

THE HIGHLAND COUNCIL

**NORTH PLANNING APPLICATIONS COMMITTEE –
24 March 2015**

Agenda Item	
Report No	PLN/010/15

**10/03603/FUL : Mr Donald Hymers
Farm Steading Watten Mains, Watten**

Report by Area Planning Manager

SUMMARY

Description : Demolition and alteration of existing agricultural buildings and erection of 2 new general purpose agricultural buildings.

Recommendation - REFUSE

Ward : 04 Landward Caithness

Development category : Local Development

Pre-determination hearing : not required

Reason referred to Committee : Local Members call-in.

1. PROPOSED DEVELOPMENT

- 1.1 The proposal is to demolish the northern and eastern ranges of the original steading, with alterations to the roadside cottage; the demolitions would facilitate the erection of a new agricultural shed within the steading, and a second shed is proposed for the existing SW yard. The steading is considered by The Council to be curtilage listed with Watten Mains House (B).
- 1.2 The primary access into the farm-steading site is adjacent to the western edge of the steading, with a secondary access on the eastern side; there is also an access point between the roadside cottage and low steading building, to collect cattle from the central shed/courtyard.
- 1.3 No pre-application advice was sought.
- 1.4 No supporting documents were submitted.
- 1.5 **Variations:** the application was amended in late 2014 from demolition of the entire original steading to partial demolition of the north and east wings, and removal of the extension to the cottage; the development of three new sheds was amended to the development of two new sheds. Importantly, this variation retains the cottage and low steading building which are on the road frontage, as well as the 'triple-

gabled' central-western block which is of the most architectural/historical interest and is in better physical condition. The decision is based on this amended proposal; this was not re-advertised due to it being a reduced scope of proposed works.

2. SITE DESCRIPTION

2.1 The site is an existing traditional farm steading, which incorporates recent contemporary buildings, within the wider curtilage of the category B listed Watten Mains House (see listing description in Appendix 2). The southern edge of the steading sits on the B874 and adjacent to its junction with the B870; this is formed by a low one-storey block which returns up the western side, as well as the one-storey cottage with an extension on its eastern side. Behind this sits a large contemporary shed (with timber trussed roof) which takes up the full width of the steading. Behind this shed is what remains of the original steading courtyard, with the 1.5-storey wings to the north and east, and the 'triple-gabled' block to the west. Immediately adjacent to the eastern block is a large agricultural shed which was erected in 1969. To the NW of the steading sit two other large agricultural sheds, which were erected in 2011/12. To the west of the steading (with a gap of approximately 7m) sits a long one-storey range which is contemporary with the original steading; in front of this is a large yard where another agricultural shed is proposed.

2.2 The physical condition of the existing steading is generally poor, as they are little used now for farming purposes and have not been actively maintained; they have relatively small floor-plates and the applicant has advised that these do not comply with agricultural standards for hygiene and ventilation. An extension to the northern range has already collapsed and several other sections of roof are falling to a dangerous condition.

3. PLANNING HISTORY

3.1 This application was originally made valid on 13.07.2010. The delay in determining this application has primarily been caused by a technical disagreement between the Applicant and the Council's viewpoints on the site. The Council considers the steading to be 'curtilage listed' with Watten Mains house. The Applicant disagrees with this assessment, which is key to the determination of this proposal.

3.2 11/03970/FUL was granted on 21.12.2011 for the development of an agricultural storage building.
10/01769/FUL was granted on 11.05.2011 for the erection of a general purpose farm storage building.

4. PUBLIC PARTICIPATION

4.1 Advertised : n/a
Representation deadline : 18.12.2014
Timeous representations : 0

Late representations : 0

4.2 Material considerations raised are summarised as follows:

- None.

5. CONSULTATIONS

5.1 **Access Project Officer** : no response.

5.2 **Conservation Officer** : objection. The steading is considered to be curtilage listed with Watten Mains house; the demolition is not justified accordingly and should therefore be refused.

