
Appendix 1 - Copy of report to the Planning Committee on 13 November 2015

8. FULL APPLICATION – CHANGE OF USE OF CAMPING BARN TO AGRICULTURAL WORKER’S DWELLING AT BUTTERLANDS BARN, GREENHILL LANE, ALSTONEFIELD, (NP/SM/0815/0806, P10789, 412565/356666, 28/08/2015/ALN)

APPLICANT: MR ROBERT FLOWER

Site and Surroundings

The application site is a detached barn situated in an isolated position approximately 640m north of the edge of Alstonefield village. It is located adjacent to a narrow track that runs north from the road that leads from Alstonefield north towards Hulme End. The track is designated as a bridleway. Access to the barn is directly off the bridleway and there is a parking area enclosed by a drystone wall to the south of the building. A further public right of way runs on and north-south alignment approximately 150m to the east of the barn

The barn was converted to a camping barn following planning consent in 1997. It is a traditional field barn, having a two storey form and constructed of rubble limestone under a Staffordshire Blue natural plain clay tiled roof. It is very modest in scale, measuring only 7.1m long by 6m wide. It has a robust, simple appearance and a limited number of openings. The door openings are dressed with natural gritstone heads and jambs. The conversion to a low key camping barn use has had little impact on the character and setting of the building and it essentially still appears as an isolated field barn.

Proposals

Consent is being sought for the conversion and extension of the camping barn to form an agricultural worker’s dwelling for the applicant’s son. The applicant and his family operate from their farm at Gateham Grange Farm, which is approximately 800m to the south west of the application site. The family currently live together at Gateham Grange Farm.

The submitted scheme proposes the conversion of the barn to a two-bedroomed agricultural workers dwelling. The barn would also be extended by means of a single storey gabled extension off the east facing elevation. A kitchen would be provided within the extension and living room, shower room and hallway on the ground floor of the existing barn. The two bedrooms would be located on the first floor. The overall floor area as extended would be 78.5m², which is below the maximum size for a 5 person local needs dwelling (87 m²).

In addition to the extension the scheme proposes the alteration of a window on the north facing elevation to form a doorway. A larger curtilage would be created by enclosing a 3.5m strip of the field that abuts the northern elevation of the barn. Two parking spaces would be provided within the existing parking area to the south of the barn.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The barn occupies a prominent and isolated position in the landscape. The proposals would spoil the character and setting of the barn by the addition of an extension and by the introduction of a domestic use, The proposals are therefore contrary to Core Strategy polices GSP1, GSP2, GSP3, L1 and L3 and saved Local Plan policies LC4 and LC8 and national planning policies in the Framework.**
- 2. The proposed development fails to meet criterion (ii) of saved Local Plan policy LC12 as it does not represent the most suitable accommodation in the locality the**

could reasonably be made available for occupation by the worker concerned, and the application does not propose a sustainable form of development when taking into account the that a less damaging practicable option to meet the needs of the farm exists. The proposals are therefore contrary to the principle of sustainable development set out in Core Strategy policy GSP1 and national planning policies in the Framework.

- 3. Insufficient information has been provided to establish whether the development would impact upon any sites, features or species of biodiversity importance contrary to Core Strategy policy L2 and Local Plan policy LC17 and national planning policies in the Framework.**

Key Issues

1. Whether in principle the proposed development meets the terms of the Authority's Core Strategy and Local Plan policies in relation to the provision of an agricultural workers dwelling.
2. The potential impact of the proposed conversion and extension of the character and setting of the barn and the surrounding landscape.
3. Ecological Issues

History

1982 – Outline and reserved matters applications approved for new-build farm worker's dwelling at Gateham Grange Farm for a previous owner. The consent was not implemented.

January 1997 – Planning permission granted for conversion of barn to a camping barn.

Consultations

County Council (Highway Authority) – No response to date

District Council – No response to date

Parish Council – Fully support the application because it is the Council's view that the dwelling would provide suitable affordable housing for a young family, which given the business case submitted in the application, is not available elsewhere.

