

Parish: Crosby
Ward: Bagby & Thorntons

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Committee Date : 27 October 2022
Officer dealing : Ms Helen Ledger
Target Date: 16 May 2022
Date of extension of time (if agreed): 31 October 2022

22/00139/FUL

Revised Application for construction of 2 No. free range egg units with associated hard standings, feed bins, access roads, attenuation ponds and landscaping (amended scheme of 21/00794/FUL).

At: Land East of Pillrigg Lane Track and South East of Moor Lane Thornton Le Beans North Yorkshire
For: Mr Steven Tweddle.

The application is brought to Planning Committee owing to the complexity of the case and the level of public interest in the application.

1.0 Surroundings Context and Development

- 1.1 The site is located in the open countryside approximately 0.87km to the east of the village of Thornton Le Beans and 1.25kms to the northwest of Borrowby village effectively sitting within the valley between the two villages. The site boundary is directly to the south of Old Hall Farm and adjoining Crosby Bridge Farm and stretches south and westward from this point. A new access for the site is proposed to the East onto Allerton Wath Road. The site is gently rolling bordered by hedgerows and trees and in the lea of the ridge of Cotcliffe wood and Borrowby Banks in the distance to the east. This is an area of high-quality landscape value, noted in the Hambleton Landscape Character Assessment and Sensitivity Study as of 'Tranquil, rural character.' There is a public footpath that crosses the northern part of the site and a bridleway that runs down adjacent to the access track to the south from Moor Lane. Allerton Wath Road is part of the Sustrans National Cycle Network 71.
- 1.2 The proposal is for the construction of two free range units to 7.99m maximum height and 172m in length north to south axis and 56m width east to west. Both units are identical with central access and two sections on a north/south axis. They are proposed to be finished with an olive green finish and with sedum roofs to east elevation. The proposed buildings extend to 9762 sq m each. This application follows a previously withdrawn application for a similar scheme which proposed three higher and longer units (10.13m high, long elevation being 264m in length and 33m wide) for the same use which was withdrawn in September 2021. This new application also includes roof mounted solar panels, the addition of ammonia air scrubbers to the design to filter ammonia and odour emissions.
- 1.3 The application describes the investment of approximately £8.6 million which would create 9 new full-time jobs. An economic statement accompanies the application and assesses two versions of the application, with and without the wider design enhancements offered through this latest resubmission. Version 2 relates to the higher specification currently applied for. This states that the proposal would be profitable and offer a contribution to the local economy in excess of £2.2 per annum in both scenarios, based on paid labour and goods and services purchased in the local economy.

- 1.4 Officers have commissioned habitats assessment in response to the proximity to the North York Moors SPA and North York Moors SAC located 5.92kms to the east at the head of the Hambleton Hills on the western edge of the National Park. This assessment concludes that the proposal is not likely to have a significant effect 'alone or in combination' on the afore-mentioned European sites. This assessment has been sent to Natural England for their comment and they have advised that they concur with the assessment conclusions.
- 1.5 The application as a major application with EIA was referred to the Secretary of State and the National Planning Casework Unit have advised that they have no comments to make on the Environmental Statement.

2.0 Relevant Planning History

- 2.1 21/00794/FUL - Erection of 3 No. free range egg units with associated hardstandings, access road, attenuation ponds and landscaping - Withdrawn
- 2.2 20/00350/APN - Construction of a new building for grain and farm machinery storage as well as bio-mas boilers for drying - Withdrawn
- 2.3 20/01277/APN - Construction of a new building for grain and farm machinery store as well as bio-mas boilers for drying - Refused

Reason - The proposed building has not been proven to be reasonably necessary for the purposes of agriculture within the agricultural unit concerned and therefore cannot benefit from the permitted development rights set out in Part 6, Class A of the GPDO. Further, the proposed development in this location is considered to have a harmful impact on the landscape character of the area owing to the design, siting and appearance of the proposed building.

3.0 Relevant Planning Policies

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Local Plan Policy S1: Sustainable Development Principles

Local Plan Policy S5: Development in the Countryside

Local Plan Policy S7: The Historic Environment

Local Plan Policy EG7: Businesses in Rural Areas

Local Plan Policy E1: Design

Local Plan Policy E2: Amenity

Local Plan Policy E3: The Natural Environment

Local Plan Policy E4: Green Infrastructure

Local Plan Policy E5: Development Affecting Heritage Assets

Local Plan Policy E6: Nationally Protected Landscapes

Local Plan Policy E7: Hambleton's Landscapes

Local Plan Policy IC2: Transport and Accessibility

Local Plan Policy RM1: Water Quality, Supply and Foul Drainage

Local Plan Policy RM3: Surface Water and Drainage Management

Local Plan Policy RM4: Air Quality

Local Plan Policy RM5: Ground Contamination and Groundwater Pollution

Local Plan Policy RM6: Renewable and Low Carbon Energy

National Planning Policy Framework

4.0 Consultations

4.1 Secretary of State for Levelling Up, Housing and Communities - National Casework unit - acknowledge receipt of the environmental statement relating to the above proposal. Confirmation they have no comments to make on the environmental statement.