5.a RE-CONSULTATION – Amended Proposal

5.a.1 **Conservation Officer** : objection.

This application proposes the demolition of buildings which sit within the curtilage of category B listed Watten Mains. I note that this application has been revised from that which was originally submitted to reduce the extent of demolition of the curtilage listed buildings. However the proposals are still not supported by any condition survey, justification statement, photographic record of the buildings etc to demonstrate that the proposals meet the tests for demolition as set out in the Scottish Historic Environment Policy.

The application must clearly demonstrate that the buildings are;

1. of no historic or architectural interest, or
2. beyond repair, or
3. their demolition is necessary for wider community benefit, or
4. the buildings are beyond economic repair and there is no restoring purchaser.

As per my previous advice the latter of these tests can only be satisfied if the buildings are offered for sale on the open market for a minimum period (usually 6 months) at a realistic price to reflect their current condition and location. Any application for demolition of listed buildings should be supported by detailed information including surveys by a competent engineer with experience of historic building and must meet the above tests in the national policy. At this time this application does not meet the policy requirements for demolition.

Please note that as per my ongoing advice I raise no objection to the erection of new buildings to support the current farming business.

6. DEVELOPMENT PLAN

The following policies are relevant to the assessment of the application

6.1 Highland-Wide Local Development Plan 2012

Policy 28 Sustainable Design

Policy 29 Design Quality & Place-making

Policy 36 Development in the Wider Countryside

Policy 57 Natural, Built & Cultural Heritage

6.2 **Caithness Local Plan 2002 (as continued in force):**

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Highland Council Supplementary Planning Policy Guidance**

Highland Historic Environment Strategy (Jan 2013)

Standards for Archaeological Work (March 2012)

Sustainable Design Guide (Jan 2013)

Bats and Development

7.2 **Scottish Government Planning Policy and Guidance**

PAN 39 Farm and Forestry Buildings

PAN 2/2011 Planning and Archaeology

7.3 **Other**

Historic Scotland : Scottish Historic Environment Policy (SHEP) December 2011.

8. **PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.2 **Principle of Development**

The proposal to alter, extend and modernise the farm steading is acceptable in principle; modernising agricultural practices and buildings would be seen as a vital part of keeping rural farms and crofts viable and active. The key issue here, however, is that the farm steading is considered to be 'curtilage listed'; the Conservation Officer (see section 5.a.1 above) considers that it is, which would require a tested justification for their demolition, within a Listed Building Consent application. The Applicant however disagrees with this assessment and does not consider the steading to be classifiable as curtilage listed; accordingly he has not submitted the required justification or Listed Building Consent application.

8.3 **Development Plan Policy Assessment**

Policy 28 Sustainable Design requires proposals to demonstrate sensitive siting and high quality design in-keeping with local character and historic and natural environment. Policy 29 Design Quality and Place-Making requires new development to make a positive contribution to the architectural and visual quality of the place within which it is located. Policy 36 Development in the Wider

Countryside requires proposals to be acceptable in terms of siting and design, sympathetic to existing patterns of development in the area. Policy 57 Natural, Built and Cultural Heritage requires that for features of local/regional importance, proposals must demonstrate that they will not have an unacceptable impact on the heritage resource or natural environment. Relative to the above policies, the demolition of the existing steading buildings has not been justified; this, along with the erection of the two new sheds, is considered to have a significant negative impact upon the local character and historic environment.

8.4 Material Considerations

8.4.1 The principal material consideration is The Council's assessment that the farm steading is curtilage listed with Watten Mains House. The four criteria for curtilage listing are:

- 1) any building or structure constructed pre-1948;
- 2) historically associated with the main listed building;
- 3) in the same ownership at the time of listing;
- 4) not divided by later development such as roads.