The Parish Council go on to say that according to the National Planning Policy Framework, the re-use of existing resources is to be encouraged and the business need for an agricultural workers dwelling has been clearly proven in the Agricultural Business Appraisal submitted. This will be providing a house for a local farming family. There is also the animal welfare point given the large numbers of lambs being born at this farm, hence the need for the workers being close to the farm barns. It may also be of help that this barn has been used for residential in recent years, albeit in camping form.

Authority's Ecologist – Recommends refusal on basis that the application as submitted is not accompanied by sufficient information in order to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development.

The Ecologist's recommendations were made following a site visit and taking into account that there is a pond within 5m of the site that is capable of containing great crested newts and that there are large vents/breathers in the front and rear face and on the eastern face of the building, which may provide access for bat species into any wall cavities.

Representations

One letter of support has been received from a local resident on the basis that it is very important that young people from the village can find suitable and affordable accommodation to remain in the area to work and the author does not foresee any problems with increased traffic on the road.

Main Policies

In this case it is considered that policy LC12 of the Local Plan and policy HC2 of the Core Strategy provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because policies HC2 and LC12 set out the relevant criteria for assessing proposals for the re-use of existing buildings to meet local need.

It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the National Planning Policy Framework with regard to the issues that are raised. This is because the Framework continues support the re-use of existing buildings specifically for key workers in small rural communities that would not normally be made available for the provision of open market housing subject to normal planning considerations.

Wider Policy Context

Relevant Core Strategy policies include: GSP1, GSP2, GSP3, DS1, HC1, HC2, L1, L2, L3, T1 & T7

Relevant Local Plan policies include : LC4, LC12, LC17, LT11 & LT18

Notwithstanding the general support for principle of the provision of housing for key workers in national and local planning policies, the Framework states that the conservation of heritage assets in a manner appropriate to their significance forms one of the 12 core planning principles within the Framework. Paragraph 132 of the Framework says that great weight should be given to the conservation of a designated heritage asset and that the more important the asset, the greater the weight should be. Paragraph 115 in the Framework also states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage.

The wider range of conservation and design policies in the Development Plan are consistent with these aims and objectives of the Framework and promote sustainable forms of development within the National Park that would be sensitive to its locally distinctive and valued characteristics.

Assessment

Issue 1 - Whether in principle the proposed development meets the terms of the Authority's Core Strategy and Local Plan policies in relation to the provision of an agricultural worker's dwelling.

In assessing the principle of this proposal the key policies in relation to the provision of agricultural dwellings are Core Strategy policies HC1(B), HC2 and Local plan policy LC12. In addition to this Core Strategy policy HC1(C) is also of relevance to this proposal. Policy HC1(B) of the Core Strategy allows for new residential development where it provides for key workers in agriculture, forestry or other rural enterprises in accordance with core policy HC2, which says:

- A. New housing for key workers in agriculture, forestry or other rural enterprises must be justified by functional and financial tests.

- B. Wherever possible it must be provided by re-using traditional buildings that are no longer required for their previous use.
- C. It will be tied to the land holding or rural enterprise for which it is declared to be needed.

These policies are consistent with the National Planning Policy Framework ('the Framework'), which says at Paragraph 55 that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

National Planning Practice Guidance does not contain any further information on assessing need, but Local Plan policy LC12 provides further criteria to assess the acceptability of new farm worker's dwellings including financial and functional tests. LC12 says the need for a new agricultural or forestry worker's dwelling will be considered against the needs of the farm or forestry business concerned and not the personal preferences or circumstances of any individuals involved. Development will be permitted provided that:

- i. a detailed appraisal demonstrates that there is a genuine and essential functional need for the worker(s) concerned, with a requirement that they need to be readily available at most times, day and night, bearing in mind current and likely future requirements; and
- ii. there is no suitable existing accommodation in the locality that could reasonably be made available for occupation by the worker(s) concerned; and
- iii. size and construction costs are commensurate with the established functional requirement and likely sustainable income of the business; and
- iv. it is close to the main group of existing buildings and does not require obtrusive new access tracks or driveways; and
- v. a satisfactory mechanism is put in place to secure long term control by the business of the dwelling in question and of any other dwelling that meets an agricultural need of the business; and
- vi. occupancy of the dwelling in question (and of any other dwelling that meets an agricultural need of the business) is restricted to persons solely or mainly working in the locality in agriculture or in forestry, or to the same occupants when they have stopped such work, or a widow or widower of such a person, and any resident dependants; and
- vii. stated intentions to engage in or further develop farming or forestry are genuine, reasonably likely to happen and capable of being sustained for a reasonable period of time. Where there is uncertainty about the sustainability of an otherwise acceptable proposal, permission may be granted for an appropriately coloured caravan or other temporary accommodation; and
- viii. sufficient detail is provided to enable proper consideration of these matters.