4.2 Thornton le Beans with Crosby and Cotcliffe Parish Council - Object, this is an industrial scale activity.

- Transport and road safety, access needed via single track roads and accident black spot, vehicle movements not accurate, impact on walkers cyclists and horse riders. TA does not assess matters properly, nor does the update. Concern expressed on NYCC's findings and recommended conditions, whether they meet the required tests.
- Health and safety, risk to public health, noise and air born pollution, avian flu.
- Environmental Impact and Effect on Amenities, within a high value landscape with PRow
- Economic, 9 jobs created not weighing the impact on existing local businesses, over production of eggs in UK, final benefits are significantly over stated, financial appraisal is inaccurate
- Utilities - increased demand could affect current community supplies.
- Non compliance with EIA assessment as no Habitats Screening has been carried out, fencing not included in the scope (applicant states will erect under PD),
- Ecological report does not include, contact with local biological records centre, for records of protected species, reptile survey, Bat survey in Spring, Summer and Autumn. Refer to numerous comments by societies and individuals on sighting and concerns on wildlife, including impact on water ecology in Cod beck and downstream.
- Manure Storage, no details provided.
- No on site works accommodation submitted, site cannot be supervised by the applicant's existing site.
- Short comings of the Design and Access statement in terms of addressing local plan policy, no assessment of alternative sites considered or evidence of farm diversification.
- Proposal is contrary to policies of S1, S5, S7, EG7, EG8, E1, E2, E3, E4, E5, E6, E7, IC1, IC2, IC3, RM1, RM2, RM3, RM5, RM5.
- Various groups, individuals and consultants have been instructed by the Parish Council to supply comments on their behalf from the following specialisms;

Further transport response provided on behalf of the Parish

- The proposal would create demonstrable harm to users of Allerton Wath Road by reason of an unacceptable impact on highway safety, contrary to the expectations set out in national planning policy.
- Allerton Wath Road will not support passing of two HGVs for much of its length.
- Access from A168 through the village of Thornton-le-Beans is completely unacceptable for articulated HGVs.

Review of Updated Odour and Air Quality Assessments on behalf of the Parish

- The odour assessment based on small scale lab only research

- Erroneous data on air scrubber emissions
- Not carried out in accordance with guidance from the IAQM, as single method used
- Ammonia assessment based on proportion of birds using external space and notes exceedance of thresholds with no further assessment.
- Updated report on ventilation further matters raised; remaining questions and assessment on impact on NYMNP required.

Following further evidence and specifications of air scrubbers provided by agent,

- PC request that the modelling is re-run using the revised fan configuration now proposed.
- Based on dispersion modelling alone
- Thresholds will impact the community
- Will not meet the Environment Agency H4 guidance nor the Institute of Air Quality Management guidance on the assessment of odours for planning
- scrubber stacks within building there does appear to be the opportunity for downwash, pulling exit gases lower than stack height.
- SCAIL assessment required to judge impact on NYMNP

Flood and Drainage Report

- Report inaccuracies, beck 10m from the site, will take surface run off not site soft ground, via local beck and into wider river system and Humber natural conservation sites.
- Does not refer to water main at proposed site access
- States dirty water to be removed by tanker, not included in vehicle movements, not described how this is collected
- Liquid fertilizer is to be prepared for sale on site, how collected?
- No details on impacts of surface water runoff from ranging area, Foul Water Packaged Treatment Plant discharge,
- Underlying ground conditions are not suitable for the use of soakaways or infiltration technique
- IDB should be consulted

Noise Impact Assessment

- Notes internal fans now proposed and concerns expressed on; plant noise, alarms, aging equipment, traffic noise, shed clearing, construction noise

Report on Landscape Assessment

- Poor quality report, preparation does not comply with LI code of practice, noted agent is a director of LVIA Ltd. CGI images prepared and significant adverse effects on landscape character and visual / social amenity found.

4.3 NYCC Highways – Advised that the primary consideration in accordance with the NPPF para 111 the highway safety impact must be severe. The access from the Allerton Wath Road, which would be appropriately sized to allow two 16.5m long articulated lorries to pass each other from the public highway. Increased visibility splays are proposed based on a speed survey to the Design Manual for Road and Bridges methodology and previously discussed with the Local Highways Authority.

The majority of the access to/from the A19 meets the widths required by the national guidance (Manual for Streets) to allow HGVs and other traffic to pass. There are a number of points where the road drops below the required widths, particularly at the three bridges. However, the extent of these reduction in widths is modest, there is visibility between opposing traffic and appropriate warning signage is in place in accordance with the Traffic Signs Regulations and General Directions. The new Highway Code sets out passing distances, which would be difficult to achieve along much of the route to/from the A19 (particularly along the Allerton Wath Road); however, this is true for many roads in the County or indeed Country and in isolation is not considered grounds to recommend refusal.

It is noted that the peak trip generation would be 10 trips at the end of the bird cycle and that this would tend to occur at night when traffic flows are lighter. Typical flows are a modest 2-4 trips per day which given the existing traffic would not be likely to create conflict. It is likely that some HGV traffic will pass Knayton Primary School to reach the northbound A19 carriageway. However, approximately 113 HGVs pass the school each day without incident and an additional two trips or 1.8% increase is not considered significant (as a robust case if all departing trips join the northbound carriageway). The applicant has suggested that an Operational Traffic Management Plan be produced to secure the level of HGV movements associated with the site and their routing. A planning condition is recommended to secure this prior to occupation.

NYCC Highways acknowledge the public concern expressed about the increase in HGV trips, however the balanced judgement of this statutory consultee is that whilst concern must be expressed about the increase in HGV trips between the proposed site access and the A19, this is considered a low level generation associated with the development, a refusal on highways grounds would not be sustainable on this occasion.

- 4.4 North York Moors National Park - no objections to visual impacts on the park, the potential for additional livestock buildings within 10km of the North York Moors SAC/SPA requires this habitats assessment to ensure there will be no resultant air borne pollution (nitrogen/ammonia) arising and being deposited on the protected sites. Therefore under the Habitats Regulations there may be an adverse impact on the NYMNP the SAC and the applicant needs to undertake a SCAIL Assessment (Simple Calculation of Atmospheric Limits). The National Park's SAC is at critical loading mostly due to atmospheric pollution from sources outside the National Park.
- 4.5 RAF - No safeguarding objections raised.
- 4.6 British Horse Society - objects due to the impacts on users of bridleway.
- 4.7 NYCC Heritage services - No objections. Based on the evidence presented in the Heritage Statement and available through our own records the area has a low archaeological potential.
- 4.8 Sustrans - The NCN is a significant and valued asset, particularly in this part of Yorkshire where cycle tourism has been increased with world wide coverage of major cycling events in recent years. Keeping the Yorkshire landscape preserved, and the roads safe will ensure local cycle tourism will be preserved and give users a safe and pleasant experience and help boost the local economy. The predicted increase of carbon in the volume of traffic, particularly with HGVs, will not help achieve this target and will have a detrimental effect on these plans. The reputation

of the NCN through increasing the chances of accidents, and creating an unpleasant user experience will also be seriously compromised.

