

Parish: Kirkby
Ward: Stokesley
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Committee Date : 23 September 2021
Officer dealing : Mr Peter Jones
Target Date: 30 August 2021
Date of extension of time (if agreed):

21/01613/FUL

Construction of a detached dwelling with ancillary domestic buildings, including garages, barn, Anaerobic Digester unit, stables plus equestrian area and associated landscaping.

At: Dromonby Bridge Farm Busby Lane Kirkby In Cleveland
For: Mr R Jones.

1.0 Site, context and Development

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 have been recently completed and are served by a separate vehicular access located to the west, further along Busby Lane. This area is well screened from the south by the form of the landscape and extensive recent tree planting.

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 include 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:
- 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 The proposed development comprises:
 - Main House
 - Materials including York stone, slate roofs, red brick to ancillary elements and powder coated windows
 - Basement Level with games room, cinema, store, swimming pool, gym, sauna, steam room
 - Ground Floor with entrance hall, cloak room, utility, kitchen, informal dining area, wc, laundry room, plant room, formal dining room, drawing room, office, living area, tv area
 - First Floor with six bedrooms with en-suites and dressing rooms
 - Second floor with further 2 bedrooms with en-suites and dressing rooms

Stables and associated tack rooms and menage. Materials in dark grey cladding with red brick base course and wooden doors.

Barn with kitchenette, changing rooms, tack room and office. Materials incorporating the ruins of the former barn and aluminium cladding.

Garages

Anaerobic Digester building. Materials dark grey aluminium cladding and wooden doors.

1.12 A number of supporting documents have been submitted with the application including:

- Planning Supporting Statement
- Heritage Statement
- Landscape and Visual Impact Assessment
- Ecological Assessment
- Geophysical Assessment
- Design Review Panel Report
- Drainage Assessment

1.13 The applicant's submission sets out some of the overarching aims of the proposals. The Proposal Should respond to the front and rear elevational treatments, in terms of detailing, massing and proportions, as seen on local buildings, appear grand, ordered and well proportioned on the public facade while the private elevation on the rear can be less ordered, more playful and respond to the agricultural typology. The Proposal Should remove visual detractors, namely the uncharacteristic dry stone wall parallel to Busby Lane, enhance existing character along Busby Lane, use existing site access and respond to similar perpendicular access roads as seen along Busby Lane.

1.14 In arriving at the current proposal, the applicant has also taken into consideration the commentary of the Design Panel contracted by the Council at the time of the earlier refusal. The Panel's comments are summarised below:

- On the current evidence given it is hard to see where the concept has come from and how it is a strong response to anything locally.
- The local vernacular needs further analysis.
- An analysis of farmsteads would also be useful to ascertain key site strategies and site placements.
- The design team has demonstrated great understanding of the landscape context although more justification is needed as to how this has, if at all, informed the current proposed built form.
- The proposals perhaps could illustrate wire line images of the development to show its impact on the landscape from key viewing points - This would help determine the impact of the scheme on the surrounding landscape.
- The proposal does demonstrate elements of high quality design - but it is a departure from traditional and historic local design and form.
- It is difficult to see how the design relate to and respect local identity and character.

- A deeper exploration of the local defining characteristics of built forms could assist in demonstrating how local typologies and materiality have informed the proposals.
- Extensive analysis of local farmstead and agricultural complexes should be done to inform the layout and building arrangements.
- The Panel note this building could perhaps improve the immediate setting, however this will need more evidence to be determined.

2.0 Relevant planning and enforcement history

- 2.1 16/02333/FUL - Construction of 3 farm buildings comprising a cattle shed, machinery shed and silage/manure shed. Approved.
- 2.2 17/00751/FUL - Demolition of buildings and construction of new dwelling house and ancillary equestrian facilities. Refused
- 2.3 17/01883/FUL - New security wall and gate to existing field access. Refused
- 2.4 18/01052/MRC - Variation of planning permission 16/02333/FUL - construction of three farm buildings comprising a cattle shed, machinery shed and silage/manure shed. Approved.
- 2.5 19/01142/FUL - Construction of a farm building for the storage of hay. Approved.
- 2.6 19/01589/FUL - Construction of an agricultural building to house livestock and construction of 3no feed silos. Approved

3.0 Relevant Planning Policies

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Core Strategy Policy CP2 - Access

Core Strategy Policy CP1 - Sustainable development

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 DP33 - Landscaping

Development Policies DP34 - Sustainable energy

National Planning Policy Framework.

