

Parish: Kirkby
Ward: Stokesley
17/00751/FUL
ITEM 4

Committee date: 3 May 2018
Officer dealing: Mr K. Ayrton

Demolition of buildings and construction of new dwellinghouse and ancillary equestrian facilities

At Dromonby Bridge Farm, Kirkby in Cleveland

For Mr Robert Jones

This application is referred to Planning Committee as the proposed development is a Departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located to the east of Great Busby, with an existing access off the main road (Busby Lane), which links Great Busby with Kirkby in Cleveland to the east. The site accommodated a mixture of agricultural buildings, the majority of which have now been demolished. These included buildings constructed of stone, brick and open portal framed structures.
- 1.2 Immediately adjacent to the site is a farmhouse (Dromonby Bridge) operating as a B&B along with agricultural buildings not in the control of the applicant. They are served by a separate access off Busby Lane. Dromonby Hall (Grade I) is located approximately 300 metres to the east of the site. The Dromonby Hall site also accommodates a grade II listed farm building.
- 1.3 The applicant's wider land ownership extends to the north. Planning permission has been granted for the construction of three large agricultural buildings to be used in connection with livestock. These are currently under construction and are served by a separate vehicular access located to the west, further along Busby Lane.
- 1.4 The site and wider area is predominantly rural in character. Whilst the site is not covered by any national or local landscape designations, the site's character is consistent with the appearance of the wider countryside which provides a sense of place, openness and tranquillity. The North York Moors National Park is located some distance to the south, with views of the hills along the western fringe of the Park visible from the site. The existing buildings on the site are not readily visible from nearby public views, most notably Busby Lane to the south.
- 1.5 The North Yorkshire and York Landscape Characterisation Project report (2011) was prepared to provide a consistent and integrated County-wide picture of the landscape in order to help raise awareness of local distinctiveness. The application site is located within the "Vale Farmland with Dispersed Settlements" character type, which extends to the north and west across the width of the District. Key characteristics include:
 - Generally low lying, gently rolling, landscape which contains several small river corridors;
 - A distant sense of enclosure in views east and west provided by the backdrop of the North York Moors;
 - A medium to large-scale agricultural landscape which is delineated by a network of mature hedgerows, often containing hedgerow trees; and
 - A dispersed settlement pattern of farmsteads, small hamlets and villages.
- 1.6 The landscape is identified as having moderate sensitivity as a result of the combination of open views to adjacent Landscape Character Type and a sense of

enclosure provided by pockets of deciduous woodland. It is also considered that there is a high landscape and cultural sensitivity overall as a result of the dispersed settlement pattern, pockets of historic parkland and predominantly rural character.

- 1.7 Located approximately 500m to the south is the “Sandstone Moors Foothills” character type, which as its name suggests, sits at the foot of the National Park. Key characteristics includes a pattern of medium sized fields with woodland on the steeper slopes; and strong inter-visibility with surrounding lower landscape.
- 1.8 The village of Great Busby is formed by a small cluster of houses located around two sharp bends in Busby Lane. This main part of the settlement lies some 500 metres from the application site. There are some examples of development between, most notably a range of large agricultural buildings that are currently unused. Adjacent to these are two residential properties and a temporary traveller site (appeal allowed on a temporary basis at appeal) a short distance to the east. However this cluster of development is also some 400 metres from the application site.
- 1.9 The proposed development includes the demolition of the existing structures (but does not include those adjoining the application site) and the construction of a substantial detached residential property, with private equestrian facilities. The development includes:
 - A detached eight-bed house comprising 891 sq m of internal floorspace;
 - Plant room;
 - Garaging;
 - Equestrian stables, office/stores and arena;
 - A new access off Busby Lane;
 - A renewable energy system, comprising a range of resource conservation and energy generation strategies, including the incorporation of an anaerobic digestion system; and
 - A hard and soft landscaping scheme, including native planting, pockets of woodland, kitchen gardens, wildlife pond (also to be used as an attenuation pond linked to a wider sustainable drainage scheme), a stream, and the creation of a grassland parkland setting.
- 1.10 The supporting documents originally included landscaping proposed for additional land located to the south of the site on the opposite side of Busby Lane. However, the applicant does not own this land and it does not form part of the application.
- 1.11 Since submitting the application, the applicant has constructed large stretches of dry stone walling, comprising stone that that does not appear to be locally sourced. A section of the wall has been constructed by the proposed entrance to the site and parallel to the neighbour’s access road. This has been constructed with the benefit of permitted development rights. The applicant’s submission includes a local sandstone wall alongside the neighbour’s house (Dromonby Bridge) and access, but not along the frontage of the site.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 16/00108/FUL - Construction of a farm entrance to comprise of gates, walls, driveway and associated landscaping; Withdrawn 1 April 2016.
- 2.2 16/02333/FUL - Construction of 3 farm buildings comprising a cattle shed, machinery shed and silage/manure shed – Approved 26/07/2017