- 4.9 Environmental Health (Resident Services) - No objection to this application provided that the process acquires the relevant Environmental Permit issued by the Environment Agency under the Environmental Permitting regime and adheres to the conditions of the permit. This does not include any Environmental permit issued by the Environment Agency for the package treatment plant.

The applicant has provided reports on the impact of noise, odour and dust on the nearest sensitive receptors, which indicate that there will be a low or no adverse impact. These aspects are controlled through conditions in an Environmental permit issued by the Environment Agency. The EHO comments made on the original application remain valid and are repeated below.

Environmental Health would normally consider the impact on amenity and the likelihood of the development to cause nuisance. However, due to the proposed number of birds exceeding 40,000, the installation will require an Environmental Permit from the Environment Agency before it can operate. The permit will specify the standards of operation the operator must meet in order to control the risk of pollution to air, land and water. The permit will require the operator to use Best Available Techniques (BAT), which will lessen any impact on amenity and likelihood to cause nuisance.

- 4.10 Conservation and Policy - Previous comments acknowledged the 'setting' of the two Grade II listed farmhouses. The comments made by NYCC Heritage Records Department are also noted and respected referring to now acknowledge ridge furrow landscape.

Previous comments acknowledged there will be a change to the settings of the listed buildings, and that the poultry units would alter the landscape and setting of the heritage assets. It remains the case that the units can be described as an agricultural function adjacent to heritage assets. However, further consideration is now paid to the intensification of the access arrangements and the access cutting through a medieval landscape. This therefore tips the balance of harm from a rural historic landscape to an intensification of use which would amount to less than substantial harm to the heritage asset including the landscape.

It remains the case that setting is considered to be a subjective exercise, although relevant policy, guidance and advice is in place each application is dealt with on its own merits when it comes to judgement of setting. It remains that there is a difference between a view which contributes to the significance of a heritage asset and the general amenity of the area, as noted in the submitted heritage statement and. Historic England 2017 (Note 3, p.7).

- 4.11 NYCC Footpaths - Referred to response made on the previous application, general advice provided on PRoW on site and it is an offence to obstruct permanently or during construction.
- 4.12 North Yorkshire Local Access Forum – Impact on popular walking and riding routes, part of NCN route 71 represents a safety risk. Remind the LPA of policy S5 to protect and enhance the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment and provides an attractive recreational and tourism resource and is a valued

biodiversity resource. Bridleway outside the site would still be affected pollution. Tree screening will affect the character of the current open landscape.

- 4.13 Natural England – Require further information in order to determine the significance of these impacts and the scope for mitigation. Habitats Regulations Assessment – proceeding to Appropriate Assessment (AA) is required. Without this information, Natural England may need to object to the proposal. AA work commissioned from consultants WSP has been undertaken and shared with Natural England. Final NE comments are awaited and will be reported in the committee update sheet.
- 4.14 CPRE North and East Yorkshire - Continues to object to the proposal at this location due to highway safety impacts, detrimental impact on users of the bridleway and nearby PRoW and the scale and positioning within the open countryside.
- 4.15 Ramblers Association – The proposed changes to the proposal are academic and it will still form an intrusion to the rural setting. Any change to the PRoW will destroy the view point from the path.
- 4.16 Yorkshire Wildlife Trust – The ecological work has been updated to consider previous ponds, although one pond is discounted. Site has potential for ground nesting birds. No biodiversity net gain.
- 4.17 Environment Agency – The Flood Risk and Drainage Assessment indicates that the treated sewage effluent will discharge to an adjacent watercourse but does not specify which watercourse. Appendix C of the Flood Risk and Drainage Assessment indicates the discharge point for surface water run-off, but does not indicate the discharge points for treated foul water. The proposed development will be acceptable if the siting of the discharge points for the treated sewage effluent are implemented and secured by way of a planning condition on any planning permission. No objections subject to conditions for compliance with the Flood and Drainage assessment.
- 4.18 Lead Local Flood Authority – The LLFA notes the site is within flood zone 1 and that it holds no records that flooding has been experienced on site. Following receipt of more information in the ES Appendix 6 Flood Risk and Drainage Assessment, Alan Wood and Partners, Rev A March 2022, it is confirmed the revised information submitted demonstrate a reasonable approach to the management of surface water on the site. The LLFA recommend conditions are attached to any permissions granted to control:
- Runoff rate, Storage Requirements and Maintenance
 - Scheme built in accordance with the FRA as referenced above.
- 4.19 Environmental Health (contaminated land) - No observations/comments at this time.
- 4.20 Two site notices were posted and immediate neighbours notified. The application requiring EIA was also publicised by newspaper advert in the Darlington Stockton Times.

295 public observations on the proposal were received. The following is a summary of the issues raised through the consultation. The vast majority were objecting to the proposal.