Hambleton Emerging Local Plan

The Hambleton Local Plan was considered at Examination in Public during October-November 2020. Further details are available at <https://www.hambleton.gov.uk/homepage/60/new-local-plan-examination>. The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.

The following policies of the draft plan are considered relevant:

Policy HG4 Housing Exception Schemes

Policy E1 Design

Policy E3 The Natural Environment

Policy E4 Green Infrastructure

Policy E5 Development affecting Heritage Assets

Policy E7 Hambleton's Landscapes

Policy RM3 Surface Water and Drainage Management

Policy RM7 Renewable and Low Carbon Energy

4.0 Consultations

4.1 Kirkby-in-Cleveland Parish Council - Kirkby Parish Council has no objection to planning application 21/01613/FUL. The Parish Council leave it to the expertise of the planning department to ascertain whether this application fulfils the criteria of an exceptional dwelling house under NPPF Para 79.

4.2 Great Busby Parish Meeting - Although this proposal is in Kirkby in Cleveland parish, it lies close to the boundary with Great Busby and will have an impact on our community.

Great Busby Parish Meeting supports the proposal as the applicant owns land and runs a substantial livestock business in Busby and it is likely to be good for their long-term management for him to live near-by. The design is a considerable improvement on previous proposals, with the new buildings placed in line with the existing Dromonby Bridge farmhouse and the stables now in the courtyard style traditional in the area. The biodiversity proposals look good and the proposed planting and removal of the wall that has been built alongside Busby Lane would improve the approach to Busby from Kirkby. Detailed plans for the main house do not seem to be available on the public access system but we would comment that it will be important that external lighting is kept to a minimum in this open countryside location.

4.3 Highway Authority – No response received at the time of writing.

4.4 Environmental Health - The proposed is for the construction of a detached dwelling development with ancillary domestic buildings, including garages, barn, AD unit, stables plus equestrian area and associated landscaping. The Environmental Health Team have reviewed the supporting information. In the interest of nearby occupants, the Environmental Health Team would recommend the following conditions:

No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

4.5 Environment Agency Flood Risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref Flood Risk Assessment for Proposed Residential Development at Dromonby Bridge Farm, Stokesley, North Yorkshire, November 2016) and the following mitigation measures it details:

4.6 Natural England - No objections.

4.7 Public Comments - One public representation was received which looked at the legality of the access. This is a private civil matter.

5.0 Analysis

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 and therefore can draw support from paragraph 80 of the National Planning Policy Framework; (iii) the impact on residential amenity; (iv) highway safety; and (v) heritage impacts.

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.

- 5.4 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) updated in July 2021. The most pertinent element of the Framework is Paragraph 79 which states:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

- 5.5 Paragraph 80 of the Framework then goes on to state:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or

e) the design is of exceptional quality, in that it: - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

- 5.6 In this case the applicant is seeking support for the proposals under part (e) of paragraph 80. It should be noted that policy HG4 of the emerging Local Plan includes support for new homes in the countryside where it's design is on exceptional quality as set out in national planning policy.

- 5.7 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.

- 5.8 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.
- 5.9 Paragraph 80 of the NPPF offers support for development buildings of outstanding design in the countryside as an exception to normal policy and states that local planning authorities should support development that is:
- Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- Would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- 5.10 The application is presented in the belief that it complies with the requirements of paragraph 80. The argument for compliance with paragraph 80 is inextricably linked to the proposed design and the impact on the character and appearance of the area.
- 5.11 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."
- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 The above requirements all need to be considered alongside the requirements of paragraph 80. Whilst the requirements of paragraph 80 are demanding, they have to be achievable.
- 5.16 In assessing the requirements of paragraph 80, it is useful to consider the development against each of the criteria. This assessment has been informed

with advice from the Design Panel, which was contracted by the Applicant to assist in the assessment and development of the design.

