Yorkshire Dales National Park Authority

Committee: Planning

Date: 15 July 2025

Applicant: Mr Jonathan Reed

Parish: Bainbridge

Officer: Katie Towner

Application No: R/52/243A

Site Address: Thorns Farm, Marsett Lane, Countersett, DL8 3DE

Proposal: Full planning permission for works comprising: conversion of two existing conjoined agricultural buildings for use for the purposes of gallery/studio for craft, art and cultural events by invitation; erection of two new buildings that contain a workshop, a staff accommodation unit (2 bed) and three short stay visitor accommodation units (each 2 bed); landscaping works, biodiversity enhancements, access alterations and car parking, all in association with the gallery/studio enterprise, (part-retrospective)

Purpose of Report

1. That Members APPROVE planning permission for the above development in accordance with the recommendations below.

Update

2. At the meeting on 20th May 2025 Members resolved to defer consideration of this application for a site visit. The visit is due to take place on 4th July and a note of the visit will be circulated with the Late Representations on 11th July.



Reason For Committee Consideration

3. This application is reported to Committee for the following reason: this type of application is not within the scope of the powers delegated to the Head of Development Management.

Application Site

4. The main development area is a former farm complex on the north side of Semerwater on Marsett Lane. A public footpath runs through the centre of the site and continues northwards on its way towards the Cam High Road. Work has already been undertaken by way of the modification and conversion of two adjoined agricultural sheds, access works, laying of hard-surfacing, and landscaping including in the vicinity of the watercourse.

5. The second area is a corner of an existing agricultural field to the west in the vicinity of a field access on Marsett Lane. This is 200 metres from the access to the main development area. This site is undeveloped with a belt of tree planting along the north eastern boundary.

Proposal

6. Full planning permission for works comprising:

    - conversion of two existing agricultural buildings for use for the purposes of gallery/studio for craft, art and cultural events by invitation;
    - a new building containing a workshop with 1no. 2 bedroom staff apartment and 1no. 2 bedroom self-contained guest accommodation;
    - a new building containing 2no. 2 bedroom self-contained guest accommodation;

- an enclosed car park with 13 spaces, and 1 disabled space located 200 metres east of the main development area, and access alterations at both sites;
- landscaping works comprising tree planting, re-seeding, some ground re-modelling at the rear of the main development area, pathways, oil tank & bin enclosure, and a drop off area.

7. The applicant's home is Wood End in Raydale (200 metres further south from the application site, along Marsett Lane). The emphasis of the current enterprise is environmental landscape management and a modest stock of organically raised sheep and shorthorn cattle. The applicant, by profession, is an internationally renowned interior designer and architect, and the business vision is to create a venue for arts, culture and design centred on Thorns Farm and the wider Wood End Estate. It is intended to show works of artists and craft persons that make work inspired by the surrounding natural environment, and as such would include opportunities for artists to reside on site and make work that responds to the local environment. Their work would be shown in the gallery space. The design studio would employ 2-3 people involved in private residential projects and allowing visiting clients to "immerse themselves in the design/conservation led environment". Seasonal events would also be held within the gallery space for collaboration between local producers and visiting chefs. The visitor accommodation would be high end, tied to the business, and would be used for visiting clients and artists, but also for general short stay accommodation to provide a regular income, to bolster the fluctuating income of the main business vision.

Relevant Planning History

8. The following applications are relevant:

R/52/243 Hybrid planning application consisting of: Full planning permission for redevelopment of two farm buildings (A+B) to form gallery/studio space; construction of workshop/storage building (C) with staff accommodation above; construction of building (D) to provide 2 no. two-bedroom cottages for visitor accommodation; provision of parking area and: Outline planning permission for conversion of field barn 1 to artist studio accommodation; redevelopment of the Boat House to visitor accommodation; construction of dwelling on site of Thorns Farm (E); renovation/re-roofing of field barn 3 and provision of services to field barn 2 for agricultural use. Withdrawn 11/05/2022

Consultations

9. The comments of statutory and non-statutory consultees are summarized below:

Highways No comments received

Bainbridge Parish Council No comments received

Head of Visitor Services No comments received

Area Ranger (Lower Wensleydale) **"**The proposed development at the Thorns site would directly affect public right of way number 20.81/40 (footpath) which runs through the former farm yard area (see map sent via email). The location of proposed Barn C (Storage Workshop) and one of the proposed tree planting areas would be over the line of public right of way number 20.81/40. The public right of way would have to be legally diverted through a diversion order at the applicant's cost prior to granting planning consent or any construction works commencing. The Rights of Way Officer and myself can provide further information, if required and have met the applicant on site to discuss the diversion procedure. In the meantime, the line of the public right of way must remain unobstructed and available for use by the public."

