

**Parish: Well**  
Ward: Tanfield  
**14**

Committee date: 20 July 2017  
Officer dealing: Mrs H Laws  
Target date: 28 July 2017

**16/02587/FUL**

**Construction of a replacement agricultural building**

**At: Well Hall Farm, Well**

**For: Mr Garry Elsworth**

**This application is referred to Planning Committee at the request of Councillor Webster**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site lies at the western end of Well, within the complex of buildings that make up Well Hall Farm on the eastern side of Bedale Road. An existing agricultural building lies adjacent to the southern boundary of the site on the boundary with Well Hall. The existing building is a part breeze block, part profiled sheet building with a footprint of 18m x 15m (270sqm) and a ridge height of eight metres. Part of the building, facing into the farmyard, is a low level lean-to section.
- 1.2 The adjacent buildings, formerly used in association with the agricultural operation of the farm, are now occupied by businesses including a brewery and grain store. The land to the south lies within the Well Conservation Area. Well Hall, a grade I listed building lies across the boundary and the stables, granary and barn associated with the Hall are listed grade II. The boundary of Well Hall in this location is a stone wall of approximately 1.6m in height; the existing agricultural building immediately abuts this wall.
- 1.3 It is proposed to remove the existing agricultural building and construct a building in a similar position approximately a metre from the boundary, with a footprint of 20m x 15m (300sqm, reduced from 330sqm) and a ridge height of 7.3m. The building would be finished in timber boarding (above coursed stone) and dark brown profiled sheeting. It is proposed to use the building for the same purpose, that is, the storage of farm machinery and implements used to maintain the ten acres of land owned by the applicant and which lie immediately to the north of Well Hall Farm.
- 1.4 Improvements have been secured as follows: The width of the building has been reduced by 1500mm; the eaves by 500mm, thereby increasing the pitch of the roof to 20 degrees. The materials have been amended to include coursed stone lower walls below timber Yorkshire Boarding to the two elevations facing the listed buildings.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 None relevant to this part of Well Hall Farm

**3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- 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 DP9 - Development outside Development Limits  
Development Policies DP28 - Conservation  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP32 - General design  
Good Practice Guide on Planning for Tourism - May 2006  
National Planning Policy Framework - published 27 March 2012

## **4.0 CONSULTATIONS**

### **4.1 Parish Council – Comments as follows:**

- The Council's heritage officer should make an independent assessment of the application;
- A thorough proposal of how to safely remove the asbestos roof should be included especially in light of nearby houses and gardens. (The application statement that there are no hazardous substances on the site is not agreed);
- Additional and better information is requested at this stage;
- The boundary wall of Well Hall is an integral part of the existing building. Thus damage could be caused by dismantling. The south side is the most sensitive, being part of the listed property adjacent;
- The agricultural need for the building is questioned; and
- The structural case for a new building is questioned.

### **4.2 Highway Authority – No objection.**

### **4.3 Historic England - No comments. Suggest that the views of the Council's specialist conservation and archaeological advisers is taken, as relevant.**

### **4.4 Environmental Health Officer – Considers there will be no significant impact on the local amenity and therefore has no objection.**

### **4.5 HDC Conservation Officer (prior to the submission of the amendments) - Well Hall is a grade I listed building. The stables, granary and barn are listed at grade II. The proposed replacement barn falls within the setting of all of these buildings, but particularly the grade II outbuildings.**

The first edition OS map shows the outbuildings set within an open landscape to the rear, so this has changed over time. Given that there is an existing building on this site, the principle of replacing it would be acceptable. However, its character and appearance should be suited to its position within the setting of the listed buildings.

The proposed building is the same ridge height as the existing building; however the mass of the building has been increased. As a result of this, the eaves level is raised and the roof pitch is shallower.

Whilst the existing building is a modern agricultural shed, the traditional shape of the roof provides some element of harmony within the setting of the historic buildings. The base of the building is screened by a low wall and the owners of Well Hall have attempted some high level screening.