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 CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP9 - Development outside Development Limits
Development Policies DP28 – Conservation
Development Policies DP29 - Archaeology
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Development Policies DP34 - Sustainable energy
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 Kirkby-in-Cleveland Parish Council - Wishes to see the application refused for the following reasons (summarised):

- This dwelling is proposed under Para. 55(4) of the NPPF, which has four bullet points all of which have to be met for an application to be approved under this paragraph. Development must 'significantly enhance its immediate setting' and 'be sensitive to the defining characteristics of the local area'. The design proposed for the new dwelling does neither of these;
- The architect has taken the historic herringbone patterning on the sandstone traditionally used for dwellings and farm buildings in this part of North Yorkshire and used it completely out of context. Using these angles in a three-dimensional manner to create a harsh angular roofline is quite out of keeping with any defining characteristic of the local area;
- There is a Grade 1 Listed Building in the immediate vicinity of this proposed dwelling, Dromonby Hall, in separate ownership from Dromonby Hall Farm. Nowhere in the document is any consideration given to the detriment to the setting of this significant part of the local historic heritage;
- It is difficult to ascertain the exact dimensions of the proposed dwelling as nowhere are there elevations or floor plans with these clearly marked, but the new dwelling will be within 0.5 kilometres of the house and its angular roof, uncharacteristic of the local landscape, will be visible over the top of the nearby hedge and trees;
- The proposed dwelling will be clearly visible from Busby Lane where it passes the proposed new entrance. This is an open agricultural field. Any proposed planting will take many years to form any kind of screening. Yet there is no Viewpoint consideration from this location, the most significant for people travelling by the site;
- It is proposed to transform this field into a relaxed entrance to the property, thus being lost to its original farming use;
- It will be clearly visible from the North York Moors where three national trails pass – the Coast to Coast, the Cleveland Way and the Lyke Wake Walk – and will be detrimental to the outlook from and the setting of the North York Moors;
- This application converts a large area of prime agricultural land into domestic or parkland. There is a brownfield area where the original farm buildings are situated which would seem a more appropriate place to site a farmhouse, which

would be less prominent, nearer to the cattle sheds and would require less loss of agricultural land.