Impacts on:

- Highway Safety and increased HGV traffic
- Bridge crossings
- Amenity issues, noise, odours
- Leisure routes and rights of way, horse riders, cyclists and walkers, inc Sustrans route
- Industrial scale buildings
- Negative impact on the countryside, ecology, environment, water, air and wildlife
- No benefit to the local community to off set the impact
- Pollution and methods to resolve insufficient
- Avian bird flu risk
- Long distance views, visual and landscape impact
- Industrial use better suited to other parts of the district
- Will bring unforeseen pollution issues as shown in Herefordshire and Wales
- Limited jobs created
- Redesign and solar panels change nothing
- Factory farming use proposed
- Traffic impact on Knayton Primary school and Hillside scout hut
- Climate change
- Future decommissioning required
- Public Health impacts
- Impact on tourism
- Site security,
- Future dwelling on site?
- Additional wear and tear on the road surface
- Use more suited to a brownfield site
- Animal welfare
- Construction impacts
- Traffic survey at the wrong time of year
- Impact on Cod Beck, eutrophication and ecological
- Affect future farming productivity of the site
- Inappropriate in scale
- Impact on Borrowby Village
- Flooding and drainage
- Concerns raised on the transparency and accountability of the land ownership, applicant and application
- Should access routes be blocked no suitable diversion option
- Tourist area, local economy affected
- Should be on brownfield land
- Out of keeping with the tranquil and beautiful countryside
- Should be near transport hub
- Will affect property values
- Ecology report contains photos taken without permission
- Flies/mosquito
- Safety and security of the site
- Should the scheme collapse site would attract crime an arson
- Site ownership and finance is grey
- Credible alternatives sites not considered

- Cumulative effects of this proposal in combination with other similar poultry units in the catchment have not been considered.
- Heritage Assessment submitted by the applicant is incorrect/inadequate
- Environmental Statements are superficial, emissions, fan noise
- Risk to health and wellbeing
- Light pollution
- Well documented implications on the river Wye
- Loss of productive farmland
- Poor design quality
- Inaccuracies in ecology report
- Limited or no contribution to the local economy
- No shortage of eggs nationally
- Impact on heritage
- Precedence – A previous Application for a Biomass installation, on the same site, was rejected by HDC in 2020, as unsuitable.
- Vermin
- Impact on Knayton School
- Timing – changes in farm subsidies
- Planning present, previous refusals on this site
- Contrary to the Local Plan
- Inferior local services to support
- Negative impact on small businesses
- Requires further habitats screening, Humber SACs
- Environmental statement does not comply with the regulations, inconsistencies in evidence presented on environmental impact and ammonia modelling
- Fencing cannot be done under Permitted development should be part of the ES considerations
- Irreversibly of converting agricultural land to this use
- LVIA Ltd is majority owned by the Agent, Mr Pick, with Mr Friend being the minority owner
- No provision or inclusion of sustainable transport
- Financial appraisal overstated.
- Dispute the findings of NYCC on the daily number of HGVs passing Knayton School.

Neutral Responses

- Relocation of access
- Trust HGV drivers will be instructed to take care due to horse riders
- Agriculture is beneficial to the area, planning conditions and regimes can manage the impacts
- Existing congestion at Primary school needs addressing separately
- Will secure UK Food production
- If successful, condition no use of NW site access, remaining land to be traditionally farmed, no HGV traffic to pass through Thornton le Beans

5.0 Analysis

- 5.1 Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, applying all relevant Development Plan policies, and considering all other policy and guidance (including the NPPF and PPG) and all other material planning

considerations, including representations received, it is considered that the main planning considerations raised in relation to the determination of this application are as follows:

- Impacts on the heritage assets
- The principle of development
- Design of the proposed development
- Impact on countryside character and character of the local area
- Highway safety
- Residential amenity
- Ecology and Green Infrastructure, including the impact on the SAC
- Flooding and drainage
- Financial viability

Impact on heritage assets

- 5.2 Paragraph 197 of the NPPF 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.
- 5.3 The Local Plan echoes national policy and requires the protection and enhancement of the historic environment whilst facilitating development in a way that respects and strengthens the distinctive character of the landscape and the form and setting of settlements, policy S1 part e.
- 5.4 Policy S7 requires that heritage assets are conserved in a manner appropriate to their significance. Policy E5 - Development Affecting Heritage Assets, will only support proposals where those features that contribute to the special architectural or historic interest of a listed building or its setting are preserved, those elements that contribute to the archaeological interest and setting of a scheduled monument or other archaeological site of national importance will be conserved.
- 5.5 The site is adjacent two listed buildings both of which are farmhouses. Old Hall Farmhouse and Crosby Bridge Farmhouse, both Grade II listed. The former being adjacent the site to the north-east and the latter being immediately adjoining the former to the north. Both sit close to Allerton Wath Road and are within an open landscape of rolling fields with the Allerton Wath road to the east. Public consultation and NYCC Archaeological service describes the application site having the potential for ridge and furrow features. The applicant's Heritage assessment covers these features and the assets have been assessed in detail by research commissioned by the Parish Council and local community. The Council has also sought advice from our in-house Conservation professional.
- 5.6 The site sits in a farmed landscape however it is noted that the proposal would intensify the use of the site and the range of new proposed built infrastructure would create some harm. No direct harm to the listed buildings is identified, but the impact on the setting of these assets also requires assessment. There will be a change to the setting of the listed buildings, and the poultry units would alter the landscape and setting of the other heritage assets. It remains the case that the units can be described as an agricultural function adjacent to the heritage assets. However, the intensification of the access arrangements and the access are cutting through the landscape adjacent. This therefore tips the balance of harm from a rural historic

landscape to an intensification of use which would amount to less than substantial harm to the setting of those heritage assets and the wider landscape.

- 5.7 Advice from NYCC would find that archaeological remains are likely to have been disturbed by a network of land drains. They recommend no further action. It is considered that the proposed development results in no harm to local archaeology.
- 5.8 The heritage assets are described as above and in addition to the Listed Buildings the landform features within the wider site and for their setting. Legislation and policy requires the Council shall have special regard to the desirability of preserving the setting of a listed building and heritage assets along with any features of special architectural or historic interest which it possesses. It is acknowledged there will be a change to the settings of the listed buildings, and that the poultry units and range of paraphernalia associated would change the open landscape. It is noted the units can be described as an agricultural use adjacent to rural heritage assets and not be unexpected in a working countryside; however the intensification of the land use cuts through a medieval landscape. On the balance of harm, the change from an open rural historic landscape to an intensification of use would amount to less than substantial harm to the significance of the heritage asset including the landscape setting. It needs to be remembered that this judgement on the impact on the significance of a heritage assets and their settings is very different in considering the impact on the general amenity of the area.

