

Parish: Nether Silton
Ward: Bagby & Thorntons
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Committee date: 23 August 2018
Officer dealing: Helen Conti
Target date: 3 August 2018

18/00528/FUL

**Construction of a new weaner pig building together with access road and turning area
At Brenk Farm, Mill Lane, Nether Silton
For A D Guthe (Estate)**

This application is referred to Planning Committee at the request of a Member of the Council

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located approximately 375m to the nearest garden boundary of Nether Silton. The part of the village south of Lead Lane, the main village street, is largely contained by a conservation area, with the northern part of the village being located within the North York Moors National Park.
- 1.2 The site is approximately 70m south east of Hall Farm and 300m north of Brenk House Farm. Both farms are under the ownership of the applicant and form part of the Kepwick Estate. The site is an agricultural field used for arable production. Mill Lane is located to the west of the site and is a public highway approximately up to the south west corner of the application site. Following this point the lane becomes an unadopted track to Brenk House Farm.
- 1.3 This application seeks consent to build an agricultural building for weaner pigs. The proposed building is to have a gross external floor area of 1390 sq. m. The building would measure 37.2m in length and 37.2m wide. The height to the eaves is 4.8m, with a maximum height of 7.3m at the top of the ridge. The building would be a twin span structure accessed by two doors on the western elevation. The materials to be used comprise Yorkshire timber boarding above a 1.2m concrete plinth with corrugated fibre cement sheeting in anthracite to the roof.
- 1.4 The building is designed for the keeping pigs, with natural ventilation together with automatic feed and water supply systems. A feed silo and external hard standing would be located adjacent to the western elevation, it being the optimum location for deliveries and day to day operations.
- 1.5 The applicant's farming enterprise currently includes a pig husbandry element which involves the rearing of 2,800 weaner pigs from 3 weeks old to 11 weeks on a contract basis. The pigs are currently kept at three locations on the estate, Hall Farm, Brenk House Farm and Manor Farm (east of Nether Silton). The proposed building would hold up to 1,500 pigs.
- 1.6 The building was originally proposed to be significantly larger, with a gross external floor space of 2,745 sq. m, and would have held approximately 3,000 pigs. The scale and massing of the original building was considered to be detrimental to the character and appearance of the surrounding countryside and upon the setting of Nether Silton Conservation Area and following negotiation the building has been significantly reduced in size.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 18/00538/FUL – Temporary workers dwelling; Withdrawn 26 July 2018.

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP15 – Rural regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP25 – Rural Employment
Development Policies DP26 –Agricultural Issues
Development Policies DP30 – Protecting the character and appearance of the countryside
Development Policies DP32 - General design
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council – No comments received.

4.2 Highway Authority – Recommends conditions. Mill Lane is narrow and there are limited places to pass; however the applicant has existing weaner pig operations at the two farms served by the lane and any increase in traffic associated with this proposal is considered minimal.

4.3 Environmental Health Officer – No objection.

4.4 North York Moor National Park Authority (commenting on the larger building) – Whilst very large it is not considered that the building would be visually intrusive in the wider landscape, providing roofs are dark grey and a landscaping scheme is implemented. It would be unlikely to be unduly prominent in the landscape from views out of the National Park. However a bridleway and public footpath run past the site and consideration should be given regarding what impact the development may have on the enjoyment of users of these rights of way.

4.5 Yorkshire Water – No comments received.

4.6 Public comments – None received.

5.0 OBSERVATIONS

5.1 The main issues to consider are (i) the principle of development; (ii) the impact upon the character and appearance of the countryside; (iii) the impact upon heritage assets including the Nether Silton Conservation Area; (iv) residential amenity; and (v) highway safety.

Principle

5.2 National planning policy is generally supportive of development that promotes the development of agricultural businesses. This is reflected at local level through LDF Policy DP26, which is supportive of agricultural development if it is also acceptable in terms of other policies and subject to measures that guide development (including the design and siting) of new agricultural buildings to locations which are sensitive to their environment.

5.3 This proposal would provide a modern building in addition to the existing three pig weaner buildings and would support the continued viability of the business. It is

considered the benefits to the agricultural practice are apparent and the principle of the development is acceptable.