8.4.2 Relative to 1), early mappings show a large courtyard steading in place by 1891, with all the existing buildings developed by 1906. The historical association required by category 2) is a presumption that Watten Mains House was developed (in 1763) to serve as a farmhouse related to the surrounding farmland, which may have been significantly larger than the farm-area that exists today; while there is no precise date for the steading being developed, it is clearly in part *at least* early C19. Whether the listed house was actually an active farm-house, or a 'land-owner's' house (of a wider estate) whose farm-managers lived in smaller houses associated directly to farm-steadings, is not known. While the listed house is now visually separated from the steading by its surrounding mature trees, such are not indicated on early mapping. The architectural style of the house is also very different from the steading, but this is not unusual as the building was clearly developed as a statement of wealth/position and would employ a higher quality (and more fashionable) style than the more utilitarian farm buildings.

8.4.3 Under clause 3), the steading and house have traditionally been in the same ownership.

8.4.4 The issue of the steading *not* being divided from the listed house by later developments, as required by clause 4, is slightly more complex. As noted above there is a visual separation caused by the mature trees which surround the house, but this condition has developed over time and does not affect the physical layout/relationship. The house itself is approximately 60m ESE of the eastern side of the original steading; it's not clear what the gap between has been used for historically, as the house has a formal garden and orchard to its eastern side. The main 'development' which could be argued to divide the steading from the listed house is the large agricultural shed which sits against the eastern edge of the original steading. This shed dates to 1969 (one year prior to the house's listing) and, along with the full-width shed which sits within the steading, visually

dominates the complex in views from the main public aspects on the B874/870. The positioning of this shed, and its visual impacts, do not however detract from the fact that this historic farm-steading has been assessed as having a tangible historic link to the Watten Mains house.

8.4.5 It should be noted that late in 2014, the Applicant engaged in negotiations with the Case Officer to try and resolve this outstanding application. Following a detailed examination of the steading buildings, and an exploration as to how the proposed modernisation could function, it was agreed by both parties that the buildings facing onto the main road should be retained, along with the 'triple-gabled' western block. The buildings facing onto the main road were noted by the Case Officer as being essential to retain the local character of the original steading in the most readily visible of its structures. The triple-gabled block was considered to be of good quality architecturally, while also being easily adaptable for continued agricultural use, albeit with re-roofing as a requirement. The remainder of the buildings, in the north and east wings, were considered to be less adaptable to modern farming needs and also suffering from structural failure; their removal would facilitate the erection of a large agricultural shed central to the steading. This, along with the second agricultural shed proposed for the western yard, was seen as a working compromise that also retained more than half of the existing steading. When re-consulted on the amended proposal, the Council's Conservation Officer considered that the issue of the steading being curtilage listed was still a fundamental principle which was the primary determining factor for this proposed development, which had not been overcome by the amended proposal.

8.4.6 As The Council considers the steading to be curtilage listed, the proposal cannot be fully determined as the Applicant does not agree with this assessment, and accordingly has not submitted the required justification for the demolition and an accompanying application for Listed Building Consent. Accordingly, the proposal fails to comply with the relevant policy and guidance, leading to a recommendation for refusal. It is conceivable that a case can be made however the basis for doing so has not been demonstrated (relative to the Historic Scotland test criteria noted in Section 8.4.1 above) and accordingly the application is recommended for refusal.

8.4.7 The issue of bats, being a European protected species, has not up to this point been raised as an issue, as the focus has been on the built heritage assessments and a recommendation for refusal. The demolition of any farm-steading buildings, if approved at a future date, would firstly require an approved bat survey to be carried-out and assessed; this will be addressed by an informative, rather than a reason for refusal. It should be noted that a bat survey and appropriate mitigation, would require to be undertaken before determination of the application, had the the recommendation been to approve the proposal.

8.5 **Other Considerations – not material**

None

8.6 **Matters to be secured by Section 75 Agreement**

N/a

9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

It is recommended that permission be refused.

10. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended the application be **REFUSED** for the following reasons:

1. The steading buildings that are proposed for demolition and alteration are considered by The Council to be curtilage listed with Watten Mains House (category B listed). The applicant has failed to provide the necessary justification with reference to guidance relative to the demolition, in line with Historic Scotland Scottish Historic Environment Policy criteria; neither has an application for Listed Building Consent been submitted. Accordingly the proposal fails to meet national policy and guidance requirements and Policy 57 of the adopted Highland-wide Local Development Plan. It is considered to demonstrate that the proposal will have a significant negative impact on the historic environment and the character and setting of Watten Mains House, to its detriment.