I would prefer to see a more traditional form of structure which retains the existing pitch to the roof in this position and at least the use of timber vertical cladding along the south east elevation.

4.6 Public comments – Comments have been received from and on behalf of three local residents, which are summarised as follows:

- The applicant no longer has a farm and is leasing out other agricultural buildings on this estate. It is questionable whether the proposal will genuinely support agriculture;
- The proposed building appears larger than the building it is replacing;
- The site would be more suitable for a residential building constructed in stone in keeping with the listed buildings;
- A thorough proposal of how to safely remove the asbestos roof should be included somewhere in the application especially in light of nearby houses and gardens. The applicant's statement that there are no hazardous substances on the site is inaccurate;
- The recent planning history of the farm (including a number of unlawful uses) indicates that business and industrial uses may be more probable. This needs to be further investigated by the Hambleton DC in order to accurately assess and determine the application. We do, question why the applicant needs a new larger agricultural building on this site when he is leasing other agricultural buildings in his yard to third parties;
- The proposed development is harmful to the significance through setting of the Well Hall listed buildings, and is harmful to the character of the Well Conservation Area. The proposed development has the appearance of an industrial unit, which will appear wholly out of place in the otherwise well-preserved setting of listed buildings at Well Hall, and within the wider conservation area. It does not appear to be agricultural in character. It has a shallow pitched roof, is wide on plan with wide openings, and is clad with brown metal sheeting. The proposed building is also significantly larger on plan than the existing building;
- The proposed development will have a detrimental impact on the significance of the listed buildings of Well Hall through harm to their setting, in particular the Barn. This is due to the proximity of the listed buildings in relation to the proposed development, its siting and prominence; and its design, materials, scale and shape. When experienced from the courtyards of Well Hall, the setting of these heritage assets will be eroded by the incompatibly designed development and will cause unjustified harm;
- The resulting effect of the Proposed Development would be of a large, out-of-scale industrial unit within the core of the Well Conservation Area, particularly when experienced from Well Bank;
- The design of the proposal does not respect or enhance the local area and buildings. The proposed design of the replacement building which is more akin to an industrial style unit further exacerbates concerns regarding the proposed use of the unit;
- The proposed replacement unit will have a greater overall mass and floor print than the existing unit and could be considered to be overbearing in the context of the surrounding built environment; and
- As there is asbestos present in the unit a contamination assessment and demolition method statement for the removal of contamination is required and should not be requested by condition.

4.7 The following comments have been received following the receipt of the amended plans:

- We welcome the changes to the proposed agricultural unit with regards to the north east and north west facing elevations, however, we request that the stone lower walls and timber boarding be replicated on all four elevations;
- The proposed design is still not traditionally agricultural, more akin to an industrial unit;

- Colour and materials to the sides should be conditioned;
- The recent planning history indicates that industrial and commercial uses are more probable than agricultural uses, a condition should be applied restricting its alternative use;
- Should be restricted to the personal use of the applicant;
- It is noted that no noise insulation is proposed and due to its proximity to the adjacent dwelling, noise insulation is required to protect amenity with regard to noise and disturbance;
- The operation should be restricted to sociable weekday hours; and
- Condition is required to ensure only surface water is discharged into the local drainage system, not sewage or trade effluent.

## 5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of a replacement agricultural building; (ii) the scale, design and materials of the proposed building; (iii) the effect of the building on the adjacent heritage assets including the setting of the listed buildings and the Well Conservation Area; (iv) the effect on residential amenity; and (v) highway safety.