In summary, these policies mean that new housing for key workers in agriculture must be justified by functional and financial tests. If a need is subsequently demonstrated, then, wherever possible, this must be provided by re-using traditional buildings that are no longer required for agricultural purposes. Any subsequent agricultural worker's dwelling must also be tied to the land holding or rural enterprise for which it is declared to be needed.

The Authority's Local Plan policies provide more specific requirements in respect of the siting of any new agricultural dwellings in that they should be sited close to the main farm complex and should not require obtrusive new access tracks or driveways. This approach is otherwise

consistent with the approach taken in policy DMH4: Essential worker dwellings in the emerging Development Plan Document. However, in addition to the policies relating to the provision of agricultural dwellings, Core Strategy policy HC1(C)I is also of relevance to this proposal.

Functional Appraisal

An agricultural business appraisal has been submitted with the application. This explains that the farm at Gateham Grange extends to 240 acres and consists of sheep and suckler cow enterprises. The farm has also diversified with the provision of holiday cottages. On average the farm carries 55 suckler cows and 400 breeding ewes. Based on the day to day demands the established labour demand is equivalent to 2.42 full time farm workers. The applicant and his son are the two full time workers on the farm. Both currently live in the farmhouse but the applicant's son now wishes to start a family home with his long term partner. On this basis officers concur that there is convincing functional case for a farm workers dwelling at Gateham Grange Farm.

Financial Appraisal

The applicant has submitted financial accounts for the years 2011-2013 and these demonstrate that the farming enterprise has made a profit in each of these years, which satisfies the financial test.

Application of Core Strategy policy HC1(C)I

In addition to the agricultural considerations with respect to the principle of the barn conversion, this also has to be assessed against Core Strategy policy HC1(C)I. This policy permits the conversion of 'valued vernacular' buildings where it is required to achieve conservation and/or enhancement of such buildings. In this case the building subject of this application is considered 'valued vernacular' by virtue of its character and form and particularly its isolated yet prominent setting adjacent to the public bridleway and the building clearly contributes to the special landscape qualities of the locality. The building appears to be in good structural condition.

In this case, it is not considered that the conversion and extension of the building to an open-market dwelling would fully comply with HC1 C I because the barn is already in use as a camping barn and there is no significant conservation or enhancement of the building that would be achieved by its conversion to a dwelling. Notwithstanding this, the conversion of such traditional buildings to agricultural worker's dwellings is encouraged in Core Strategy policy HC2 and Local Plan policy LC12 in preference to the provision of new-build agricultural dwellings.

In respect of the size of the proposed dwelling (78.5m²), this is considered to be modest and commensurate with the size of the farm enterprise. The barn already benefits from the provision of water and electricity supplies and such it is likely that the conversion can be carried out within the scope of the likely sustainable income of the business. The applicant is also willing to complete a S.106 legal agreement relating to agricultural occupancy and is willing to tie the dwelling to the Gateham Grange Farm holding.

Therefore, the case for conversion of the barn to a farm worker's dwelling has been made quite strongly by the applicant and, in principle, the barn would offer appropriate accommodation for a farm worker subject to design and conservation considerations and whether or not there is more suitable accommodation in the locality that could reasonably be made available for occupation by the applicant which is required to be assessed under criterion (ii) of Local Plan policy LC12.

As noted above, Core Strategy policy HC2 states that wherever possible, new housing for key workers in agriculture must be provided by re-using traditional buildings that are no longer required for their previous use. Criterion (ii) of LC12 states that such conversions to agricultural worker's dwellings will be permitted provided that there is no suitable existing accommodation

that could reasonably be made available for occupation by the worker concerned.