Informative:

Were an alternative recommendation to be considered appropriate, this could not be determined until a preliminary bat survey has been carried-out (by a licensed professional) to assess whether or not bats may be present within the structures to be demolished, or those adjacent to be retained.

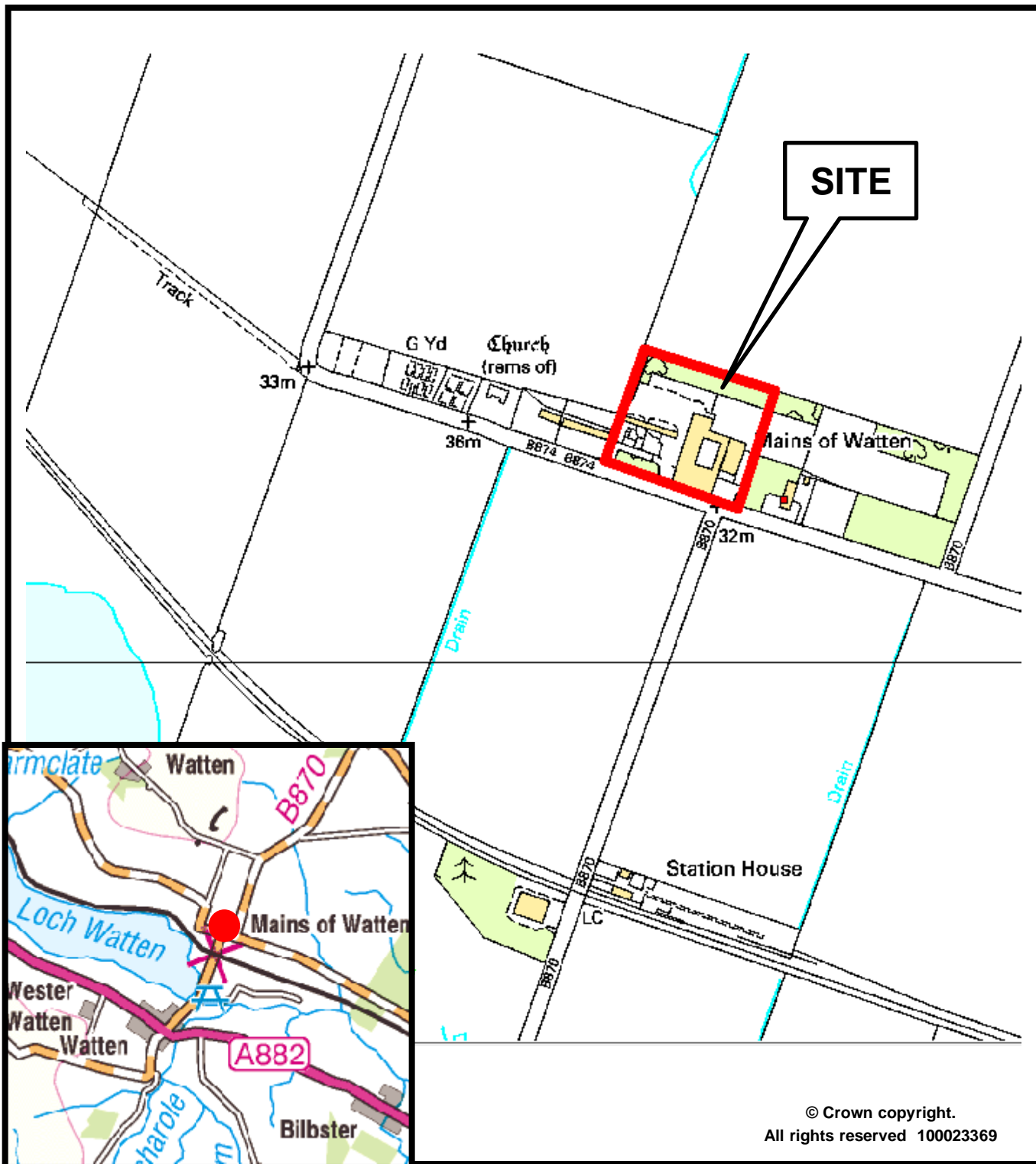
Signature: Dafydd Jones
Designation: Area Planning Manager North
Author: Norman Brockie
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – 01-Rev.A Site/Location Plan
Plan 2 – 10 Existing Site Layout Plan
Plan 3 – 12 Proposed Site Layout Plan
Plan 4 – 11 Demolitions Plan