- The proposed entrance is not in keeping with all the other entrances on that stretch of road, even the Grade 1 Listed Building, Dromonby Hall, has a simple farm style metal gate at its entrance from the road. The proposed entrance is not in accordance with the stated objectives of the Village Design Statement;
- There are some inaccuracies in the planning application. Under 3. Description of the Proposal it asks if any work has already started and the answer marked is No. However there are walls being built on a daily basis on the site. On Existing Site Plan (Doc. No. 195-DR-PL-3037) it is our understanding that the applicant does not own the area of land at the road end of the drive to Dromonby Bridge B & B. This belongs to the B & B and the person farming the land relating to Dromonby Bridge Farm has access over it;
- The Parish Council consider that this application should be considered in conjunction with Planning Application No. 16/02333/FUL by the same applicant for 3 farm buildings;
- On this application there is reference to access to the cattle sheds (Access Strategy Doc. 195-DR-DE-2309) and on planning application No. 16/02333/FUL the applicant states quite clearly under 1.2 of the Planning Statement that it is his 'intention to develop his pedigree livestock business'. Also under 5.3 it states that 'the additional benefit of the enterprise is the waste generated by the livestock, which (subject to planning approval) would provide waste to be used in a new energy system to heat a proposed NPPF Paragraph 55 dwelling on land to the east.'; and
- We should also like to point out that the applicant does not own the 124 acres cited in this application for the growing of winter wheat, winter barley, winter oilseed rape, spring beans and grass. This could compromise the viability of the business plan for the farming enterprise and/or create an inappropriate increase in large vehicles bringing in the necessary feedstuffs.

Great Busby Parish Meeting - Objects to the proposals for the following reasons (summarised):

- Residents are not opposed to modern architecture large buildings must respect the character of the countryside;
- The proposed design, wing shape of the roofs and the ranch-style layout of the riding arena and stables, is ostentatious and would detract from rather than enhance the traditional farmed landscape;
- The very 'loud' modern design is particularly inappropriate close to listed buildings at Dromonby Hall and Dromonby Hall Farm;
- We do not agree that the change in view from Hunger Hill (one of the approaches to Busby used daily by residents) would be beneficial. The style and layout of the new buildings do not seem to have taken anything from the local area or the nearby hills and we do not think they will blend comfortably into the surroundings - the link to the herringbone pattern in local sandstone is not convincing. The stables, riding arena and circular entrance area are particularly out of keeping;
- We think that application 16/02333/FUL for new farm buildings should be considered alongside this application for the new house as the two are clearly inter-related. We would not want another house in open countryside near the sheds for a livestock manager and this should be resolved as part of the consideration of the applications;
- It seems to us that the farm buildings should be positioned closer to the proposed new house and if accommodation for a farm manager is needed that should be included as an annex to the main house; and

- Concerned about the small size of the agricultural holding in comparison to the size of the farm buildings and the implications for HGVs on the small roads in and around Busby.
- 4.2 Highway Authority – The design standard for the site is Design Manual for Roads and Bridges and the required visibility splay is 2.4 metres by 90 metres. The available visibility is 2.4 metres by 100 metres to the east and 2.4 metres by 140m to the west although there is a short length of the nearside channel line which is obscured by the neighbouring hedge. In this direction however 2.4m by 90m is available to the centre line. Considering the above and that the new access has better visibility to the east than the existing access to the site a highway refusal would be difficult to sustain.
- 4.3 Environment Agency – No objection.
- 4.4 Ramblers Association – No objection.
- 4.5 Northumbrian Water Limited - A trunk water main crosses the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus and therefore will contact the applicant direct to establish the exact location of its assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. For planning purposes, the Council should note that the presence of Northumbrian Water's assets may impact upon the layout of the scheme as it stands.
- 4.6 Public comments – One objection have been received on the following grounds:
- Although there is mention in the documents that there are Listed Buildings in the surrounding area, Dromonby Hall, a Grade 1 listed property , is not shown as been the nearest listed property at just 200m away;
 - It has to be noted that the manor of Dromonby Hall had a wind mill in the 13th century , and the new small wind turbines are a modern design of old technology;
 - The Architect should have taken inspiration from the old farm yard setting as he has done in previous buildings as shown in the landscape character assessment;
 - The old buildings at Dromonby Bridge Farm had a 36m long old Dutch barn, the floor area of this could be used to build a modern steel and glass Dutch barn farm house with an extension in sandstone and brick, out the back, on the old farm building site, this would be in-keeping with the history of the site and a modern twist of the use of a glass and steel Dutch Barn. It would also be on an existing agricultural brown field sit and not a green field site as proposed;
 - This Grand Designs application should be refused on the grounds that the house and buildings are totally out of character;
 - In the Landscape Character assessment it says the house should significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. This application does not conform to the above statement;
 - As stated in the application, the new house and the new agricultural sheds (application already submitted) going to be a working farm. These 2 applications should be view together as this is a new Fare Stead although well screened with trees on the plans this will take more than 10 years to grow. The sheds need to be moved into the same field as the proposed house, this will mean the animals can be better looked after and it will mean that there is no need in the future for a farm workers house, as it states that 2 full time staff will be needed to run the cattle farm;
 - Recently in Busby parish a local farmer had his agricultural shed turned down because it was too far away from the main farm yard and farm house. Having the farm buildings near to the new farm house would enhance the local character of scattered farm settlement in the area and be more in keeping;