The principle of development

- 5.9 Policy S1 seeks sustainable development across the district supporting adaptation for climate change, supporting businesses and communities' access to services by making effective and efficient use of land, supporting social cohesion, minimising the need to travel and promoting sustainable modes of travel; secondly by ensuring communities have a healthy, safe and attractive living and working environment with reasonable access for all to a good range of facilities and services. Other key relevant principles are:

d. Promoting Hambleton as a recognised location for business by providing a range of employment opportunities that meet local aspirations, including high quality jobs, meeting the needs of new and expanding businesses and recognising the contribution of the rural economy;

e. Protecting and enhancing the high quality natural and historic environment whilst facilitating development in a way that respects and strengthens the distinctive character of the landscape and the form and setting of settlements;

f. Ensuring that development takes available opportunities to improve local environmental conditions, such as air and water quality, seeks the reuse of suitable previously developed and underused land and buildings, and reclaimed materials;

- 5.10 Policy S5: Development in the Countryside seeks to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment and contributes to the identity of the district. This policy also requires development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located.

- 5.11 The site is outside the built form of any settlement and within the open countryside with the Cotcliffe bank and ridge line beyond the site to the east. Whilst there is a single agricultural building to the very north-west of the site, accessed from the bridleway to the north, the new proposals are detached and proposed in a different part of the site. It represents major development within this countryside location and does not rely on expanding any existing features of built infrastructure.
- 5.12 The 2021 NPPF continues to support a prosperous rural economy, para 84. states decisions should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and b) the development and diversification of agricultural and other land-based rural businesses. It acknowledges at para 85 that some businesses require a rural location and maybe beyond sustainable transport options, in these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 5.13 In protecting the natural environment section 17 of the NPPF states decisions should protect valued landscapes and recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. Decisions need to minimise impacts on and provide net gains for biodiversity. It is also worth noting reference to the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 5.14 Local plan policies EG7 and EG8 acknowledge that some rural employment uses can be supported where these involve re-use of an existing building, a new building well-related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement, or an identified employment location and the use requires a countryside location. The proposal is a farming operation and is better suited to a site away from settlements to avoid amenity and visual impact; however, it is also noted by many that the scale of the scheme and building shape and size that it is at the intensive end of the farming spectrum and very different in form and character to the range of contained rural farmsteads that dot this part of the district. That said this development clearly requires a countryside location and could not readily be supported within an employment site.
- 5.15 The Local Plan acknowledges the role of agriculture within Hambleton and its importance to the local economy and policy EG8 continues to support this position within the limits provided by the policy. Primarily the policy seeks to expand existing farmsteads rather than provide new farming infrastructure where there currently is none and there must be a demonstrable need for a more isolated location. But where this occurs the building should be well integrated with its surroundings, being of appropriate location, scale, design and materials and with appropriate landscaping so as not to harm the character, appearance and amenity of the area; and finally, the approach roads and access to the site should have the capacity to cater for the type and level of traffic likely to be generated by the development.
- 5.16 The applicant wishes to set up a new enterprise of substantial scale and proportion which requires the substantial site area subject to the application to comply with regulation aimed at protecting the environment, as shown within the Environmental

Statement. Modifications have been made to the scheme to allow for the ranging area required by the RSPCA.

- 5.17 In the environmental statement, Chapter 4 considers solely the applicant's existing agricultural holding, understood to be at Morton on Swale. It is stated that this site is already being fully utilised. No other alternatives appear to have been considered.
- 5.18 The site itself is not entirely isolated from other development with two farmsteads adjacent but it is noted that they are not of the same type or scale of that proposed and the agricultural buildings are of a minimal scale and positioned around a central farmstead pattern.
- 5.19 Key to both national and local policy is that the development should not harm local character or the countryside and be supported by appropriate access arrangements. Given the size and scale of the proposal, for it to be acceptable in principle it must also be shown to meet these policy requirements.

Design of the proposed development

- 5.20 The Local Plan policy E1 requires all development should be of a high quality, integrating successfully with its surroundings in terms of form and function, including respecting and contributes positively to local character, identity and distinctiveness in terms of form, scale, layout, height, density, visual appearance, visual relationships, views and vistas. Policy S5: Development in the Countryside seeks to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment, contributes to the identity of the district.
- 5.21 It is noted that the scale and number of the original proposal have been revised down and two units are now proposed with a series of additions features, sedum roofs to the east elevation and roof mounted solar panels with olive green finish. New landscaping is also proposed. However it is noted these are a set of two double sided extremely large poultry sheds with a ridge height of almost 8 metres and a set out four feed bins on each building beyond this height. However the scale of these buildings is also set by the length of the elevation, 172m in length north to south axis which would a line with the Allerton Wath road.
- 5.22 The design is evidently functional and the type and style of materials not dissimilar to other units in the district. The new design policy requires a design that integrates with the surroundings, respects local character identity and distinctiveness. The conflict with landscaping policies under the principle is noted above but under design, it is found that location and scale plus the failure to respond to views and vistas, notably those at elevation, would additionally conflict with policy E1. Nor does it respect the intrinsic beauty, character and distinctiveness of the countryside required by policy S5.

Impact on countryside character and character of the local area

- 5.23 The agent has supplied a Landscape and Visual Impact Assessment (LVIA) to understand the project and mitigate any impacts. To help the Council in it's assessment of this research and make its own assessment the Council has commissioned its own landscape advice.

5.24 The applicant's LVIA states;

Paragraph 16.1.6 of the LVIA states that "it has been assessed that a minor loss of key landscape elements and the introduction of elements that may be prominent but may not be considered uncharacteristic will occur. Consequently, the significance of landscape effect for the construction of the proposal is assessed to be minor adverse (i.e. not a significant change).