Appendix 1 – Listing Description:




This building is in the Highland Council and the Watten Parish . It is a category B building and was listed on 13/04/1971.

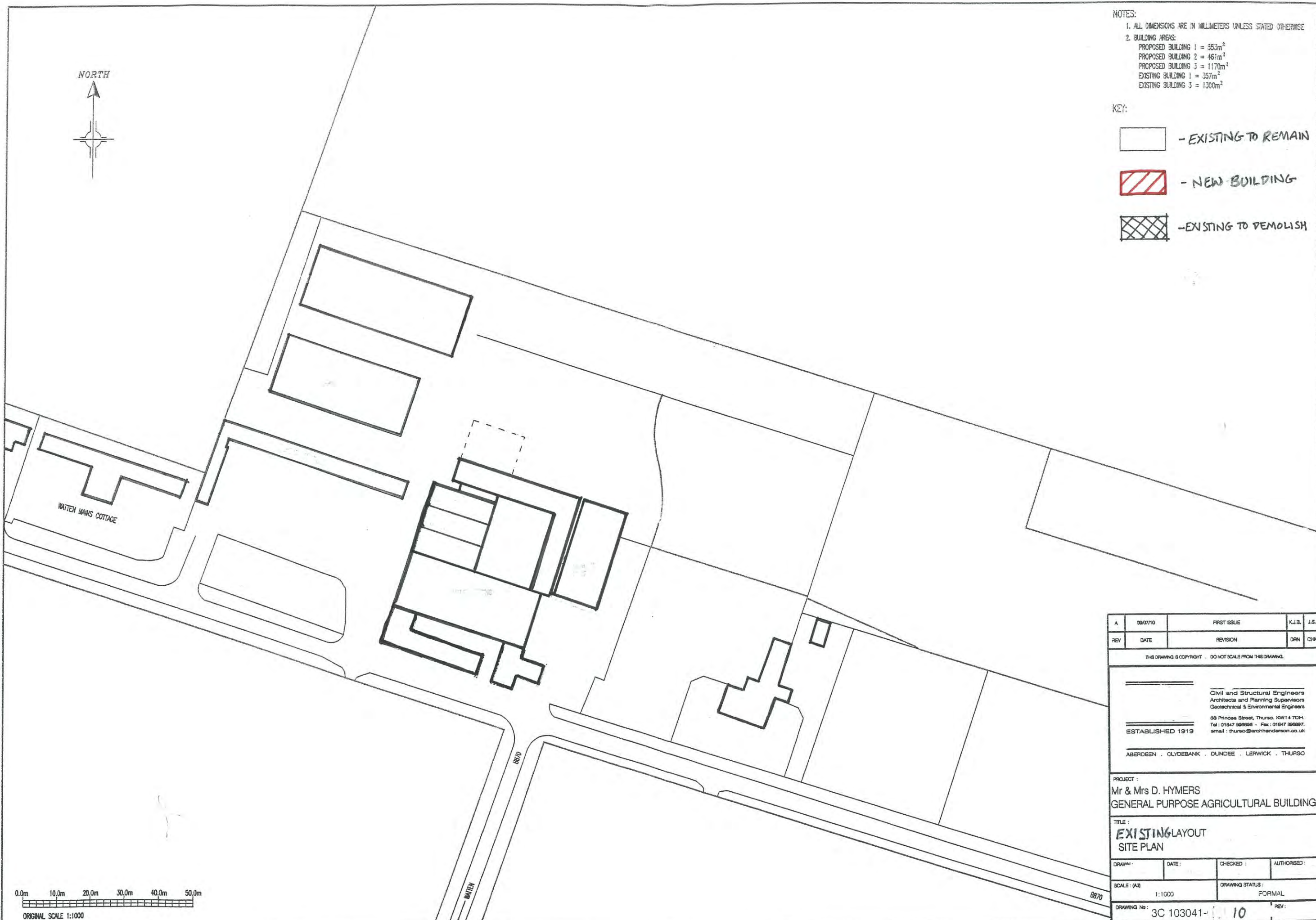
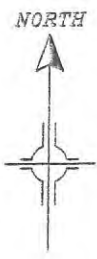
Description: Dated 1763. Two-storey and attic, 3-bay house with symmetrical south facing front; all harled with contrasting painted ashlar margins. Centre door with plain fanlight; centre gablet with small attic window with round-headed dated pediment and apex stack; 2 later 19th canted dormers; 12-pane glazing. Irregular single storey and attic wing to rear with projecting porch at east; mainly six-pane glazing. Corniced ends stacks; West Highland slate roof, Caithness slates to rear.