- The building would be on a green field site in open country side, and would be very visible from Busby Lane and the surrounding area and the North York Moors;
- The Building with its huge V shaped wing roofs are nearly 10m high, the house is 30m wide and has a hideous stable block and horse arena area alongside;
- There are many different materials used on the house, zinc cladding, white render, western red cedar cladding, sand stone block work and large glass windows; and
- The large V shaped wing roofs do not represent the outline of the moors to the south.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development in this location in terms of Development Plan policies; (ii) whether the design of the development is of exceptional quality or innovative nature and therefore can draw support from paragraph 55 of the National Planning Policy Framework; (iii) the impact on residential amenity; (iv) highway safety; and (v) heritage impact.

Principle

- 5.2 The site falls outside of Development Limits (Great Busby does not have any Development Limits) as identified in the Local Development Framework (LDF). Therefore development is only considered acceptable under LDF policies in exceptional circumstances, set out in Policy CP4. None of the exceptions identified under Policy CP4 are considered to apply. These include where development: is necessary to meet the needs of farming, forestry, recreation, tourism, and other enterprises with an essential requirement to locate in the countryside; is necessary to secure a significant improvement to the environment of the conservation feature; would provide affordable housing; would re-use existing buildings and support a sustainable rural economy; would make provision for renewable energy generation; or it would support the social and economic regeneration of rural areas.
- 5.3 Whilst the submission makes reference to compliance with this policy through the proposed equestrian facilities potentially bringing employment in terms of management and maintenance, the equestrian element of the application is clearly described as being ancillary to the dwelling and is therefore not a rural business. Accordingly this facet of the scheme cannot be afforded significant weight in terms of its support for the principle of development.
- 5.3 The proposed development is considered to fail to accord with the principles set out in the Development Plan and as such is considered to be a Departure from the Plan. However, it is also necessary to consider more recent national policy in the form of the National Planning Policy Framework (NPPF) published in March 2012. The most pertinent element of the Framework is Paragraph 55 which states:
- "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".*
- 5.4 To ensure consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance is intended to bridge the gap between CP4/DP9 and the NPPF and relates to new housing in rural areas.

- 5.5 However, the IPG specifically relates to small scale housing development within and immediately adjacent to villages, with the supporting text explaining that the IPG will support small scale development adjacent to the main built form of a settlement. As the site is located approximately 500 metres from the main built up part of the village, it is considered that the proposed development finds no support through the IPG.

Whether the design is of exceptional quality or innovative nature

- 5.6 Paragraph 55 of the NPPF offers support for housing of outstanding and innovative design in the countryside as an exception to normal housing policy and states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

The exceptional quality or innovative nature of the design of the dwelling. Such a design should:

- *Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
- *Reflect the highest standards in architecture;*
- *Significantly enhance its immediate setting; and*
- *Be sensitive to the defining characteristics of the local area.*