Trees & Woodlands On the proposed tree plan there is a vehicle drop off area shown directly adjacent to an existing tree. The construction of this needs to be very carefully thought about to prevent future impacts on the tree. A 'no dig' solution with permeable surfacing is recommended along with details of the proposed orchard and successional planting

Wildlife Conservation Officer Proposal represents an improvement in terms of what has happened in the past with effluent from animal waste at Thorns Farm washing directly into a stream feeding Semer Water.

Email dated 25 June 2024 stated Drawing No. THN-P-107 (dated '24 06 14') shows the outflow from the sewage treatment plant discharging into a drainage field that is separated by at least 50 metres from the stream and indicates tree/shrub planting between the drainage field and the stream. It may be anticipated that the planting should help buffer the stream from nutrient enrichment. The proposals (with the discharge to a drainage field and not into the stream) are not likely to lead to harmful nutrient enrichment of the SSSI.

Final comments on 26 July 2024 stated that to overcome the wildlife conservation team objections, the applicant has opted for a package treatment plant with the outflow into the field as opposed to the original proposal of the discharge being into a stream flowing into the tarn. The change appears acceptable in that it removes the pathway that could have led to pollution of the lake. It is important to ensure the buffer between the drainage field zone and watercourse is maintained with vegetation that would tend to impede flows of water out of the drainage field zone to the watercourse. This could be rough grass but some tree/shrub planting eg willows, would be at least as effective if not more.

Fire Officer No objection/observation. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

Environmental Health No objection in principle. A condition is recommended requiring a preliminary risk assessment (Phase 1 contaminated land desk study). Also, a Construction Environment Management Plan is recommended to dove-tail with the Phase 1 study. Informative notes are also recommended in respect of the

importation of soil, radon protection and the need to liaise with Environmental Health and Building Control for rules of sewage disposal systems.

Public Responses

Public responses received at the time of writing: 3

10. The application was advertised by site notice on 18 December 2023. Three objections have been received (one of these from Friends of the Dales), raising the following points:
    - The work carried out to date is more than a conversion
    - The proposal is not in character with the area.
    - Design concerns in respect of the large, glazed window
    - Staff housing and guest accommodation would harm local employment opportunities
    - Concern about part-retrospective nature of the development
    - Concern over trespass on separately owned land to access the lake
    - Increase in traffic if opened up to the public in future
    - Impact on biodiversity and tranquility
    - A new building for visitor accommodation is tantamount to a new dwelling in the countryside

Assessment

Key Issues:

- Principle of development
- Landscape and Visual Impact
- Nature Recovery
- Sustainability
- Parish Council comments
- Equality Act

Principle of development

11. The statutory purposes of National Parks are set out in Section 61 of the Environment Act 1995. They are, to conserve and enhance the natural beauty, wildlife and cultural heritage of National Parks; and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park, by the public. In section 62(1) of the Act, the Authority has a duty to seek to foster the economic and social well-being of local communities with the National Park. Section 245 of the Levelling Up and Regeneration Act 2023 requires the Authority to further National Park purposes in exercising or performing any function, where this will affect land in the National Park.

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities to determine planning applications in accordance with the development plan unless there are material reasons to do otherwise. The

development plan for this area is the adopted Yorkshire Dales National Park Local Plan (the development plan). The most relevant policies are:

- SP2: National Park purposes
- SP3: Spatial strategy
- SP4: Development quality
- BE1: Business development sites
- BE2: Rural land-based enterprises
- BE3: Re-use of modern buildings
- C3: Rural worker housing
- T4: Visitor facilities
- T5: Indoor visitor facilities
- W1: Wildlife sites, species, and networks
- W2: Biodiversity enhancement

13. Policy SP2 sets out the statutory purpose of the National Park, of:
    a) Conserving and enhancing natural beauty, wildlife, and cultural heritage
    b) Promoting opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

14. Policy SP3 seeks to direct development to the most sustainable locations unless there is special justification for it to be located elsewhere, whilst SP4 ensures design is high quality and avoids harmful impacts. Policy C3 aims to safeguard the countryside by preventing avoidable housebuilding outside towns and villages.

15. The business and employment policies support development of new ‘low impact’ business to encourage high quality jobs for young adults of working age, and support growth and diversification of rural land-based businesses that help to maintain the special qualities of the National Park and make better use of existing buildings for appropriate employment and business purposes.

