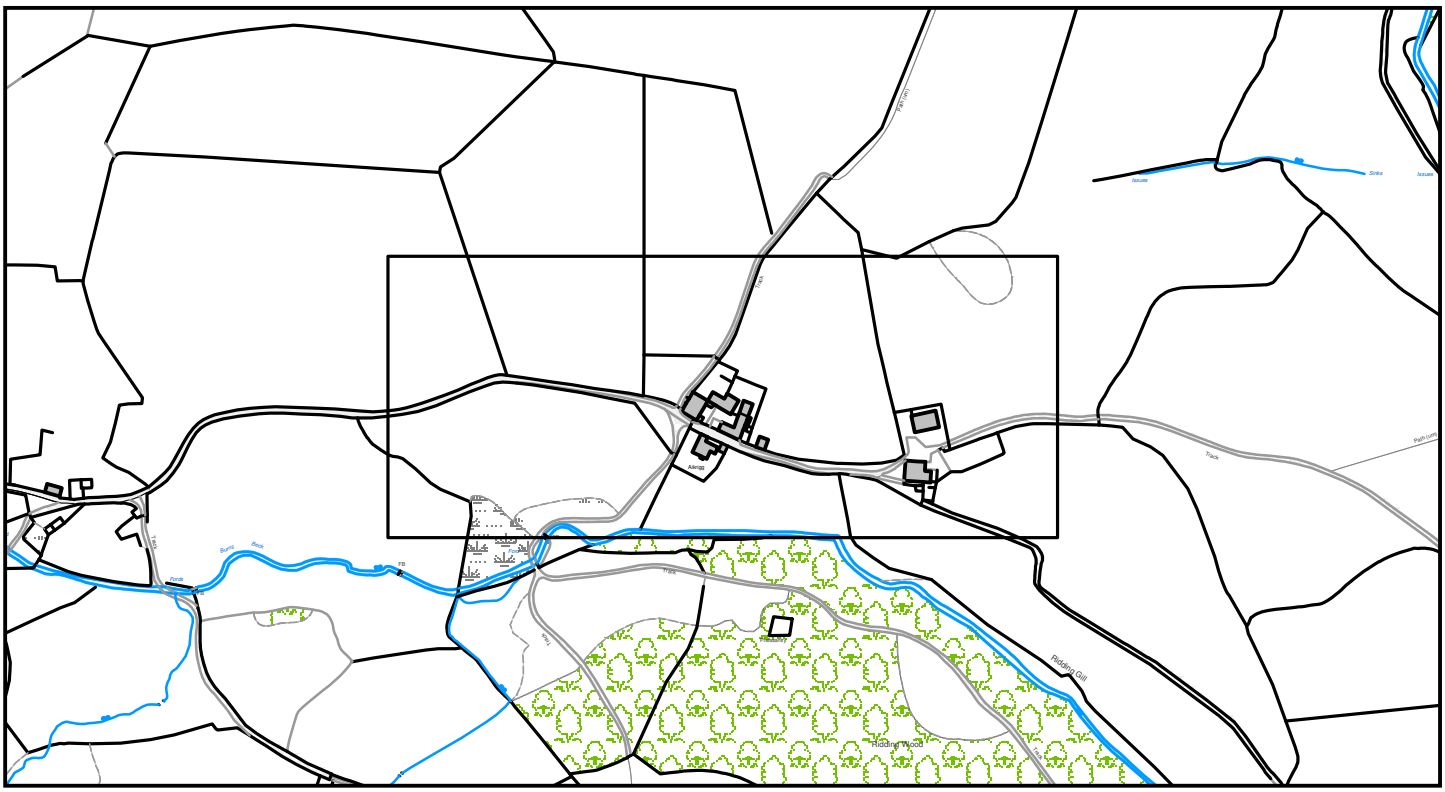
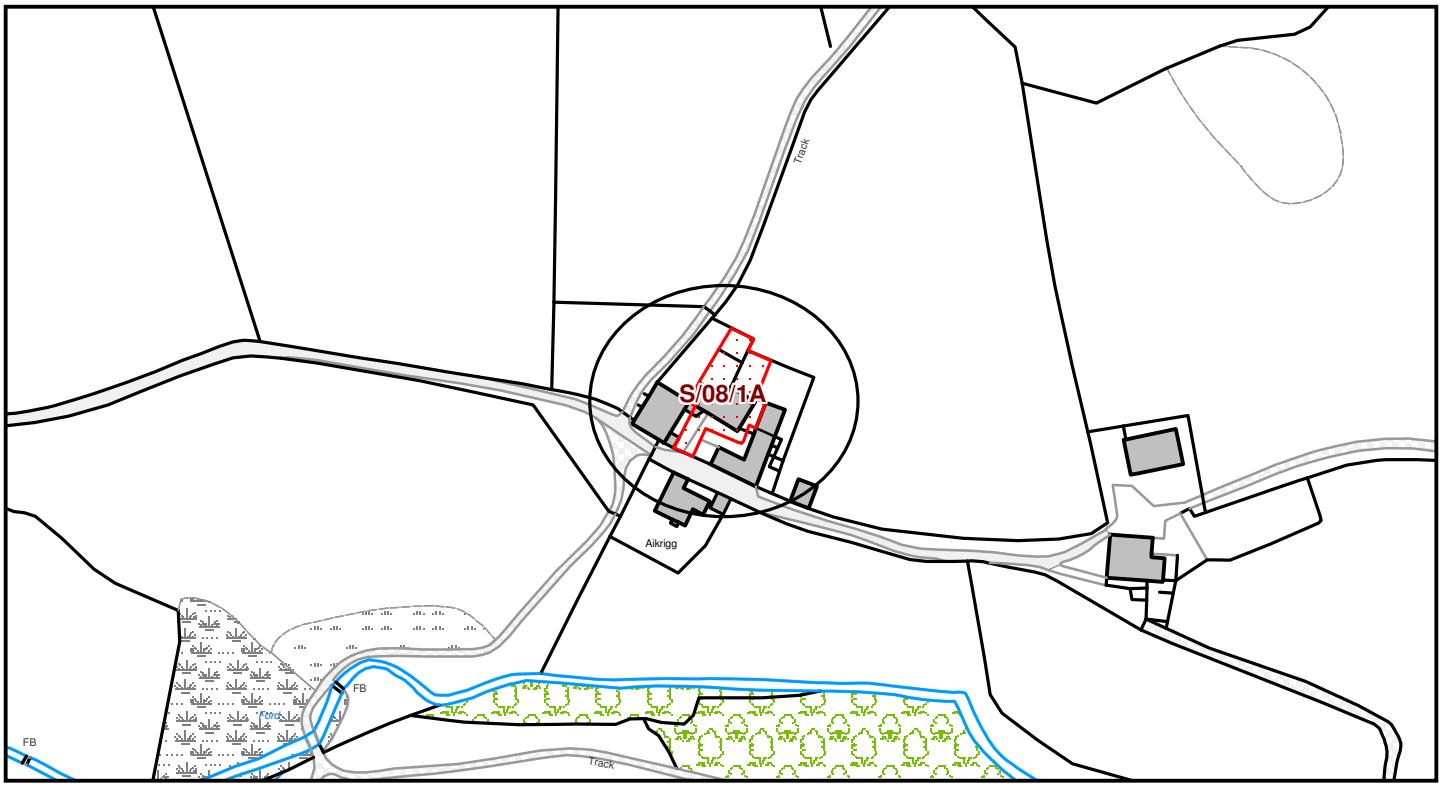
Yorkshire Dales National Park Authority