- 5.7 The application is presented in the belief that it complies with the requirements of paragraph 55. The argument for compliance with paragraph 55 is inextricably linked to the proposed design and the impact on the character and appearance of the area.
- 5.8 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."
- 5.9 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.
- 5.10 The National Planning Policy Framework 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.
- 5.11 The Development Plan also contains policies CP16 (Protecting and enhancing natural and man-made assets) and DP30 (Protecting the character and appearance of the countryside), which require the openness, intrinsic character and quality of the District's landscape to be respected and where possible enhanced.
- 5.12 The above requirements all need to be considered alongside the requirements of paragraph 55. Whilst the requirements of paragraph 55 are demanding, they have to be achievable.
- 5.13 In assessing the requirements of paragraph 55, it is useful to consider the development against each of the criteria. This assessment has been informed with advice from the Yorkshire and Humber Design Panel, which was contracted by the Council to assist in the assessment of the design.

NPPF criterion 1: be truly outstanding or innovative, helping to raise standards of design more generally in rural areas

- 5.14 Unlike previous versions of the policy, most recently included in Planning Policy Statement 7, the requirement is to be truly outstanding or innovative, not necessarily both. The architect considers that their approach to architecture, including initial analysis, design strategy, design development, through to the final proposal is truly outstanding and will help to raise the standards of architecture generally, in rural areas by demonstrating the benefits of a robust design process informed by detailed examination of the site and surroundings.
- 5.15 It is accepted that the approach undertaken by the architect was a robust one and as such is likely to result in high quality designs. However, the planning decision must concentrate on the merits of the proposal over the process by which it arose. The supporting statement makes the following statements:
- *The proposed layout is a contemporary interpretation and combination of elements found in linear and multi-courtyard layouts. This is based on an analysis of the design guidance covering North Yorkshire, including the North York Moors National Park Design Guide;*
 - *The 'Herringbone Punch Stone' feature has been drawn out from the analysis and features throughout the design. This is a material that is used locally, including some of the derelict buildings on site. The feature has been included in the roof form of the dwelling and stables, the external materials with the use of the herringbone punch stone itself and the use of other materials, such as timber and zinc, in a manner that reflects the herringbone pattern. The feature is also applied more subtly to the internal room partitions; and*
 - *A series of technologies adopted for the site, chosen specially to exploit the resources (and waste streams) available on site. These include the incorporation of an anaerobic digestion system that can use the waste that will be produced by the livestock enterprise. It is argued that the use of anaerobic digestion is innovative here, being used for a single dwelling.*
- 5.16 Many of the above qualities are recognised, particularly following discussion with the architect. However, the NPPF's requirement that the design should help to raise standards of design more generally in rural areas must depend upon the design being visible and legible to the public. A failing of this proposal is that many of its features would be hidden from public view, particularly from short distances, and are therefore primarily for the benefit of the applicant. The reference to the herringbone pattern would not be immediately obvious in the roof form or arrangements of internal rooms and is unlikely to be discerned from most public viewpoints. This is not necessarily a criticism of the design itself, and it is acknowledged that the submission has made reference to design guidance that requires new buildings in the countryside to be sited so as to minimise their impact. However, it does somewhat dilute the argument that the dwelling would help to raise standards of design more generally in rural areas. Whilst, the policy itself does not specifically require the dwelling to be widely available to public view, it is considered to be a reasonable point to highlight as it is important to consider the level to which the design approach would be understood and would influence wider standards of design. Indeed, this is a point raised by planning inspectors in considering comparable proposals.
- 5.17 It is reasonable to expect that the approach taken and practices included in the design could be shared at a professional level through publications and would thereby make a contribution in helping to raise standards of design. However, it is also considered that if the development is largely out of public view, only limited public benefit would arise from its design merits.