### Principle

- 5.2 The NPPF supports sustainable development. The building lies close to the Development Limits of the village and is considered to be in a sustainable location. The use of the existing building is agricultural and, although there is evidence that some items have been stored in the building of a domestic nature, the principal use remains agricultural. Whether the building forms part of an established agricultural business is not strictly relevant, although the applicant has identified an appropriate area of land in his control that requires management. This is already established and, as with any type of development, the principle of replacing one building with another for the same purpose is acceptable.
- 5.3 The scale of the building is slightly greater than the existing building but not considered inappropriate relative to the size of the land within the applicant's ownership.
- 5.4 Should the applicant wish to change the use of the building from agriculture in the future to, for example, domestic or industrial use, further planning permission would be required.

### Scale, design and materials

- 5.5 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.6 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.7 The National Planning Policy Framework Planning supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 5.8 The existing building lies on the edge of the farmyard and although there is minimal agricultural activity taking place the site and its surroundings retains its functional, agricultural character. The existing building and the proposed replacement are both functional in appearance in keeping with the existing buildings within the rest of the complex.
- 5.9 The bulk and massing of the proposed building is greater than that of the existing building. It is considered however that the increased size would remain in keeping with the scale of the other buildings within the farmyard to which the building would relate. The positioning of the building off and away from the boundary wall of Well Hall provides the element of separation from the adjacent property that does not currently exist and therefore provides an opportunity to improve the relationship between the application site and the adjacent Conservation Area and listed buildings.

#### Heritage Assets

- 5.10 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.
- 5.11 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 Well Conservation Area.
- 5.12 On assessment of the application it is considered that it would lead to less than substantial harm to heritage assets. That harm would be the positioning of the building within the setting of the nearby listed buildings but it must be balanced against the existence of the building currently on the site.
- 5.13 Paragraph 134 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.
- 5.14 LDF Policy DP28 requires development affecting a heritage asset to preserve or enhance all aspects that contribute to its character and appearance.
- 5.15 The existing building lies immediately on the boundary with Well Hall; the wall of the building rising up from the stone boundary wall imposes itself on the adjacent site. Moving the building away from the wall would allow the boundary wall to be much more clearly defined, thereby achieving better separation between the Hall and the farmyard. This, together with the use of coursed stonework to the lower walls with timber boarding above, respects the traditional appearance of the adjacent site. The use of a dark brown colour for the sheeting on the remaining elevations would reduce the dominance of the building on the setting of the Conservation Area, Well Hall and the listed outbuildings. It is considered that the proposed development would reduce the adverse effect of the building on the setting of the adjacent heritage assets and would not conflict with national guidance and local policies.

#### Residential Amenity

- 5.16 LDF Policy DP1 requires development to adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight. The proposed building is approximately 50sqm larger than the existing building and could therefore potentially result in an intensification of activity causing a greater degree of noise and disturbance although this increase is unlikely to be significant. The use of the building would remain agricultural, unless further planning permission were granted, and is proposed to be used for storage of

machinery and implements. A condition could be imposed restricting the use to such activities to prevent its future use for the accommodation of livestock, for example, which could have a greater effect on residential amenity.

- 5.17 The proposed building would lie far enough from any neighbouring dwelling for it to have no greater impact or outlook or sense of enclosure. The proposed development would thus be in accordance with LDF Policy DP1.

#### Highway Safety

- 5.18 The Highway Authority has raised no objection. Although the proposed building is larger than the existing one it is unlikely to generate a significant number of additional vehicle movements to the detriment of highway safety.

#### Other matters

- 5.19 Information provided by the applicant identifies the presence of asbestos within the existing building, an issue raised by the Parish Council and some neighbours. This would need to be disposed of in accordance with the relevant regulations and is subject to regulatory controls outside the planning system. No further investigation is required under planning controls.

### **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 building hereby approved shall not be used other than for the storage of farm machinery and farm equipment and shall not be used to accommodate livestock other than in the circumstances described in paragraph D.1(3) of Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
3. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawing numbered E14-2A received by Hambleton District Council on 23 November 2016 and 26 June 2017 unless otherwise approved in writing by the Local Planning Authority.

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. To protect the amenities of the locality in accordance with LDF Policies CP1 and DP1.
3. 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.