Application Code: S/08/1A
Committee Date: 12/03/2019
Location: Barn A, Aikrigg, Killington

07





FOR REFERENCE PURPOSES ONLY. NO FURTHER COPIES TO BE MADE

© Crown copyright and database rights 2017 Ordnance Survey 100023740. Additional information: © Yorkshire Dales National Park Authority

Schedule No:7

Application No:	S/08/1A		
District:	South Lakeland		
Parish:	Killington		
Applicant's Name:	Mr & Mrs K Woods,		
Grid Ref:	SD60918851		
Received by YDNP:	21/11/2018	**Officer:**	Andrew Moxon

PROPOSAL: **full planning permission for reconstruction of partially collapsed barn to form dwelling previously approved under reference CU/2014/0008**

LOCATION: **Barn A, Aikrigg, Killington**

CONSULTEES

Killington PM	Support the development. There are as far as I'm aware no objections from Killington residents. At present the site is an eye-sore and the proposal will enhance the environment.
Wildlife Conservation Officer	Conversion of the barn in the manner proposed amounts almost to a total re-build and this means there could be opportunities to incorporate wildlife-friendly features. An informative should be added concerning bats and nesting birds in the unlikely event that either are encountered during building work.

PUBLIC RESPONSES

1 letter received in support of the application:

The collapsed barn should be rebuilt as soon as possible. It will restore the historic nature of Aikrigg Farm, improve the appearance of the area.

RELEVANT PLANNING POLICIES

CS1.1 - Sustainable Development Principles

CS1.2 - The development strategy

CS6.6 - Making effective and efficient use of land

OFFICER OBSERVATIONS

REASON FOR COMMITTEE CONSIDERATION
In the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by Committee.

Schedule No:7

APPLICATION SITE
The application concerns a collapsed barn in a remote location around 0.75 miles south of the small village of Killington. The site comprises the middle barn (referred to as Barn A) of a group of 3 known as Aikrigg. The site is reached by travelling for around a mile along a narrow metalled road off Old Scotch Road. After the site the lane ceases to be metalled and becomes a track carrying a public right of way along it. To the south of the site, on the other side of the track, is the farmhouse. The site is isolated and surrounded by agricultural land with extensive views to the east.

PROPOSAL
The application is for full permission for the erection of a four bedroomed dwelling on the site

RELEVANT PLANNING HISTORY
In 2014 approval was granted for conversion of the barn to a dwelling by South Lakeland District Council under the permitted development rights allowing such development that pertained at the time (Town and Country Planning (General Permitted Development) Order 2014)(ref. CU/2014/0008).

In 2017 the barn collapsed leaving two walls partially standing and the off shut to the north. As the barn has collapsed the 2014 approval for its conversion can no longer be implemented. Furthermore the 2016 extension to the National Park changed the local planning authority for this area from SLDC to the Yorkshire Dales National Park Authority. Permitted development rights that allow agricultural buildings to be converted to open market dwellings without the need to apply for full planning permission do not apply in National Parks.

The two other barns, to either side of the collapsed barn, still benefit from approvals, granted in 2014, to change their use from agricultural to open market dwellings.

KEY ISSUES:
- principle of development
- impact on character and appearance of area
- impact on neighbours
- impact on highway safety

PRINCIPLE
It is important to understand the background to this application particularly as previous permissions and approvals can be material considerations to which weight can be given when considering new proposals.

In this case the weight that can be given to the fact that the barn had approval is affected by two material factors:

Firstly, the 2014 approval is no longer capable of being implemented and the permitted development rights under which agricultural buildings can be converted to open market dwellings do not apply in National Parks.

Secondly, the inclusion of this area into the National Park in 2016 is a material change in circumstances since the 2014 approval. The area was included because of the quality of the landscape, its wildlife and cultural heritage, which are now protected in the national interest by national park designation. Traditional buildings like barns are considered to be

part of the cultural heritage of the Park and are distinctive features of the landscape.

As the 2014 approval is not capable of being implemented and given the National Park designation in 2016 it is considered that the previous approval should not be given weight in determining this application.

The proposal is in essence for a new build open market dwelling and must be considered against the relevant development plan (SLDC Core Strategy and Local Plan saved policies) and the guidance in the National Planning Policy Framework (2019).

National Policy

The Framework advises 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. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks" (para.172)

In relation to development in isolated locations, NPPF paragraph 79 states "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
c) the development would re-use redundant or disused buildings and enhance its immediate setting;
d) the development would involve the subdivision of an existing residential dwelling; or
e) the design is of exceptional quality, in that it:
- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."

Local Plan Policy

Policies CS1.2 and the CS6.4 of the South Lakeland Core Strategy state that new buildings should be only allowed in exceptional circumstances in the open countryside unless the dwelling has an essential requirement for a rural location, such as an enterprise need or provides for exceptional needs for affordable housing. This approach principally seeks to maintain the sustainable locational strategy for development defined within Policy CS1.1 and CS1.2 by concentrating development within, or close to, existing centres where services exist and to prevent harmful impacts upon the character of settlements and the wider landscape.

The proposed development comprising the construction of an open market dwelling does not accord with the provisions of Policies CS1.2 and CS6.4 of the Core Strategy.