- 5.18 The architect has highlighted the point that whether or not someone likes the appearance of a dwelling is a personal view and makes reference to paragraph 60 of the NPPF, which states planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, the NPPF also goes on to highlight the need to promote or reinforce local distinctiveness.
- 5.19 The applicant has presented the case that the approach taken to the design has removed the subjectivity out of the process and made it a more objective exercise, to reflect the policy requirements. The final appearance is a result of this robust methodology which the Architect considers to be outstanding. The robustness of the chosen methodology is not disputed but, as indicated earlier, it cannot directly address the NPPF's requirement that the design of the building, not the design process, should raise standards more generally.
- 5.20 The architect considers that the proposal is a contemporary sustainable dwelling that takes on the language of farmsteads and their integration with the open countryside. They add that the choice of materials is sensitive to local distinctiveness, including herringbone punch local stone, and slate tiles with reference to traditionally higher status buildings. The roof form has continued the herringbone theme whilst also responding to the backdrop created by the landform of the North York Moors National Park.
- 5.21 Whilst it is recognised that there are farmsteads scattered within the surrounding area, these generally comprise a single main dwelling and associated farm buildings. The submitted analysis document recognises this in referring to "a number of standalone dwellings and farm buildings set within the landscape, accessed from Busby Lane". In this instance the proposal would introduce a large, new dwelling adjacent to an existing farmstead. The arrangement of buildings proposed is also more serpentine in form, compared with the more traditional farmstead arrangement in the locality. The architect has identified the creation of an "arrival courtyard" and an "equestrian courtyard". However, officers are not convinced that the arrangement reads clearly as a courtyard arrangement reminiscent of traditional farmsteads in the locality and the views available of the development would not necessarily be read as such. This is not assisted by the site's close proximity to a traditional farmstead, which emphasises the contrast. The two resulting farmsteads, which would be of contrasting styles, would not be consistent with the wider landscape character. It is understood that the V-shaped roof forms are partly a reference to the skyline of the nearby Cleveland hills. However, for the reasons already given, this would not be legible from many public viewpoints.
- 5.22 Therefore the proposal is not considered to be outstanding in terms of the way in which it responds to traditional farmsteads found in the locality,
- 5.23 The architect also considers that the combination of energy generation technologies has been used in an innovative way, designed specifically to take advantage of waste generated from the wider site (reference to the livestock buildings currently under construction). The architect has specifically highlighted the use of anaerobic digestion (AD), which they advise is innovative for a single dwelling. It is understood that AD has not really been feasible at a domestic scale due to a shortage of suitable biomass waste that would normally be available to a household and the requirement of larger scale systems to maintain the temperatures required for efficient biogas production.
- 5.24 The AD plant would be used alongside other renewable technologies. However, the heart of the system is the AD plant, which would be fed by a combination of rape

seed, oats, barley and triticale (hybrid between wheat and rye) grown at the farm and slurry from the livestock. The identified AD equipment would generate biogas to fuel a combined heat and power unit and capture heat for hot water and underfloor heating, with excess electricity fed into the grid. It is not disputed that this would be a new approach for a dwelling, although only possible due to the adjacent livestock enterprise, but it is not something that would be legible, even at close quarters, and it is questionable how this might “raise standards of design more generally in rural areas”, as the NPPF requires.

NPPF criterion 2: reflect the highest standards in architecture

- 5.25 The project architect is Richard Hawkes. His practice has previously obtained planning permission for dwellings in countryside locations on the basis that they meet the requirements of paragraph 55 (and a similar policy included in the former Planning Policy Statement 7). However, not all the consents highlighted were entirely reliant on design merits; some included replacement dwellings for example. However, there is no doubt that the architect designs and delivers high quality developments.
- 5.26 Having reviewed the supporting documentation it is evident that the approach to the design is reflective of the high standards of Richard Hawkes’ practice. This is in respect of the site analysis, linking its opportunities and constraints, design development and the proposal itself.
- 5.27 The detailed and thorough approach taken to the design has rarely been seen in Hambleton and should be commended. Whilst there are some areas of disagreement as to whether the proposed design fully reflects the analysis undertaken, the proposal is considered to meet this requirement.