- 5.17 The architect considers that their approach to architecture, including initial analysis, design strategy, design development, through to the final proposal is truly outstanding in itself 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.
- 5.18 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.
- 5.19 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. This does not mean that the development should be accessible to the public but that the learning gained from the development in terms of the design, materials used and technology employed should be available to a wider audience. In this case the Architect's team are well positioned in the industry with connections to higher education colleges, to provide this wider understanding of the development. A condition is recommended to require submission of a dissemination plan which will help to facilitate this.
- 5.20 The NPPF highlights the need to promote or reinforce local distinctiveness. 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 and unlike the previous refused scheme the final design has responded to the analysis undertaken incorporating locally distinctive materials and detailing within a contemporary scheme.
- 5.21 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 local stone, and slate tiles with reference to traditionally higher status buildings. The overall design has been somewhat simplified from the refused scheme and better reflects the local vernacular as a result.
- 5.22 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". The arrangement of buildings now proposed is considered comparable to these local examples.

- 5.23 The proposal is now considered to be outstanding in terms of the way in which it responds to traditional farmsteads found in the locality,
- 5.24 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 recently constructed). 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.
- 5.25 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 tritcale (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.
- 5.26 The application includes a proposal for an anaerobic digester on the site. The scheme proposes to use a Micro H2AD to heat & power the house utilising the waste & slurry produced onsite by the proposed stables as well as your existing cattle farm. This will apply the Circular Economy Business model to a home, farm & equestrian business. There is an intention to build on the AD contractors affiliation with academia through their long term relationship with the University of Nottingham to perform studies to gather data and information to increase opportunities for further future development of projects such as the Dromonby Bridge Farm Project. It is further intended to Develop the scheme to represent a viable future case study to help promote the use of the Micro H2AD technology for similar rural dwellings & farms across the country.
- 5.27 Lindhurst Engineering are working with the developer and have developed H2AD, an innovative small scale technology for the rapid and safe disposal of organic effluent whilst producing biogas. A hybrid of Microbial Fuel cell (MFC) and conventional Anaerobic Digestion (A2), H2AD is based on a patented bioreactor architecture and electrode system.
- 5.28 This system allows for a small scale development to be constructed unlike the industrial scale Biodigesters that we have seen in other locations. The amount of feedstock needed to make the system viable is also massively reduced and allows for a system that can operate only from waste from the site without the need to bring in feedstock from other sites.
- 5.29 The proposed scheme represents an exemplar that could lead the way for a potentially huge market and need within the UK to recycle animal and agricultural waste and convert into sustainable energy generated and used onsite.

- 5.30 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 (now para 80) (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.
- 5.31 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. As mentioned previously, this process has been informed through the design panel review process.
- 5.32 The detailed and thorough approach taken to the design has rarely been seen in Hambleton and should be commended.
- 5.33 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 80 of the Framework adds the extra requirement of 'significantly' enhance the dwelling's immediate setting.
- 5.34 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. The proposal now seeks to incorporate the remains of the ruined stone building into the scheme.
- 5.35 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.
- 5.36 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.
- 5.37 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.

- 5.38 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.
- 5.39 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.
- 5.40 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.
- 5.41 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.
- 5.42 The recent stone walls are constructed of a material that is not in keeping with the more considered choice of materials proposed for the development. This undermines the wider package of improvements set out in the proposal, which include biodiversity benefits and enhancements to the wider landscape framework. The section of wall along the immediate road frontage behind the current hedgerow (which was replaced following unauthorised removal) will be removed as it is considered harmful in the overall design of the development. Overall, it is considered that the proposed development would significantly enhance its immediate setting.
- 5.43 The NPPF requires that development be sensitive to the defining characteristics of the local area. 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, along with a review of policy and guidance. This has helped to draw out and identify the local characteristics.

- 5.44 It is accepted that the idea of a farmstead concept reflects the wider landscape character. It is considered that the current proposals manage to take this simple design concept and deliver it with a contemporary twist which lifts the proposals beyond what would otherwise be expected of a farmstead development. It is considered that the arrangement of buildings and spaces reads clearly as a farmstead type arrangement.
- 5.45 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 now considered to be reflective of this traditional arrangement. The choice and application of materials has been informed by those traditionally used in the locality but again are utilised in a contemporary manner but one which reflects the grain, texture and colours of materials found in the vicinity.
- 5.46 It is considered that 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. It is considered that the proposal would read clearly as a typical courtyard arrangement commonly found in the vicinity.