16. The tourism policies support and encourage development that will help make the National Park a leading sustainable tourism destination, renowned for its local distinctiveness, improves the quality and variety of visitor accommodation, and improves the quality and variety of visitor facilities that extend the tourism season.

17. The National Planning Policy Framework attaches great weight to conserving and enhancing landscape and scenic beauty of National Parks (para 189). It supports the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed beautiful buildings and supports sustainable rural tourism and leisure developments which respect the character of the countryside (para 88). It recognises that some sites may be beyond existing settlements in areas not well served by public transport and in these cases, development should be sensitive to its surroundings, has an acceptable impact on local roads and exploits opportunity for more sustainability (para 89).

18. Objective E2 of The National Park Management Plan is to improve the quality, variety and marketing of the tourism 'offer' to encourage more visitors in the quieter months.

19. The proposal comprises the conversion of two buildings and the construction of two further buildings. Whilst the uses of each building are clearly defined, the scheme as a whole does not fit neatly into the provisions of a single Local Plan policy. The proposals also sit in the context of the wider land ownership of Wood End Estate. There has been an ongoing renovation project utilising traditional methods and materials throughout. The listed building at Wood End has been sensitively restored, 1.2km of drystone walling has been repaired and rebuilt, 32 gate holes rebuilt and new timber gates and posts installed and the clearance of tons of waste, plastic and machinery left on the land by previous tenants. The Design and Access Statement refers to a wider aim of planting up to 150 acres of woodland grazing and to create corridors of scrub planting to connect various habitats. As well as creating pockets of species-specific habitat for Black Grouse, a small herd of native shorthorns graze on the moorland for the benefit of ground nesting birds and plant biodiversity. The cutting of silage has stopped as has spreading of muck on the low lying fields, to protect and enhance the species rich wildflower meadows

20. A business vision statement has been submitted to support the application which sets out the intention for the Wood End Estate to deliver sustainable landscape management, the creation of tourism opportunities and the development of a venue for the pursuit of arts, crafts and making. The proposals as a whole find support from the principles in Policy BE2 where diversification of existing land based enterprises will be permitted where they assist the viability and beneficial aspects of land management. Whilst some of the wider proposals for the Estate fall outside the scope of this application, and a viability assessment has not been requested, the recent investment in land and buildings is evident. The application proposals would support the viability of the restoration work ongoing on the estate in general, in accordance with Policy BE2.

21. The application is part retrospective as the existing buildings on the site have already been renovated. The application documents note that the existing barns were in poor structural condition and work was required to ensure the ongoing usefulness of the structure. The D&A Statement shows an agricultural building in poor state of repair. The stone barn was rebuilt using stone recovered from the site and the steel frame building was reclad. The buildings have been repurposed internally, with the creation of an open display space within the context of the agricultural and rural appearance. The reuse of the modern agricultural buildings for gallery and studio space meets with the requirements of Policy BE2 in providing a business and employment use. It complies with the criteria of that policy by :

    - Being surplus to the requirements of the agricultural business, with traditional barns being used for animals elsewhere. Its repurposing does not result in the need for another building.

- Appearing appropriate in the surroundings, with the scale and massing of the agricultural buildings retained and mixing contemporary and traditional materials in a sensitive manner
- There is no additional external storage
- Parking is redirected to a less sensitive part of the site and whilst there will be activity from the proposed use it is not more than an agricultural use of the barns
- The proposal complies with SP4 as set out elsewhere in the report.

22. The proposed Gallery and studio space contained in Buildings A and B provide indoor visitor facilities as supported by Policy T5 of the Local Plan. The visitor attraction would be unique in attracting visitors to a design and conservation led environment. Whilst comprising a stand alone facility, the gallery would enable the wider diversification of the estate and contribute to the enjoyment of the National Park through art.

23. Building C is to be used as a workshop on the ground floor, together with a two bedroom staff accommodation unit above and a two bedroom visitor unit. The application documents describe the proposed new workshop and accommodation as an integral part of an overall wider vision for the tourism-related business and the provision of this additional building is intrinsic to the gallery/studio function. It will enable the day-to-day running of the gallery, studio and holiday let accommodation.

24. Building D provides two further units designed to accommodate visitors. On their own, they would not comply with Local Plan policy. However, there is a recognition that the proposed self-catering visitor accommodation does support the overall diversification of uses which brings wider benefits to the local area.

25. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Whilst having policy support for some elements, not all aspects of the uses proposed on the site fit neatly into the Local Plan policies. However, taking the Local Plan as a whole, it is considered that there are sufficient grounds for the application to be considered favourably. Policy SP1 states that the Authority will presume in favour of development which is sustainable, including where it makes the National Park a high quality place to live and work, contributes positively to the built environment, conserves or enhances the landscape character through use of high quality design, improves biodiversity, and conserves and enhances the historic environment. The development does achieve these objectives and potentially provides a world class facility in the National Park setting. In accordance with SP2, the provision of a tranquil space to enjoy world class art inspired by the National Park, together with the creation of a sustainable environment does further the purposes of the National Park.

26. On balance, officers consider that the proposals do not conflict with the objectives of the Management Plan and the strategy of the Local Plan taken as a whole.

Landscape and Visual Impact

27. Policy SP4 requires all new development to be of a high quality design, which reflects local distinctiveness. The reuse of the existing buildings has already been implemented and the resulting scheme shows an understanding of the principles of traditional design while integrating contemporary and traditional materials. The character of the agricultural context is retained in the scale and massing of the buildings. The design is of a high quality in a sensitive rural context.

28. The application proposal will add Buildings C and D to create a courtyard around the water channel. These buildings will follow the scale and design principles set by the original buildings on the site.

29. In terms of the impact on the landscape, the site is already screened by gradient and mature trees. The application includes additional tree planting, mimicking the nearby species and including Alder, thorns and a mix of beech and sycamore. The parking is set away from the buildings to reduce the impact of both cars and activity on the landscape. The proposals integrate well into the site and the surrounding context, in accordance with Policy SP4.

Sustainability

30. The proposal includes a drainage strategy which has been discussed in full with the Wildlife Team who have given their support. Foul drainage at Thorns will be dealt with by a Package Treatment Plan (PTP) to discharge into a drainage field on the site. There should be no detrimental effect to the SSSI. The site is not within a nutrient neutrality area, but Natural England (NE) requested nutrient neutrality on this site to mitigate any negative downstream impacts on the degraded Semerwater SSSI. The drainage scheme will be controlled by condition. The proposal has also stopped negative farming practices that were harming the SSSI and the applicant's ecologist identified significant ecological improvements in the stream that runs through the site.

Nature Recovery

31. The application was validated in 2023 and there is no requirement for Biodiversity Net Gain. However, the application is supported by an Ecological Appraisal. There are no statutory protected sites which are connected to the site such that site development would directly affect them.

32. Semer Water SSSI to the south is connected to the site by a stream through the site. The report notes that the proposal represents an improvement through the removal of the previous use where the stream was subject to effluent flow from the farm buildings, sileage clamp and sheep handling/treatment pens to the North of the site. These now no longer exist as potential threats to the streams ecology.

33. These factors together with the additional planting represent biodiversity enhancement in accordance with Policy W2.

Parish Council Comments

34. The Parish Council were consulted and have not made comment.

Equality Act

35. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

36. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

37. The proposal provides a unique visitor facility within a complex of buildings of high quality design. Whilst some elements (the staff and visitor accommodation) would conflict with policy on their own, it is considered that significant weight can be accorded to the overall proposal and business vision of which these elements are an integral and dependent part as it will result in a range of benefits including economic growth, the renovation of buildings and support for the land management of the wider estate consistent with National Park purposes and objectives. The access and parking arrangements are acceptable and there are no neighbour amenity issues. Renewable energy and suitable drainage can be secured through conditions.

Recommendation

38. It is recommended that permission is GRANTED subject to conditions including the following:

- Standard time limit
- The development hereby permitted shall not be carried out otherwise than in conformity with the plans and documents submitted as part of the planning application.
- The holiday let accommodation hereby permitted shall only be occupied for the purposes of short-term holiday letting accommodation, and shall not be occupied by any one individual, family or group for a period exceeding eight weeks in any three month period.
- The owner/occupier shall maintain an up-to-date register of the name of all occupiers of the residential accommodation and their home address and shall make this register available to the Local Planning Authority within 14 days of receipt of written request.
- The staff accommodation and short-stay holiday let accommodation hereby permitted shall remain ancillary to the Thorns Farm indoor tourism facility and shall not be sold off or occupied independently of the Thorns Farm tourism facilities that are the subject of this planning application.
- The provision of a Package Treatment Plant (PTP) with tertiary treatment for phosphates
- Contaminated Land – an assessment of the risks from contamination on site to be undertaken and submitted for approval. If contamination is found or suspected at any time during development that was not previously identified all works shall cease and the local planning authority shall be notified. Where remediation is necessary a scheme for the remediation of any contamination shall be submitted and approved by the LPA before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.
- Dark Skies conditions

Informatives
Possible Private Water Supply
Septic Tank/Package Treatment Plant
Radon Protection