

10. FULL APPLICATION: CONVERSION OF BARN TO DWELLING, TAGG LANE BARN, TAGG LANE, MONYASH (NP/DDD/0715/0713 P.6043 413606/366357 28/09/2015/CF)

APPLICANT: MR AND MRS M RILEY

Site and Surroundings

The current application site concerns a disused stone-built field barn known as Tagg Lane Barn, which is situated in an isolated, yet prominent position immediately adjacent to the B5055 Tagg Lane, approximately 1km to the west of Monyash. A farm access track, which is also a public right of way runs from the road, past the barn and on to Whim Farm. A rough paddock area which extends to the north and west of the barn is also included in the application site.

The two-storey barn is simple and robust in its form and detailing but it does have a subsidiary single storey lean-to off the west facing gable and its original stone slate roof has been removed and replaced by protective sheeting. The road facing external wall of the barn also continues to appear to be bowing outwards despite an internal steel work structure having been inserted into the barn to keep it standing.

Proposal

The current application proposes the conversion of TagG Lane Barn to an open market dwelling to meet general demand. The design of the proposed conversion is intended to conserve and enhance the character and appearance of the barn by utilising existing openings, restoring original features, and re-roofing the main building with stone slates. The road facing wall would also be re-built and the supporting steel structure inside the building would be removed

The ground floor of the barn would be subdivided into 3 main bedrooms, a hall way and associated bathrooms making use of the greater number of windows at this level whilst the upper floor would provide the living accommodation. The submitted plans show a relatively modest domestic curtilage to the rear of the building and two parking spaces off the access track to Whim Farm.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions / modifications:

Statutory Time Limit

- 1. The development hereby permitted shall be begun within 3 years from the date of this permission.**

Approved Plans

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans, Drawing No.1503-05 Revision A and Drawing No.1503-06 Revision B, subject to the following conditions or modifications:**

Landscaping

- 3. No development shall take place until a tree management plan has been submitted to and agreed in writing by the National Park Authority. Thereafter, the management plan shall be carried out in complete accordance with the approved scheme.**

Conversion within Existing Shell

- 4. The conversion hereby approved shall be carried out entirely within the shell of the existing building. No part of the building shall be rebuilt without the prior written consent of the National Park Authority.**

Underground Service Lines

- 5. All new service lines associated with the approved development, and on land with the applicant's ownership and control, shall be placed underground and the ground restored to its original condition thereafter.**

Disposal of Foul Sewage

- 6. No development shall take place until a scheme for the disposal of foul sewage to a package treatment plant has been submitted to and approved in writing by the Authority. Thereafter, the package treatment plant shall be installed in complete accordance with the approved plans prior to the first occupation of the dwelling hereby permitted.**

Parking and Access

- 7. No development shall take place until a specification or sample of the material to be used for the surfacing of the drive, parking and manoeuvring areas has been submitted to and approved in writing by the National Park Authority.**
- 8. Prior to the first occupation of the dwelling hereby permitted, the access, parking and turning areas shall be completed in accordance with the specifications approved under Condition 7 (above).**

Residential Curtilage

- 9. Prior to the first occupation of the dwelling hereby permitted, the curtilage of the converted barn shall be defined with a drystone wall along the boundaries of the proposed garden shown on Drawing No.1503-06 Revision B. The drystone wall shall be constructed in locally obtained natural stone, to a height of 1.2m - 1.5m, coursed and pointed to match the stonework of the existing boundary walls.**

External Lighting

- 10. Unless otherwise agreed in writing by the National Park Authority, there shall be no external lighting and the converted building and associated curtilage shall not be provided with any other external source of illumination at any time during the lifetime of the development hereby approved.**

Design Details and Architectural Specifications

- 11. Prior to the installation of any new windows, full details of their precise design, including any glazing bar detail, recess from the external face of the wall and external finish, shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved specification and shall be permanently so maintained.**
- 12. Prior to the installation of any new doors, full details of their precise design including external finish and recess from the external face of the wall, shall be submitted to and approved in writing by the National Park Authority. The**

development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.

13. Prior to the installation of any external flue pipe for a wood burner or any other heating appliance, full details of its precise design including its size, location and external finish shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.
14. All pipework, other than rainwater goods but including soil vent pipes and drainage pipes, shall be completely internal within the building.
15. The rainwater goods shall be cast metal, painted black. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
16. The roof verges shall be flush cement pointed, with no barge boards or projecting timberwork.

Permitted Development Rights

17. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no alterations to the external appearance of the converted building shall be carried out and no extensions, porches, sheds, or ancillary outbuildings shall be erected on the site without the National Park Authority's prior written consent.