5.25 To assess the visual impacts the LVIA considers the site from 6 viewpoints, it states viewpoints from a higher level using the publicly accessible routes that follow the site boundary to the west and east "*would experience adverse change due to the proposals, but that the change would be agricultural in what is predominantly an agricultural landscape*" But despite this concludes "*.....no significant adverse impacts to the visual or landscape baseline at a residual stage. Therefore, the proposed scheme is judged to be acceptable on landscape and visual grounds*".

5.26 The Council's commissioned review by Land Use Consultants (LUC) notes that the site sits in the valley around Cod Beck, between Borrowby, to the east, and Thornton-le-Beans, to the west. As the Council's landscape evaluation to support the new local Plan notes, this valley has a rural and tranquil character and is characterised by open pasture, small copses of woodland and farm buildings. The road network is characterised by minor roads and there are a number of PRow around the site, including a PRow which crosses through the farm north of the site, and throughout the Cod Beck valley.

5.27 The Proposed Development includes two proposed buildings, which are large in scale whilst smaller than the submitted scheme they are now proposed with a footprint of 171m by 58m and with roof ridges up to 7.99m in height. At this size the buildings will be considerably larger than agricultural buildings within the local landscape and would be fair to say they are akin to industrial buildings. For context, one of the larger single agricultural buildings in the local area is at the neighbouring Crosby Grange and measures approximately 70m by 33m.

5.28 The Landscape Proposals plan (drawing IPA1244-11) for the revised scheme indicates a belt of native whip planting surrounding the two proposed buildings, with smaller areas of planting in the field edges to the east and north-east of the site. Due to the specification of the plant material (transplants 60-80cm height), the landscape mitigation will result in very limited screening benefit during year 1 and early establishment. The species mix comprises small tree and shrub species with the dominant species in the mix having an ultimate height at maturity of between 2.5 to 4.0 metres. Characteristically, the local landscape is wide open fields with hedgerow boundaries and copse of trees, the shape of the proposed planting would represent an uncharacteristic and potentially incongruous feature within the landscape due to its lack of a naturalistic form.

5.29 The LUC report concludes by describing the visual affects being significantly under-represented and that development of this scale and appearance would adversely alter the local landscape from the loss of open farmland, changes to the terrain likely to be required to accommodate such large buildings on an undulating valley floor, and as a result of the planting proposed. The buildings are of a far larger scale than existing buildings in the valley and would alter the rural and tranquil character, as the valley would feel more developed. It also notes the significant impacts during construction, and whilst landscape mitigation matures, and indeed during winter months. The site is highly visible from the ridge above Borrowby and possibly in the

distance from the village itself. LUC also assessed the site from the west edge of the North York Moors National Park and the long distance footpath, the Cleveland Way which whilst further away is more elevated and affords some open panoramic views towards the site

- 5.30 The report from LUC finishes with a series of recommendations to enhance the assessment in the applicant's own LVIA. The full report and these findings were shared with the agent who made it clear their view greatly differed from the Council's own commissioned work.
- 5.31 To conclude, it is found that the scale of the proposal, in footprint and land take, and the high quality nature of the surrounding valley landscape are incompatible with each other and this application cannot be supported by the aforementioned local plan policies, including EG8 that requires, no harm to the character and appearance of the environment result from development and NPPF para 84 that requires development to be sensitive to their surroundings.
- 5.32 The reduction of scale from the previous application is welcomed. However, this remains a major development out of scale with its surroundings. Landscaping works proposed provide a local species mix but the site would remain out of character in scale with pronounced views from the surrounding ridge line which would exacerbate this situation. This matter of principle would fail.

Highway safety

- 5.33 The second aspect of both national policy and that of the local plan would be whether the proposal can have acceptable impact on local roads. This issue has been widely mentioned in the public consultation exercise. It is noted the site and the wider area are crossed by PRoW and that the access proposed would be directly onto part of the National Cycle Network. NYCC have considered the application in terms of highway safety and consulted their bridges section on the crossing points made along the route. It is noted that the NPPF para 111 states that the impacts on highway safety, or the residual cumulative impacts on the road network, must be at the severe in order to warrant refusal on highway grounds.
- 5.34 The revised proposals are for two free range egg units housing 128,000 birds in total with the Transport Statement (TS) confirming that HGVs associated with the operation of the site would be routed south to the A19 trunk road. The TS states that the site would be operational 24 hours per day, seven days per week. The flock cycle would be 60 weeks, with birds expected to be delivered at the beginning of the cycle between 10:00 to 12:00 over a period of eight days in articulated lorries. This activity would generate two articulated lorries (four trips) per day (32 trips in total). Bird collection at the end of the cycle would take place over four nights and generate five articulated lorries (10 trips) per night (40 trips in total). The typical day-to-day operation of the site would generate 10 HGVs of varying size per week (20 trips). The applicant's consultant has advised that this would equate to 2-4 trips per day. In addition, nine staff are expected to generate 18 vehicle trips per day.
- 5.35 The local highways authority finds the access point and visibility splay acceptable given the local speeds surveyed and meets the Design Manual for Roads and Bridges. The majority of the route to/from the A19 is sufficiently wide to allow an HGV and a car to pass and many points are wide enough for two HGVs to pass. There are a number of points where the road drops below the above widths, particularly at the three bridges along the Allerton Wath Road, but notes that the

extent of these reductions in width are modest, there is visibility between opposing traffic and appropriate warning signage is in place in accordance with the Traffic Signs Regulations and General Directions. It notes the updated Highway Code and the priorities for cyclists, riders and pedestrians including the passing distances recommended cannot be achieved; but notes this is common in the county such as could not be recommended for refusal on this basis.