NPPF criterion 3: significantly enhance its immediate setting

- 5.28 The site is not subject to any natural or local landscape designations. The standard policy requirement is to respect or where possible enhance the openness, intrinsic character and quality of the District’s landscape. Paragraph 55 of the Framework adds the extra requirement of ‘significantly’ enhance the dwelling’s immediate setting.
- 5.29 The existing buildings on site are in a state of disrepair and do not appear to be capable of being brought back into their original use or conversion to an alternative use. However, they are not readily visible from the wider area and therefore do not cause any harm to the character and appearance of the area and are relatively indicative of the agricultural character of this part of the District. Indeed, their current state would suggest that they would soon be absorbed back into the landscape. As such, little weight can be given to their removal. Further, the site of the proposed dwelling and equestrian facilities is of no particular value in itself, being unremarkable compared to the surrounding landscape. Indeed, the wider site incorporates farmland typical of the wider area, which is interspersed with farmsteads.
- 5.30 Immediate views of the dwelling would be limited, with the closest being from the entrance into the site off Busby Lane. There would be some more medium distance views from a permissive footpath (not a public right of way) located to the north east, following a tributary of the River Leven. These would afford views of the site against the backdrop of the Cleveland hills. There would also be some long distance elevated views from the National Park located approximately 2km to the south.
- 5.31 The application site also covers the wider land ownership of the applicant and it is proposed to deliver a comprehensive package of landscaping works. This includes areas of enhancement to the wider network of hedgerows through the introduction of native species, an informal access route bordered by woodland planting, a more

formal garden layout to the rear of the dwelling, including gardens and a wider parkland landscape to the north.

- 5.32 The rationale behind the landscaping is to filter long distance views from the National Park, interconnect the woodlands with the new native planting and enhance the landscape character. Again, the scheme proposed has been informed by a detailed analysis of the local context, with the architectural solution being landscape led. Most notably this has included a detailed Landscape and Visual Impact Assessment and analysis of the features that are typical of the immediate and wider context. This includes heritage assets, settlement pattern, landscape pattern and features, geology and soil characteristics, local distinctiveness, sensitive viewpoints and biodiversity habitat. It is evident that this analysis was undertaken to inform the design.
- 5.33 The supporting Landscape and Visual Impact Assessment identifies the visual receptors (e.g. dwellings, public rights of way) and assesses the impact of the development against these. It identifies no detrimental impacts. All impacts are considered to be negligible, of moderate benefit or of major benefit. The benefits are mainly identified as being the introduction of new hedgerow and woodland planting. Where views (from the permissive footpath) of the dwelling would be prominent, the report considers that the new woodland planting proposed would filter views of the dwelling over time; and whilst views of the dwelling would remain, its high standard of design should offer an interesting and attractive addition to the views. It is agreed that it would add interest from these limited viewpoints, although as reflected in the public observations, not everyone agrees that it would necessarily be attractive.
- 5.34 Perhaps the most significant changes introduced to the landscape (other than the buildings) would be the creation of a parkland setting to the north of the dwelling and an informal access route, which would replace the informal agricultural access. The applicant has already constructed dry stone walls with stone pillars at the position of the proposed access point. It is understood that the stone has not been sourced locally.
- 5.35 Whilst described as a parkland setting, it is noted that the landscape would remain relatively informal, making use of the existing mature oak trees. The landscape character type is identified as having parkland features. Therefore the landscape is capable of accommodating this feature. The water features introduced are also informal in appearance and tie in with the wider drainage strategy. They are mainly limited to the more formal gardens located close to the house, with connections to the nearby beck. The attenuation pond proposed works with the fall in levels, sitting between the more formal garden and wider parkland.
- 5.36 The design of the access from Busby Lane would undoubtedly elevate the status of the entrance to the site, announcing the entrance to a residential property compared with the existing low key access. There are examples of other stone walls and access pillars further along Busby Lane, although these use more traditional stone and are generally lower key in form and detailing.
- 5.37 The stone walls are constructed of a material that is not in keeping with the more considered choice of materials proposed for the dwelling. This undermines the wider package of improvements set out in the proposal, which include biodiversity benefits and enhancements to the wider landscape framework. However, many of these improvements would be beyond what is considered to be the dwelling's immediate setting. Overall, it is not considered that the development would significantly enhance its immediate setting.