Key Issues

- whether an exception to HC1(C)II is justified

History

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| 2013 | Appeal dismissed for conversion of the barn to a single open market dwelling to meet general demand 2013 on the grounds that the building is not valued vernacular and the adverse landscape and visual impact of domestic paraphernalia associated with the domestic use of the barn. The Inspector concluded that the barn was now structurally sound because of the insertion of the internal steelwork frame supporting the weight of the building. |
| 2012 | Appeal dismissed for conversion of barn to a studio and workshop on the grounds that the four proposed parking spaces plus inevitable parking on the grass verges in front of the barn would be harmful to the character and appearance of the area. |
| 2008 | Appeal dismissed for conversion of barn to two holiday units. Despite the offer of a unilateral undertaking to control the use of the curtilage, there would be more overt signs of occupation including the two grasscrete parking spaces, bin store and presence of parked cars. The Inspector also concluded that the barn was not structurally sound. |
| 2006 | Appeal dismissed for conversion of barn to two holiday lets on the grounds that the proposals would introduce domestic style paraphernalia and this, together with the presence of a more manicured curtilage and vehicle parking would represent discordant elements in the open rural surroundings. The Inspector also concluded that the barn was not structurally sound. |

Consultation

County Council (Highway Authority) - No response to date

District Council – No response to date

Parish Council – Recommend approval of the current application for the following reasons:

- The proposed work will greatly improve the barns appearance which has been in a dilapidated state for years. It is clear when viewed that currently the barn requires to be made safe, as the fear has always been that it will deteriorate and fall down into the road.
- It is hoped that it will bring another family into the parish of Monyash.
- Broadly, the Parish Council are in favour of development of barns that have stood empty for years to be utilised for housing, (providing it is done in a manner in keeping with the surrounding area) rather than erect new builds.

Representations

Three letters of support for the current application have been received to date. Two of the letters offer general support for the conversion and restoration of this derelict farm building for residential use. The author of the third letter says: “I fully support the application as the renovation of this building is long overdue. It is a shame that this limestone barn has been allowed to deteriorate in such a way. The renovated building will enhance the surrounding area and improve this entrance road to the village.”

Main Policies

National Planning Policy Framework

The National Planning Policy Framework (‘the Framework’) says local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where such development would represent the optimal viable use of a heritage asset or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

In these respects, the Framework reiterates a long standing principle that local planning authorities should avoid granting planning permission for isolated new homes in open countryside except in exceptional circumstances.

This approach is generally consistent with the Authority’s development strategy set out in DS1 of the Authority’s Core Strategy, which says new residential development should normally be sited within named settlements, and policy HC1(C) of the Authority’s Core Strategy, which sets out very similar criteria to the Framework in terms of the exceptional circumstances in which a new house can be granted permission outside of a named settlement.

In this respect, paragraph 55 of the Framework says local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets. However, the Framework is more permissive where residential development in the open countryside would make use of a redundant or disused building and lead to an enhancement to the immediate setting.

Main Development Plan Policies

Core Strategy policies: GSP1, GSP2, GSP3, HC1, L1 & L3

Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; and policy HC1(C) I says exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings. HC1(C)II says exceptionally new housing will be permitted if it is required in order to achieve conservation or enhancement in settlements listed in core policy DS1.

GSP1 states that all development in the National Park must be consistent with the conservation purpose of the National Park's statutory designation and where national park purposes can be secured, opportunities must be taken to contribute to the sustainable development of the area. GSP2 says that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon but proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area, and they should not undermine the achievement of other Core Policies.

Policy GSP3 of the Core Strategy is also relevant because it sets out detailed criteria for judging the impacts of new development on the valued characteristics of the National Park, and should be used to achieve the sensitive management of new development. L1 says that development must conserve and enhance the valued characteristics and landscape character of the National Park in accordance with the priorities for landscape conservation set out in the Authority's Landscape Strategy and Action Plan.

Landscape Strategy and Action Plan

The Landscape Strategy and Action Plan shows that the barn is situated in the Limestone Plateau Pastures landscape character type of the White Peak landscape character area. Key characteristics of the White Peak include a rolling upland plateau; pastoral farmland enclosed by limestone walls, and isolated stone farmsteads and field barns. The guidelines in the Landscape Strategy and Action Plan for the White Peak state that protecting and maintaining historic field barns is a priority throughout the Limestone Plateau Pastures landscape Character type. In particular, the Landscape Strategy and Action Plan says:

"... Isolated field barns are a special cultural feature in the White Peak, especially in the Plateau Pastures. Where they can no longer be maintained in agricultural use, careful consideration needs to be given to appropriate alternatives. Changes to the building or its surroundings should be avoided, especially where these are not in keeping with the rural character of the landscape. Conversion to residential use would be particularly inappropriate in a region where settlement is strongly nucleated in small villages."

Wider Policy Context

Relevant Core Strategy policies include: HC2, L2 and L3

Relevant Local Plan policies include: LC4, LC8, LC12, LC17, LH1, LH2, LT11 and LT18

LH1, LH2 and HC2 reaffirm the Authority's approach to new residential development in the National Park, and the strict controls on new housing outside of named settlements. These policies also provide criteria for assessing applications for affordable housing to meet local need, and for occupational dwellings.

Policy LC4 sets out guidance on design, siting and landscaping whilst policy LC8 and L3 set out guidance relating to any new use of a traditional building with vernacular merit. L2 and LC17 promote and encourage biodiversity within the National Park and seek to safeguard nature conservation interests. LT11 and LT18 otherwise require development to be provided with appropriate access and parking provision that would harm the environmental quality of the National Park. Further detailed advice on the conversion of buildings to other uses is provided in

the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.