- 5.36 Finally, NYCC Highways note that the peak HGV traffic would be generated when the birds are collected at the end of each cycle with 10 HGV trips per day but these would take place at night when traffic flows on the highway network are typically lower and there is less potential for conflict with other highway users. During typical day-to-day operation 2 to 4 HGV trips per day are expected, which is considered modest. Given the balance of low existing traffic flows plus the additional expected flows the Highway Authority consider it acceptable. It notes that on average 113 HGVs pass Knayton School on a daily basis without incident and the modest increase of 1.8% if all HGVs use the north bound route is not considered to warrant a refusal recommendation. The highways authority recommends a range of conditions including an Operational Traffic Management Plan to secure the level of HGV movements associated with the site and their routing.
- 5.37 It is true the proposal will create additional traffic including HGVs with peaks at destocking stages. The local highway authority do not consider this to be considered severe to warrant a refusal recommendation. On balance this proposal is considered acceptable in highway safety terms. The highway authority do not consider the wider amenity impacts however, only as they relate to safety. It would be likely that the scale of the proposal and the additional traffic movements may have a local amenity impact on occasion on recreational users of the valley PRoW and the National Cycle Network in as much as it would harm the current enjoyment of a tranquil valley route to surrounding villages and beyond between Northallerton and the fringes of the North York Moors National Park. This should be considered alongside the requires of EG8, which covers the matter of local amenity and appearance of the area.
- 5.38 The application would fail on the matter of principle in terms of the impacts of local character and appearance however it can be considered acceptable in highway safety terms.
- Residential amenity
- 5.39 Policy E2 seeks to protect amenity, this is from the impacts of new development which includes noise, water and air pollution including dust, contamination and light disturbance among other matters. Of relevance to this application the policy seeks to ensure physical separation distances to avoid oppressive or overbearing impacts. The policy notes that where mitigation is necessary this needs also to comply with the relevant policy requirements.
- 5.40 Much concern has been expressed in representations on the likely impacts on amenity from noise, smells and airborne particles along with impact from vehicular movements. It is noted that a site of this scale falls into the Environment Agency's permitting regime and reports on these impacts plus ammonia have been supplied by the applicant. An environmental statement as required by the Environmental Impact Assessment regulations has also been supplied with the application and this report publicised in line with the regulations. It is noted that the National Planning Casework unit has not called the application in on behalf of the Secretary of State.

- 5.41 To consider any potential impacts on the North York Moors SAC separate habitats work has been commissioned and published. The Appropriate Assessment sets out that the air scrubbers proposed provide the necessary mitigation to remove the air borne particles thereby safeguarding the designated site and that no further action is necessary as a result of this application either alone or in combination with other plans or programmes.
- 5.42 The nearest non associated dwelling is Crosby Gardens directly to the south 50m from the edge of the site and located on the edge of Cod Beck, 350m from the nearest proposed poultry shed. Old Hall Farm and Crosby Bridge Farm are 60m north of the edge of the site and 410m from nearest poultry shed, both are farming enterprises. 870m to the north are two non-farming dwellings at Crosby Manor. The edge of Thornton Le Beans is approximately 900m to the north west from the part of the site where the poultry buildings are proposed. Borrowby village set on the southern edge of Cotcliffe ridge is west and south by 1.16km.
- 5.43 It is considered the site and the proposals are sufficiently separated from other non-associated residential dwellings to not have an over shadowing impact. Whilst lighting will be present and is not indicated in the submission, it could have an impact on the area at night in visual terms but is not considered to create an impact on residential amenity. Noise issues are considered to be very similar in these terms and not to result in any significant impact on residential amenity. It is likely that noise from access traffic will be perceived by users of the Allerton Wath road and the impact of the buildings and infrastructure on the wider landscape for users of the right of way network.
- 5.44 The Environmental Statement states noise emissions from the air scrubber extract fans, transport activities (HGV movements and loading/unloading using a forklift within the concrete apron) and internal plant as a result of the proposed development have been assessed in accordance with BS4142:2014. The noise report describes the individual and aggregate BS4142 noise impact from the assessed noise sources and states these will be low to the nearest dwellings. Further site management with regard to minimising noise emissions is also covered.
- 5.45 The Environmental Health resident services team have assessed the application and the Environmental Impact Assessment materials and reiterated their position taken under the previous application last year. They advised, due to the scale of the installation it will require an Environmental Permit from the Environment Agency before it can operate. The permit will specify the standards of operation the operator must meet in order to control the risk of pollution to air, land and water. The permit will require the operator to use Best Available Techniques (BAT), which will lessen any impact on amenity and likelihood to cause nuisance. They had a no objection position.
- 5.46 The scale and nature of the development proposed will change the local open rural character and assessment is made above on the local landscape character. There will be amenity impacts such as noise and visual amenity. It is considered these are limited to the edge of the site and given the extensive environmental control regime and based on the research provided it is considered that the application can be made sound in terms of the impacts on local residential amenity.

Impact on the SAC

- 5.47 Policy E3 requires that all development must have a net gain for biodiversity, additionally it states a proposal that may impact on a special area of conservation (SAC) will only be supported where it can be demonstrated that there will be no likely significant effects and no adverse effects on the integrity of a European site.
- 5.48 Through the course of the application the Council commissioned work from specialist consultants, WSP, to help assess the impacts on the North York Moors Special area of Conservation. Further consultation with Natural England (NE) was carried out on this during August and September. Comments from NE on the initial habitats screening work provided on behalf of the Council sought a full Appropriate Assessment to adequately consider the impact of airborne emissions on the SAC and the design mitigation proposed by way of air scrubbers. This has been undertaken by WSP and statutory consultation with NE carried out.
- 5.49 The Appropriate Assessment concludes there is a Likely Significant Effect arising from the emission of ammonia from the proposed development. This could lead to a reduction in the extent or quality of the Northern Atlantic Wet Heath and/or Blanket Bog qualifying features of the SAC. The information provided by the applicant demonstrates that ammonia levels are appropriately controlled by the inclusion of ammonia scrubbers within the air outflows of the proposed development, such that levels of ammonia and associated nitrogen deposition to the North York Moors SAC are increased by less than 1% of the relevant critical level or lower critical load at all receptors modelled. On this basis Natural England raise no objections to the proposals.