Notes: "Mains of Watten.. improved by the late Sir Robert Anstruther about fifty years ago" (1840). Dated pediment initialled RMS 17 IS 63





NOTES:
 1. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS STATED OTHERWISE
 2. BUILDING AREAS:
 PROPOSED BUILDING 1 = 553m²
 PROPOSED BUILDING 2 = 461m²
 PROPOSED BUILDING 3 = 1170m²
 EXISTING BUILDING 1 = 357m²
 EXISTING BUILDING 3 = 1300m²

KEY:
 - EXISTING TO REMAIN
 - NEW BUILDING
 - EXISTING TO DEMOLISH



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PROJECT:				
Mr & Mrs D. HYMERS				
GENERAL PURPOSE AGRICULTURAL BUILDINGS				
TITLE:				
EXISTING LAYOUT				
SITE PLAN				
DRAWN:	DATE:	CHECKED:	AUTHORISED:	
SCALE: (A3)	DRAWING STATUS:		FORMAL	
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NOTES:
 1. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS STATED OTHERWISE
 2. BUILDING AREAS:
 PROPOSED BUILDING 1 = 353m²
 PROPOSED BUILDING 2 = 161m²
 PROPOSED BUILDING 3 = 1170m²
 EXISTING BUILDING 1 = 357m²
 EXISTING BUILDING 3 = 1300m²

KEY:
 - EXISTING TO REMAIN
 - NEW BUILDING
 - EXISTING TO DEMOLISH

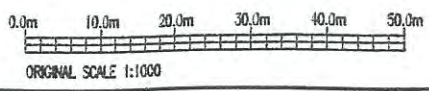


WITEN MAINS COTTAGE

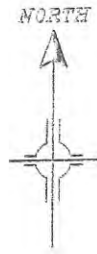
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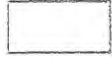