Design Review Panel

- 5.47 The Design Review Panel have been involved throughout the development of the current application and have had relatively significant input to the final scheme. There conclusion is that overall, the proposals are in accordance with the requirements of the tests set out in the NPPF. It should be noted that the submission refers to Para 79 e of the NPPF rather than Para 80 owing to the reports having been written prior to the new NPPF coming out in July. The latest version of the NPPF removes a reference to the development needing to be innovative.
- 5.48 A summary of the final Design Panel report is set out below:

Paragraph 79(e) of the National Planning Policy Framework (NPPF), states: "Planning policies and decisions should avoid the development of isolated homes in the countryside unless... the design is of exceptional quality in that it:

is truly outstanding or innovative, reflecting the highest standards in architecture (Criteria 1) and would help to raise standards of design more generally in rural areas (Criteria 2) and would significantly enhance its medietate setting (Criteria 3) and be sensitive to the defining characteristics of the local area (Criteria 4)

The panel are in agreement that the scheme (as presented in January 2021) meets all tests of Para 79(e) (Criteria 1, 2, 3 & 4).

Landscape Comments

It is felt the landscape proposals demonstrate the proposals are sensitive to the defining characteristics of the area and enhance the immediate setting.

It is said that the design demonstrates a legible narrative for the progression from interior rooms to outdoor spaces.

There is concern that the concept of grazing in the field leading down to Busby Lane may be lost in the current proposal.

It is felt that the connecting AD yard is an area that would benefit from further development.

Building Comments

It is felt the position and scale of the property is appropriate.

The concept of a formal frontage upon arrival and more relaxed rear continues to be supported.

It is felt there is a clear hierarchy of materials.

The insertion of the modern element within the ruins of the original stone structure ruins is supported

The additional information on the detached formal facade of the proposal was welcomed.

It is felt the use of brickwork at the gable ends and at low level on the AD building is not needed and should follow the style of the stables.

In regards to the main house it is felt that the proposal addresses the key points raised in the panel's previous feedback.

It is felt the low energy fabric, combined with the bespoke sustainable renewable energy system is innovative and reflective of the highest standards of architecture.

It is thought that there maybe opportunity for the applicant to provide commitments regarding the future dissemination of learning outcomes for this specific project.

Impact on Residential Amenity

- 5.49 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

5.50 At the time of writing the response of the Highway Authority is awaited. However, the proposals make use of the existing access point onto the road network, rather than the formation of a new access as set out in the previous refusal. Given the scale of the proposed use and the visibility splay at the entrance it is considered that the proposed development will have no significant impact on road safety.

Heritage

5.51 Within relatively close proximity to the site is Dromonby Hall (Grade I) which is located to the east of the site. The Dromonby Hall site also accommodates a grade II listed farm building.

5.52 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.

5.53 Paragraph 195 of the Framework states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

5.54 Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.55 Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

5.56 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.

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

Planning Balance

5.58 It is considered that there are no technical impediments to development in terms of drainage, highways or impact on residential amenity. The issues revolve around whether or not the criteria set out in Paragraph 80 of the National Planning Policy Framework have been met.

5.59 Paragraph 80 part e of the National Planning Policy Framework supports development of this type where:

- the design is of exceptional quality, in that it: - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; **and**
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

5.60 The landscape proposals demonstrate the proposals are sensitive to the defining characteristics of the area & would significantly enhance their immediate setting. Officers consider that whilst the development adds a number of new elements into the environment in this case, the quality and form of the proposals and their responsiveness to the local environment, do result in a development that significantly enhances its immediate setting

5.61 It is considered that both the design process, architectural execution and use of technology results in a development of exceptional quality which is truly outstanding and reflective of the highest standards in architecture. Owing in part to the stature and connectivity of the architect, the proposals are considered capable of raising the standards of design more generally in rural areas.

5.62 Following review of the submission and assessment of the final scheme as submitted, officers consider that the requirements of the NPPF are now met and as such an exceptional case for development in this location has been successfully made. On this basis the proposed development is recommended for approval.