The Planning Statement submitted with the application acknowledges that the proposal does not accord with the relevant policies of the Local Plan, but states that there are material planning considerations that justify the approval of the application:

-It is argued that the proposed development would have a beneficial impact on the visual quality of the surrounding landscape,
-consideration should be given to the impact of the barn on the appearance of the building group,
-the collapsd occurred due to extreme weather conditions and not due to a deliberate act by the owner, and;
-there are examples of similar proposals being approved by South Lakeland District Council.

IMPACT ON CHARACTER AND APPEARANCE OF AREA
The barn forms part of a group of three stone barns. Each was given permission in 2014 to be converted to residential use. The agricultural use of the barns had ceased some years previously. The site is remote and has expansive views. A public right of way passes by the site and this increases its prominence.

The heritage statement, prepared prior to the collapse, dates the application barn to the late 18th century, being the earliest barn in the group. It appears that it was a large combination bank barn with many interesting features and would have had considerable heritage significance. So little remains of the structure that the residual ruin cannot be considered to be a heritage asset or have intrinsic heritage significance that would justify it's preservation.

It is argued that careful rebuilding would ensure that the barn continues to make a positive contribution to the farmstead group and reclaimed stone from the collapsed barn would be used. It is acknowledged that with the collapse of the application barn the collective value of the group of barns has diminished slightly and that the appearance of the site, at present, is unsightly.

However this is only likely to be a short term state of affairs as both of the remaining barns will be converted and occupied which will provide an impetus for removing the potentially unsafe remains of the application barn.

The building group does have amenity value due to its age and as an example of historical agricultural practice in this part of the South Lakeland Dales. However the construction of a new build dwelling in place of the original barn is not the same as a sensitive conversion of a traditional building and would not offer a more significant improvement in the visual quality of the site than tidying the site up.

IMPACT ON NEIGHBOURS
Directly opposite the site is Aikrigg farmhouse and the other two barns either side of the application site are in close proximity. The window arrangement of the proposed development and the separation distances between the existing dwelling opposite and the barns to either side means that the amenity of existing and future residents would not be compromised by the proposed development.

IMPACT ON HIGHWAY SAFETY
The proposal provides four parking spaces. The access to the site off Old Scotch Road is narrow but is part of the county highway. The highway is not busy and the proposal would be unlikely to result in a significant increase in vehicle movements. There would not be a negative impact on highway safety.

ANALYSIS OF MATERIAL CONSIDERATIONS

The proposal is for a new build open market house in a remote location. It does not satisfy any of the exceptions to the general restriction on such development that are contained in the Core Strategy policies or in the NPPF. The applicant's planning consultant recognises, in the Planning Statement, that the proposal does not accord with the Core Strategy but argues that there are material considerations that would justify approval.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that decisions on planning applications must be taken in accordance with the Development Plan unless material considerations indicate otherwise. This is a presumption in favour of the Development Plan which in this case is the South Lakeland Core Strategy (2010). The Development Plan is the starting point and must be followed unless there is good reason not to.

Rebuilding the barn would have a beneficial impact on the appearance of the site but that is only because the site comprises a ruin and associated rubble. Clearing the material from the site and tidying it up would have a similar beneficial impact on the appearance of the site. As such, this argument should not be given significant weight.

Rebuilding the barn would restore one side to the U shaped arrangement of barns, which was the historical layout. This would also have some beneficial effect but clearly could not restore the heritage significance of the barn or its contribution to the heritage significance of the group.

The fact that the building collapsed due to the weather and that South Lakeland DC has given permission for replacement buildings elsewhere in the district are not material to this proposal.

In conclusion, whilst it is recognised that the situation is very unfortunate for the owners of the barn, the material considerations that have been put forward can only have limited weight and, without any other public benefit, do not justify a departure from the Development Plan to allow the erection of a new build open market dwelling.

RECOMMENDATION

It is recommended that permission is refused for reasons based on the following:

In the opinion of the Local Planning Authority, the proposal is in effect for the erection of an open market dwelling in the open countryside in an isolated location and is an unsustainable form of development. The proposal is, therefore, contrary to South Lakeland District Council Core Strategy Policies CS1.2 and CS6.4, and paragraph 79 of the National Planning Policy Framework (2019). There are no material considerations of such weight that would justify a departure from the Core Strategy and to allow this development would undermine both the housing strategy contained in the Core Strategy and the Statutory Purposes of the National Park [s.5 National Parks and Access to Countryside Act 1949].