NPPF criterion 4: be sensitive to the defining characteristics of the local area

- 5.38 This requirement is consistent with the local policy requirement to deliver local distinctiveness. In order to accord with this, it is important to fully assess the site's context. This has been achieved, with a thorough analysis of the site and surroundings area, along with a review of policy and guidance. This has helped to draw out and identify the local characteristics.
- 5.39 It is accepted that the idea of a farmstead concept reflects the wider landscape character, although concern has been raised as to whether the proposed arrangement of buildings and spaces reads clearly as a courtyard arrangement. Existing farmsteads form a part of the landscape, often featuring a principle farmhouse with associated farm buildings. These are scattered along the road between Great Busby and Kirkby in Cleveland served by private driveways. The proposed layout of buildings and spaces set out in the application is not considered to be reflective of this traditional arrangement. The choice and application of materials has been informed by those traditionally used in the locality as acknowledged in section 5.20.
- 5.40 Therefore the analysis, design concept and use of materials lead to the view that the development would be sensitive to the defining characteristics of the area. However, as noted earlier, it is not accepted that the proposal would read clearly as a typical courtyard arrangement and it is questionable whether this sensitivity would be publicly legible.

Impact on Residential Amenity

- 5.41 Policy DP1 requires development proposals to adequately protect amenity. The nearest property is the farm house located to the south of the site. This is screened to some extent by existing boundary planting. The dwelling has an area of hardstanding to its rear, which is closest to the site. The main part of the proposed dwelling is located away from the boundary. The nearest part of the development will be part of the stables buildings, which are single storey. Considering the separation distance that has been achieved and the private nature of the proposed use, it is considered that the scheme would not be detrimental to neighbouring residential amenity.

Highway Safety

- 5.42 A new access would be formed onto Busby Lane. The applicant has recently constructed a stone wall with gate pillars, which are set back from the main highway. The Highway Authority is satisfied that adequate visibility splays can be created and raises no objection.

Heritage

- 5.43 The Parish Council response has made reference to the impact on heritage assets, with specific reference to Dromonby Hall (Grade I) located to the east of the site. The Dromonby Hall site also accommodates a grade II listed farm building.
- 5.44 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.
- 5.46 In this instance, due to the separation between the proposed development and the identified heritage assets, it would not necessarily be viewed in the same context. Importantly there is a linear woodland belt along the eastern boundary of the application site, which avoids Dromonby Hall being viewed in the same context. Therefore Dromonby Hall and its setting are not readily apparent from Busby Lane or

the site. Views that are available are of a farmstead with a mix of traditional and modern farm buildings that are typical of the landscape. Whilst Grade I, it does not appear in the landscape as being a building that was located or designed to be seen as a high status building. The siting of the development, which would replace existing buildings and adjoin the neighbouring farm buildings, will not impose itself onto the setting of the Dromonby Hall site and as established in the analysis, farmsteads (which the scheme has taken inspiration from) are a typical feature of the landscape.

- 5.47 Therefore the proposed development will not result in harm to heritage assets, including their setting.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reasons:

1. The proposal represents unsustainable development in an isolated location outside of the Development Limits of a village within the Hambleton Settlement Hierarchy without a clear and justified exceptional case for development, contrary to Policies CP1, CP2 and CP4 of the adopted Hambleton Local Development Framework and the National Planning Policy Framework. Additionally the application site is not considered to be capable of benefiting from the provisions of the Council's Interim Policy Guidance Note on housing - Development in Villages.

2. Whilst paragraph 55 of the National Planning Policy Framework includes exceptions which allow for new isolated homes in the countryside, such as the exceptional quality or innovative nature of the design of the dwelling, it is considered that the proposed development fails to meet the stringent requirements of Paragraph 55 in these terms and as such it is considered that the development cannot be supported in this case.