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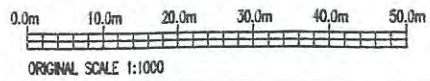
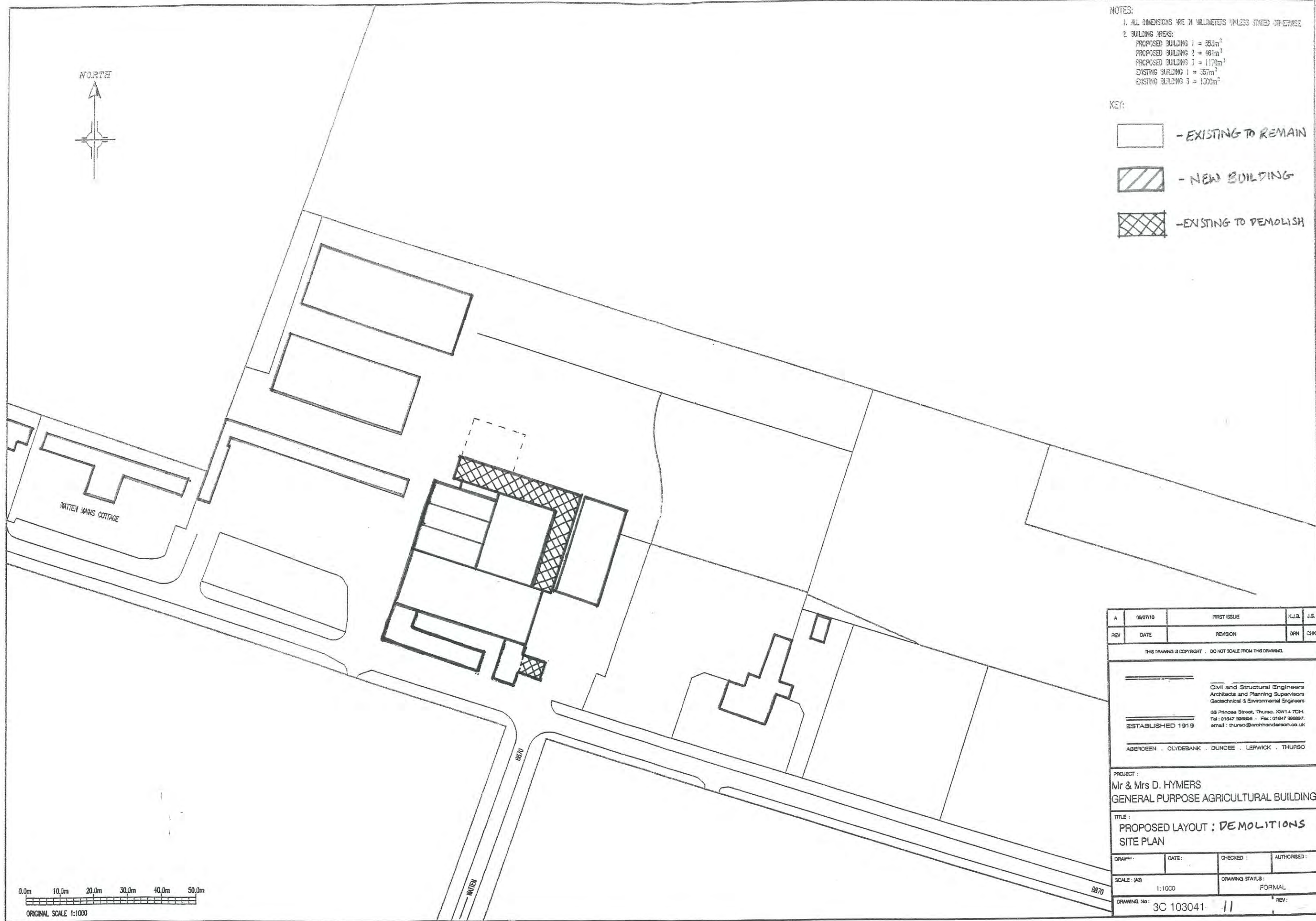


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- NOTES:
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 2. BUILDING AREAS:
 PROPOSED BUILDING 1 = 553m²
 PROPOSED BUILDING 2 = 461m²
 PROPOSED BUILDING 3 = 1170m²
 EXISTING BUILDING 1 = 357m²
 EXISTING BUILDING 3 = 1300m²

- KEY:
-  - EXISTING TO REMAIN
 -  - NEW BUILDING
 -  - EXISTING TO DEMOLISH



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PROJECT :
 Mr & Mrs D. HYMERS
 GENERAL PURPOSE AGRICULTURAL BUILDINGS

TITLE :
 PROPOSED LAYOUT : DEMOLITIONS
 SITE PLAN

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