6.0 Recommendation

6.1 That subject to any outstanding consultations the application be **Granted** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

2. The permission hereby granted shall not be undertaken other than in complete accordance with the following drawings:

- 4.2.1 Proposed Site plan
- 4.2.2 Proposed Site plan
- 4.2.3 Proposed Site plan
- 4.1.1 Proposed landscape masterplan
- 4.1.2 Proposed parkland landscape
- 4.1.3 Proposed formal gardens
- 4.1.4 Proposed Courtyards and riparian woodlands
- 4.1.5 Proposed SUDS
- 4.1.6 Proposed biodiversity enhancement
- 4.2.5 Proposed Basement plan
- 4.2.6 Proposed Ground Floor Plan
- 4.2.7 Proposed First Floor Plan
- 4.2.8 Proposed Second Floor Plan
- 4.2.9 Proposed Roof Plan
- 4.2.10 Proposed North Elevation
- 4.2.11 Proposed East Elevation
- 4.2.12 Proposed South Elevation
- 4.2.13 Proposed West Elevation
- 4.2.14 Proposed Garage
- 4.2.15 Proposed house and garage materiality
- 4.2.16 Proposed house and garage materiality
- 4.3.2 Proposed equestrian facilities ground floor plan
- 4.3.3 Proposed equestrian facilities first floor plan
- 4.3.4 Proposed equestrian facilities roof plan
- 4.3.6 Proposed barn floor plans
- 4.3.7 Proposed Barn North Elevation
- 4.3.8 Proposed Barn East Elevation
- 4.3.9 Proposed Barn South Elevation
- 4.3.10 Proposed Barn West Elevation
- 4.3.14 Proposed stables plan
- 4.3.15 Proposed Stables North Elevation
- 4.3.16 Proposed Stables East Elevation
- 4.3.17 Proposed Stables South Elevation
- 4.3.18 Proposed Stables West Elevation
- 4.3.20 Proposed AD Building Plan
- 4.3.21 Proposed AD Building Elevations
- 4.4.1 Proposed visibility Splays
- 4.4.3 Proposed bike and bin store

received by Hambleton District Council on 22 June 2021 unless otherwise approved in writing by the Local Planning Authority.

3. No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

4. Prior to the commencement of development other than initial site clearance, full levels shall be provided to and approved by the Local Planning Authority. Levels shall include existing and proposed land levels along with the proposed finished floor, eaves and ridge levels of all buildings proposed on the site. The development shall then be implemented in accordance with the approved levels.

5. Prior to the construction of any building, above ground level, full details including samples of all external building materials shall be provided to and approved by the Local Planning Authority. This shall include a built wall sample for any masonry structure showing the proposed bonding, coursing and jointing. The development shall then be implemented in accordance with the approved details.

6. The recommendations set out in the Flood Risk Assessment dated November 2016 shall be implemented in full prior to the occupation of the development hereby approved.

7. Prior to development above ground level an Ecological Enhancement Plan shall be submitted to and approved by the Local Planning Authority. The development shall then be implemented and maintained in accordance with the approved details.

8. Prior to occupancy of the development hereby approved an Information Dissemination plan shall be submitted to and approved by the Local Planning Authority. The Plan shall set out how learning from the development shall be disseminated in order to meet the requirements of paragraph 80 of the NPPF. The agreed plan shall then be implemented in accordance with a timetable, which will form part of the plan.

9. Prior to the occupation of the stables hereby approved a manure management plan shall be submitted to and approved by the Local Planning Authority. The development shall then be managed in accordance with the approved details.

10. The stables and menage hereby approved shall be for the sole use of the occupiers of the residential development hereby approved and shall not be used for livery or other third party equestrian purposes.

11. The construction of the development hereby approved shall accord with the energy methodology plan, section 4.5 set out in the Planning Statement dated June 2021.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) .
3. In order to protect the amenity of the area and to comply with Policy DP1.
4. In order to protect the amenity and landscape character of the area and to comply with DP1 and DP32.
5. In order to protect the character and amenity of the area and to comply with policy DP28, DP30 and DP32.
6. In order to ensure that the site is appropriately drained and complies with policy DP43.
7. In order to ensure that the positive ecological impacts of the development are achieved.
8. In order to ensure that the requirements of NPPF para 80 are fully achieved.
9. For the avoidance of doubt and to protect neighbouring residential amenity and comply with policy DP1.
10. In order to protect the amenity and character of the area and to comply with policy DP1 and DP30.
11. In order to comply with the requirements of NPPF para 80.