existing building, avoiding additions or extensions*".
63. Officers consider the building was capable of being converted within its shell and without the need for large extensions, as demonstrated by the 2015 permission which provided a 3-bedroom property with ample living space.
64. If the barn is not capable of accommodating the desired level of living space without inappropriate extension, then general conservation principles indicate the building is not suitable for conversion for the intended type of development. The proposed form and scale of the extension does not reflect the character or appearance of the building.
65. Whilst it is appreciated the applicant has sought to reduce the rear gable extension scale down as far as they consider practicable, the scale and domestic form of the extension is unacceptable and would harm the simple form and agricultural character of the barn.
66. The rear lean-to further complicates the overall form, and together with the lean-to extension on the north west, diminishes and harms the simple form of the barn.

### Changes to Boundary Wall

67. Physical works have been carried out to re-construct the drystone wall west of the barn. The wall is understood to have formed one edge of a linear medieval strip field, a historic form of landscape which contributes to the Conservation Area and its setting.
68. The wall has been partly re-constructed and alters the historic linear form of the strip field, which is narrower as it nears Church Lane. More space has been created around the barn, changing its immediate curtilage and relationship with the landscape, although in the absence of a Heritage Statement the precise relationship is not clear.



69. Notwithstanding the lack of a Heritage Statement, due to the clear change that would arise to what is an established form of historic field pattern in the Peak District, it is considered the change in the alignment of the wall results in less than substantial harm to the character and appearance of the Conservation Area and setting of the barn. Similar harm would also arise from the setting back of the roadside wall to facilitate the access.
70. Regarding third party comments received around future development on the site, that is not the subject of this application. Any residential permission would need to restrict permitted development rights associated with the barn.

### Summary

71. The proposed alterations and extensions are considered to harm the character and appearance of the barn. The re-alignment of the wall to the west is also considered to harm the setting of the barn. Harm also arises towards the Conservation Area.

### Highways

72. The Highways Authority initially requested visibility splays to reflect those shown on the 2015 permission, albeit that permission is now considered to have lapsed. These have been marked on the plan, albeit the visibility splays looking south east and north west have switched as the access is on the opposite side of the barn. The south east visibility splay is now 20.5m (the north west visibility splay in the 2015 application was 15m), and the north west visibility splay is 44m (the approved west visibility splay was 43m).
73. The applicant has sought to relocate the access in order to improve visibility over that associated with the access previously approved in 2015. That access was found to be acceptable, and it is also noted that the nature of Church Lane is single track and has been observed by officers to be generally quiet and largely used by pedestrians.
74. Notwithstanding this, the Highways Authority have objected to the proposals as they consider the visibility splays to be substandard against the required 215m in an area of 60mph speed limits. Whilst there is an existing access east of the barn, they consider the proposal represents an intensification of use with associated increase in vehicle movements, resulting in an unacceptable impact on highway safety.
75. The access is not considered to conserve the character of the site, and in light of the latest Highways Authority comments has not demonstrated it would be acceptable in terms of safety, contrary to DMT3 and paragraph 115 of the NPPF. Paragraph 116 states proposals resulting in unacceptable highway safety impacts should be refused.

### Ecology

76. The Authority's ecologist has visited the site and advises based on the site conditions, no further ecology surveys are necessary to inform the application. However, a precautionary approach is necessary during works.
77. A Wildlife Mitigation and Enhancement Scheme is required prior to development commencing. This should detail precautionary working measures around protected species and pre-work checks. Enhancement measures include replacement and additional bat roosts, bat friendly lighting, bird nesting provision and appropriate planting. The development is considered acceptable with regard to wildlife and protected species subject to a condition to secure the above.
78. The site is within the catchment of the Unit 70 and 71 of the Wye Valley Site of Special Scientific Interest (SSSI), a component of the Special Area of Conservation (SAC) where development is required to demonstrate nutrient neutrality. A response from Natural England confirmed this position.

79. The application now includes a GRAF One2Clean PTP and associated drainage field / mound, with accompanying report demonstrating those features are acceptable. Provision of the PTP and drainage field prior to occupation of the dwelling and its retention for the lifetime of the development could be secured by planning condition.
80. In line with Natural England's Standing Advice 2022, where a drainage field complies with the advice, a likely significant effect on site integrity can be ruled out as insignificant levels of phosphorus from the development would discharge to the site. Natural England do not need to be re-consulted where this conclusion is reached.
81. It is concluded the development would not have a significant impact on nearby designated sites, as confirmed by a Habitat Regulation Assessment screening report.
82. Subject to the above conditions, the development complies with L2, DMC11 and DMC12.