In respect of these requirements, officers acknowledge that the option of purchasing a property in Alstonefield is likely to be prohibitive in terms of the lack of available properties within the close proximity of the farm and the likely purchase costs. As can be seen in issue 2 of this report, however, officers consider that the proposed impacts of the proposed barn conversion are significant and harmful to the character and landscape setting of the barn and the national park.

Consequently, officers visited the main Gateham Grange Farm complex with the applicants to determine whether there was a more appropriate option to the current proposal. This site inspection revealed that there is a substantial two-storey range of barns to the west of the farmhouse and in close proximity to the modern sheds associated with the farm business. In addition there is a second single storey traditional barn on the opposite side of the farmyard which has an enclosed space to the rear which could be used as a discreet and private garden area in association with a residential use. Both of these traditional buildings are of some architectural or vernacular merit and given their position within the main farm yard they are considered to be more appropriate alternatives for animal husbandry purposes, being within close sight and sound of the animals.

The applicants maintain that these buildings are still being used for agricultural purposes, but parts of the buildings were not being used intensively at the time of the site inspection. Officers acknowledge that for conversion of either of these barns to take place, some re-organisation and rationalisation of the use of the buildings as a whole on the farm would be required. However, this is not considered to be unreasonable given the established need for a second full time worker on the site. It is understood that the personal preference of the applicant is to live more remotely and 'privately' in the barn, rather than close to the existing farm buildings, but the operational requirements of the business indicate that a worker sited on the farm itself would meet the established needs much more directly than a worker sited some 1km away by road.

Consequently, whilst the principle of the provision of the agricultural worker's dwelling conversion scheme meets all the other criteria stated in Local Plan policy LC12, it is considered that it fails to meet criterion (ii) as it does not represent the most suitable existing accommodation in the locality that could reasonably be made available for occupation by the worker concerned.

Issue 2 - The impact of the proposed dwelling conversion on the character and setting of the barn and the surrounding landscape.

Local Plan policy LC4(a) says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Local Plan policy LC4(b) goes on to say, amongst other things, particular attention will be paid to scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting.

Local Plan policy LC4 is now also supported by the more recently adopted policy GSP3 of the Core Strategy which says development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal.

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.

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.

In terms of the Authority's Landscape Strategy and Action Plan, the barn conversion site is situated within the Limestone Village Farmlands landscape character type of the White Peak Landscape Character Area. Key characteristics include a gently undulating plateau; pastoral farmland enclosed by drystone walls made from limestone and a repeating pattern of narrow strip fields originating from medieval open fields. In this landscape setting, field barns are identified in the Landscape Strategy and Action Plan as landscape features to be conserved and enhanced.

LC8 and L3 set out further 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 not 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.

These policies and the Authority's adopted supplementary planning documents are considered to be consistent with the Framework because they promote and encourage development proposals that would be of a high standard of design and sensitive to the valued characteristics of the National Park.

In respect of the current proposals, the barn in question is a field barn that stands in complete isolation from other buildings adjacent to the public bridleway. The barn is prominent at the side of the lane, and is seen alone against a backdrop of gently undulating pastoral farmland. It is also visible from the public right of way that runs to the east of the building and is seen in its wider landscape setting from the Lode Lane and the unclassified road that leads from Alstonefield to Hulme End to the west. Whilst it currently has a use as a camping barn, this use is very low key and has had little impact on either the fabric or the setting of the barn.

Officers acknowledge that the building conversion scheme is sympathetic to the character and appearance of the existing barn and involves no new openings and a restricted curtilage contained by new sections of drystone walling. Crucially, however, it is proposed to enlarge the barn by the addition of a single storey extension. Whilst the extension would be fairly modest in scale it would fundamentally alter the basic shape and massing of the building and would signal a domestic use. Such an extension would be contrary to the requirements of policy LC8 which states that alterations to form and mass in schemes to convert a building of historic or vernacular merit are not appropriate.

Given the exceptionally small size of the barn it would not be possible to configure a successful scheme that omits the extension and for this same reason officers consider that it is likely that the Authority would face demands for further extensions to the building in the future. Moreover, the domestication of a building that occurs from a residential use and associated domestic paraphernalia are difficult to control by condition and the domestication of an isolated field barn would have a significant and adverse impact on the landscape setting of the barn. Therefore the proposed conversion would significantly detract from the valued characteristics of the area.