In this case, it is considered the Authority's adopted design guidance and the wider range of design and conservation policies in the Development Plan are consistent with national policies in the Framework, which emphasise the great weight that should be attached to the conservation and enhancement of the National Park landscape, its wildlife and cultural heritage in any planning decision, and also promote high standards of design that would be sensitive to the valued characteristics of the National Park.

Assessment

Tagg Lane Barn has recently returned to the same ownership as Whim Farm, which shares the same access from Tagg Lane. The current applicants have bought Tagg Lane Barn and have submitted this application despite the recent appeal decisions that suggest that conversion of the barn to a new use would give rise to objections on landscape and visual impact grounds, and in the knowledge that the Inspector in the most recent appeal decision did not consider the barn to have any particular vernacular merit. However, the applicants also see that the barn detracts from the amenities of Whim Farm, and in its current condition, clearly detracts from the character and appearance of the local area.

Therefore, the applicants see the current proposals for the change of the use of the barn as required to conserve and enhance the building and its setting. The submitted budget costings demonstrate that the barn would not be a suitable candidate for affordable housing and that the impetus of open market values would be required to bring the barn back into use. It is also clear that whilst the barn appears to be in a poor state of repair, the internal steel work means that the barn is structurally sound and is actually capable of being converted in its existing shell. However, the internal steel work is an insensitive response to previous concerns that the barn was not structurally sound and would be removed if the current application were to be approved.

In these respects, whilst HC1(C)II does not permit residential development to achieve conservation and enhancements of despoiled sites outside of named settlements, national planning policies in the Framework do. In particular paragraph 55 of the Framework says local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where residential development in the open countryside would make use of a redundant or disused building and lead to an enhancement to the immediate setting. In this respect, it is clear that the proposed conversion would be of a high quality of design and not only make use of a redundant building that is somewhat derelict in appearance, it would restore the building to a field barn more in keeping with the local building tradition that would contribute much more positively to its landscape setting.

In reaching this conclusion, it is acknowledged that the Authority's Landscape Strategy and Action Plan is not supportive of the conversion of field barns in the open countryside. However, it is considered that if proper management of the small copse of trees adjacent to the building were to be secured, and in view of the barn's roadside setting, the proposed conversion would not have significant adverse impact on landscape character. Equally, whilst it is acknowledged previous appeal decisions indicate that a new use, complete with domestic curtilage and parking, would be harmful, the submitted plans show a modest curtilage with enclosed parking spaces that officers consider could be accommodated in this location without being unduly obtrusive.

Consequently, it is considered the proposed conversion would result in very limited harm to the scenic beauty of the surrounding landscape but provide substantial benefits to the character and appearance of the barn's landscape setting. This is a view supported by the Parish Council and in other representations, and the Parish Council also consider that the proposed conversion would provide a home and help maintain the vitality and viability of the nearby village of Monyash. In these respects, the proposed conversion can be considered to be a form of sustainable development supported by paragraph 14 of the Framework and policy GSP1 of the

Core Strategy also taking into account that the barn would otherwise remain in its current condition for a significant period of time if an appropriate new use cannot be found.

It is therefore considered an exception to the specific provisions of HC1(C)II can be justified and a positive recommendation of approval can be made on the individual planning merits of the current application despite the previous planning history attached to this barn. In all other respects, there are no overriding objections to the proposals on archaeological or ecological grounds, and there are no near residential properties that would be affected by the proposed conversions. It is also considered that parking provision would be adequate and the proposed conversion would be provided with a safe and suitable access from Tagg Lane.

Conclusion

It is therefore concluded that the current proposals do not comply with the specific provisions of policy HC1(C)II because the barn is not within a named settlement but the current application does accord with design and conservation policies in the Development Plan and national planning policies in the Framework when taken as a whole. Accordingly, the current application is recommended for conditional approval.

In this case, appropriate planning conditions would be required to minimise the visual impact of the proposed development and safeguard the character of the surrounding landscape, including a condition securing appropriate management of the copse of mature trees in the applicant's ownership adjacent to the barn. Equally, it is considered exceptional circumstances exist that warrant removing permitted development rights for extensions and alterations to the barn, and to restrict development within the curtilage taking into account that further domestication of the barn and domestic paraphernalia within its curtilage would be harmful to the character of the surrounding landscape also taking into account the relatively isolated location of the barn.

Similarly, it would be reasonable and necessary to seek prior approval of design details, including parking and access, external lighting and foul water drainage alongside undergrounding of services on land in the applicant's control and controlling the extent of the domestic curtilage, again, to minimise the visual impact of the proposed development and safeguard the character of the surrounding landscape also taking into account the conversion is also immediately adjacent to a public right of way. Finally, it would also be important to ensure the barn is converted within its existing shell with rebuilding limited to the roadside elevation to ensure the barn maintains its intrinsic character as a modest roadside field barn.

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