#### Amenity

83. The site is opposite 43 Chantry Lane, a single storey dwelling. The rear wall of 43 Chantry Lane includes two habitable rooms at a distance of between 11m and 16m from the front wall of the application building. The two first floor bedroom windows would have clear views at these distances into these habitable rooms from an elevated and views into the entire rear garden of no.43. This raises concerns of overlooking and loss of privacy.
84. It was concluded under the 2015 application that provided the first floor bedroom windows were obscured and fixed frame, this would prevent overlooking whilst allowing daylight into first floor rooms. The latest drawings confirm the first floor windows on the front elevation will be obscure glazed. A condition requiring the windows to be fixed and obscure glazed prior to first use of the dwelling would conserve neighbouring amenity.
85. It is not considered the development would have any other impacts upon neighbouring amenity given the distance and orientation of buildings, and nature of the proposed use.

#### Other Matters

86. Concerns have been raised regarding the drainage of the development and its impact on properties as water drains to the north west. Revised drainage details have been received and have been subject to re-consultation. The period for final comments is ongoing therefore further comments on the arrangement may yet be received.
87. Officers are however satisfied based on the information available, that run-off is likely to be acceptable provided drainage is installed correctly in line with relevant standards and regulations. A condition requiring drainage to be maintained for the lifetime of development is necessary to ensure the system continues to operate effectively.

#### Planning Balance

88. In weighing the public benefits of the proposals against the less than substantial harm arising towards the Conservation Area, considerable importance and weight are afforded to the desirability of preserving the Conservation Area, having regard to the duty required under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
89. 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).
90. *Great weight* is also afforded to the conservation of a designated heritage asset by paragraph 212 of the NPPF.

91. It is recognised the development would result in the creation of a market dwelling and the submission states this would be for a local person. The Parish Council have strongly supported the application as the development would provide a home for a local family.
92. However, HC1 makes clear that provision will not be made for housing solely to meet open market demand, with the exceptions to new housing being where development achieves the conservation of a heritage asset. In this case, it is concluded the development would harm, rather than conserve, a heritage asset and would therefore not meet that exception. The English National Parks and the Broads: UK Government Vision and Circular 2010 makes clear that National Parks are not suitable locations for unrestricted housing and do not provide general housing targets for those areas.
93. It has also been demonstrated under the 2015 permission that the barn is capable of conversion to a 3-bedroom dwelling with sufficient living space for a future occupant.
94. The application is not made on the basis of being a local affordable needs dwelling, nor would the scale of development be compliant with policies for affordable housing.
95. Taking the above into account, the benefits associated with the provision of a market dwelling are afforded limited weight. The Authority are not aware of any other public benefits that would be relevant in this case.
96. Having regard to DMC5 and paragraph 215 of the NPPF, the less than substantial harm arising towards the Conservation Area as a result of the extension and alteration of a non-designated asset within the Conservation Area, and changes to the historic field boundary, are not considered to be outweighed by the public benefits of the development.
97. 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 would not outweigh the harm arising towards the character and appearance of the building and Conservation Area.

## **Conclusion**

98. The proposed conversion of the non-designated barn with associated extensions and alterations would harm the traditional form and character of the building, its setting and the character and appearance of Tideswell Conservation Area.
99. The proposed development is therefore not considered to be acceptable in principle, as the development would not achieve the conservation of a non-designated heritage asset and would not satisfy the exception to new market housing under HC1.C.
100. In addition, the conversion as a whole would not conserve or enhance the non-designated barn, Conservation Area or landscape setting, contrary to Policies GSP1, GSP3, L1, L3, DMC3, DMC5, DMC8 and DMC10, and paragraph 189 of the NPPF.
101. The less than substantial harm arising towards the Conservation Area 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.
102. It is not demonstrated that a safe vehicular access has been provided, contrary to DMT3 and NPPF paragraph 115.
103. The application is therefore recommended for refusal.

## **Human Rights**

104. 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, Senior Planner