For these reasons it is considered that even though there is a strong and convincing justification which supports the principle of the conversion of the barn to an agricultural worker's dwelling; the proposal is open to strong objections on landscape grounds because of the harmful impact of the proposed conversion. Therefore, any approval of the current application would be contrary to Core Strategy policies GSP1, GSP2, GSP3, L1 and L3, saved Local Plan policies LC4 and LC8, and national planning policies in the Framework.

Sustainability

In this case, the barn occupies a remote and prominent location within the National Park and the benefits of the scheme are not considered to offset or outweigh objections on landscape and visual impact grounds especially where there is a less damaging practicable option available to the applicant.

Notwithstanding the availability of the barns closer to the existing farm buildings and the likelihood proposals to convert these barns would be supported by officers, the harm that would result from proposed conversion of the application building is such that officers would recommend that a new-build farm worker's dwelling should be considered in the event that the barns closer to the existing farm buildings is not considered to be viable, rather than grant planning permission for this application. In these respects, a newly-built farm worker's dwelling closer to the existing farm buildings (possibly on the site of the previously approved farm worker's dwelling) can be justified with reference to the financial and functional tests relevant to these proposals, and would be less open to objection on landscape and visual impact grounds, subject to normal planning considerations such as design and neighbourliness.

However, as submitted, the current application does not propose a sustainable form of development when taking into account the availability of a less damaging practicable option to meet the needs of the farm exists. In this respect, whilst officers can accept the proposed conversion would benefit the appellant's business, in this case the agricultural need does not outweigh the adverse effect that the proposal would have on the landscape quality of the National Park. The benefits of granting planning permission for the current application would be significantly outweighed by the adverse impacts of doing so, when these proposals are assessed against the policies in the Framework and Development Plan, when taken as a whole.

Consequently, the proposals are contrary to the principles of sustainable development set out in Core strategy policy GSP1 and national planning policies in the Framework.

Issue 3 - Ecological Issues

Core Strategy policy L2 and Local Plan policy LC17 state, amongst other things, that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. National planning policies in the Framework promote and encourage the conservation and enhancement of the natural environment and requires that adequate site investigation information is presented.

The application site is within 5m of a sizeable pond which is located in the field to the north of the barn which is capable of containing great crested newts. In addition the barn does not appear to have been re-roofed in recent years and there are large vents/breathers in the front and rear face and on the eastern face of the building, which may provide access for bat species into any wall cavities if present. Therefore, according to the Authority's Practice Note on Protected Species, there is a likelihood that bats could be present at the site. Despite this, no ecological assessment has been submitted with the application.

The Authority's Ecologist has visited the site and considers that protected species surveys are required in order to assess whether the development would impact on species of biodiversity importance. Without that information it is not possible to have certainty that the proposals would accord with the requirement of policies L2 and LC17.

Conclusion

Officers acknowledge that the proposed agricultural worker's dwelling will be occupied by the applicant's son who works full-time on the farm at Gateham Grange Farm. It is also acknowledged that the barn is in a low key use at present as a camping barn. It is considered,

however, that even though there is a strong and convincing justification for the dwelling, there is a more appropriate option available to provide the required agricultural worker's dwelling on the farm building complex. Therefore, the proposals are contrary to the principles of sustainable development and are contrary to Core Strategy policies GSP1 and HC2, Local Plan policy LC12 and national planning policies in the Framework.

Even if this alternative option was not considered to be suitable, the current proposals cannot be accepted because the proposals conflict with landscape conservation objectives and the proposed barn conversion would detract from the scenic beauty of the National Park. Therefore any approval for the current application would be contrary to Core Strategy policies GSP1, GSP2, GSP3, L1 and L3, saved Local Plan policies LC4, LC8 and LC12 and national planning policies in the Framework, which individually and collectively say great weight should be afforded to the conservation and enhancement of the valued characteristics of the National Park.

Finally insufficient evidence has been provided to demonstrate that the proposals would not cause harm to any sites, features or species of biodiversity importance contrary to Core Strategy policy L2 and Local Plan policy LC17 and national planning policies in the Framework.

Accordingly, the current application is recommended for refusal because the proposals do not comply with the relevant policies in the Development Plan or national planning policies in the Framework.

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