Character and appearance of the countryside

- 5.4 The landscape is characterised by relatively small farmsteads with few isolated buildings of any size. There is a relatively intimate character of rolling countryside with traditional hedges with domestic scale farmsteads interspersed across the area below Nether Silton village. The building originally proposed had a gross external floor area of 2,745 sq. m, which was considered to be of too large a scale and harmful to the character of the local landscape. The revised plans have significantly reduced the scale and mass of the building by halving the floor area: the original proposal was 16 bays in length with the revised building comprising 8 bays.
- 5.5 It is accepted that the impact on the immediate vicinity would represent a significant change. However, within the wider landscape the building would be a noticeable but relatively small new feature in the landscape and would be of a similar form to other agricultural buildings in the area.
- 5.6 A landscape and visual impact assessment was submitted during the consideration of the application to support the original larger building. The assessment suggested mitigation measures including a shelterbelt of native trees along the full length of the northern and eastern boundaries of the existing field atop a low mound (maximum 1.5m high) created using material excavated on site for the foundations of the new building and additional tree and hedge planting along Mill Lane. However the current proposal is much smaller than the original and would not have the same level of detrimental impact on the character of the landscape. For these reasons, whilst additional landscaping measures would be necessary it is not considered that the extent of landscaping detail proposed in the landscape and visual assessment is essential.

Impact on heritage assets

- 5.7 The village of Nether Silton lies approximately 375m to the north of the application site and on higher ground. Part of the character of the village is its location on a landscape spur, surrounded by open countryside. The majority of the village is within the Conservation Area and five properties on the southern side of Lead Lane are listed buildings, including Blue House and the Old Manor House, which are two of the closest properties to the site.
- 5.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving any listed building affected by the proposal or its setting or any features of special architectural or historic interest which it possesses. Blue House is approximately 430m from the application site and the Old Manor House is approximately 420m. The proposed agricultural building will be visible from the listed buildings. However, due to the distance between the two elements and the scale and materials to be used; it is considered that the proposed building will have no detrimental impact on the setting of the listed buildings.
- 5.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Nether Silton Conservation Area. Paragraph 193 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

- 5.10 The proposed site is approximately 375m from the Conservation Area. The proposed building is half the size of the building originally assessed and the roof sheeting colour has been altered to anthracite to reduce the visual impact of the building. As such it is considered the scale and massing of the weaner building would not have a detrimental impact on the setting of the Nether Silton Conservation Area nor the nearby listed buildings and is in accordance with Development Policy DP28 - Conservation.

Residential amenity

- 5.11 There are two residential properties in close proximity to the proposed site: Hall Farm is 70m to the north west of and Brenk House Farm is 300m to the south. Both are part of the Kepwick Estate and home to workers on the estate. As such it is considered the proposed building would not have a detrimental impact on residential amenity. The closest properties in Nether Silton are approximately 400m from the site, which is considered sufficient distance to general housing. The Environmental Health Officer has not objected to the proposal.

Highway safety

- 5.12 The Highway Authority has no objection to the proposal, noting that while Mill Lane is narrow and has limited places to pass, the impact over and above that of existing pig operations at the two farms served by the lane is considered to be minimal.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered Location plan and 3779-03 D received by Hambleton District Council on 25th July 2018 and 8th August 2018 unless otherwise approved in writing by the Local Planning Authority.
 3. A detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, should be submitted and approved by the Local Planning Authority before the beginning of the first planting season. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
 4. The weaner building shall be constructed with 1200 H concrete panels, Yorkshire timber boarding walls and corrugated fibre cement sheeting Anthracite (Farmscape).
 5. The surface water drainage scheme shall be constructed in accordance with details in Drawing no. 3779-063 Rev D.
 6. No part of the development shall be brought into use until the approved vehicle access, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference 3779-03 REV D). Once created these areas shall

be maintained clear of any obstruction and retained for their intended purpose at all times.

The reasons are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP17, DP30 and DP32.
3. In order to help assimilate the development within the rural landscape.
4. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17 and DP32.
5. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.
6. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development