Ecology and Green Infrastructure

- 5.50 Policy E4: on Green Infrastructure recognises the importance of landscaping and requires proposals to incorporate and where possible enhance existing green infrastructure features, it should enhance the corridor and its functionality; increase woodland cover with appropriate tree species and take opportunities to protect and enhance the public right of way network.
- Ecology impacts were another widely raised issue in the public consultation. The impact on the NYM SAC has been previously considered. Ecology work has been provided by the applicant by way of a preliminary ecological appraisal of the site in January 2021. They propose biodiversity enhancements for wildlife including the conversion of a substantial area of arable land into grassland, the establishment of a 5m wide fenced buffer zone alongside Cod Beck, the placement of hedgehog boxes in the bases of hedgerows and the erection of bird and bat boxes on suitable trees within the curtilage of the farm. Once applied and carried out, the recommended ecological protection and enhancements will provide assurance that there is no net loss to biodiversity and no unacceptable adverse impact on ecosystem services.
- 5.51 The case officer has asked for further clarification on biodiversity net gain. The agent supplied further advice from their ecologists. They state they have carefully studied the landscaping proposals for the above site and note prior to development the majority of the site consists of land in arable production. This is to be replaced by two poultry sheds, mixed native tree and shrub planting with a general purpose meadow mixture sown close to the two new poultry sheds. Two new attenuation ponds will also be constructed on the site and sown with wildflowers for wetlands mix. Prior to development the site largely consists of a mono-culture of arable land.

It has narrow arable field margins with low plant diversity. Post development, a substantial area of the site is being planted up with mixed native trees and shrubs. These newly created woodlands will contribute to an increase in biodiversity on the site by eventually providing much increased opportunities for invertebrates, birds, bats and small mammals.

5.52 The new dispersed woodland planted as farm tree shelterbelts is also being used to reduce ammonia emissions and the associated environmental and social impacts. The planting up of the attenuation pond areas with wildflowers for wetlands mix will provide much increased opportunities for invertebrates and birds. In terms of carbon sequestration permanent grassland, woodland and ponds are types of habitat which are significantly better than arable land. No specific calculation has been provided to consider the described additional biodiversity benefits of the scheme and as such it is unclear whether this is a net gain or otherwise.

5.53 The site is edged to the south by an existing bridleway and to the north the site is crossed by a public footpath. Neither routes will be directly affected. However, the consultation responses raise concerns on loss of character and enjoyment arising from the proposed development. It is clear that these routes that cross the site directly feed into the wider, extensive public rights of way network towards the Cotcliffe ridge area where elevated views would make the impact of this exceptionally large development much more harmful in the attractive valley landscape. Whilst planning conditions can be used to protect the PRoW network during development and the site is active, the new planting proposed will take a long time to be fully established. The Council's commissioned landscape report concludes the development would be wholly out of character and would not enhance the public right of way network as sought by policy E4.

Flooding and drainage

5.54 RM policies 1-3 require appreciation of the water basin management plans and no adverse impact on, or unacceptable risk to, the quantity or quality of water resources, both surface water or groundwater, or on meeting the objectives of the Water Framework Directive and the Habitats Directive, or the abstraction of water; and there is or will be adequate water supply and treatment capacity in place to serve the development. Policy RM3 require drainage implications to be acceptable and adequately dealt with on site using various methods including SUDs. Any watercourse on a development site must be retained and, where possible, restored and enhanced and to safeguard against the pollution of ground water the use of deep infiltration SUDS, such as deep borehole soakaways, will not be accepted in most circumstances.

5.55 The Environmental Statement (ES) provides details on the measures surface water drainage is proposed in the form of a sustainable drainage system using attenuation ponds and restricted discharge to the drainage ditch system. There are no public sewers in the vicinity of the development and consequently an appropriate foul waste water treatment plant will need to be provided. Foul and surface water drainage on the site will be separated to prevent discharge of dirty water to watercourses. The inside of the proposed building will be sealed and drained to sealed underground dirty water containment tanks. The proposed dirty water tanks will collect contaminated water produced in the washing out process.

- 5.56 The applicant has provided plans and other documentation which indicate that the treatment of sewage will be by means of Kingspan Klargester Biodisc sewage treatment plant(s). The Environment Agency were consulted and provided advice.
- 5.57 The proposed development will be acceptable if the siting of the discharge points for the treated sewage effluent are implemented and secured by way of a planning condition on any planning permission. The EA recommended a series of planning conditions and an informative on intensive farming to deal with the issues arising.
- 5.58 The design and access statement states that the applicant proposes that poultry manure be dried, pelleted and bagged on site within the central working area. The dried and pelleted and packaged product will then be sold as a sustainable agricultural fertiliser, which brings a further income stream as covered in the financial assessment. The benefits of the drying and pelleting process are that the product is more versatile and can be applied to land with a standard fertiliser spreader the same as chemical fertilisers are.
- 5.59 The product doesn't require a muck spreader and the application of the pelleted product to land is a completely odourless process.
- 5.60 It is noted the site is crisscrossed with land drains that drain into Cod Beck. The IDB has not chosen to make representations this time would it is understood they undertook extensive work since the last application to regularise the land drainage systems in line with their responsibilities.

Financial viability

- 5.61 The matter of financial viability was raised through the consultation exercise. A financial report from GSC Greys has been submitted with the application prepared on behalf of the applicant under to help justify the project. This provides specific advice on the economic benefits asserted by the proposal. Local Plan policies recognise and support the rural economy, S1 d) of the sustainable development objectives. The same objective is Hambleton for to be recognised as location for business by providing a range of employment opportunities that meet local aspirations. In considering any harm identified regard should also be had to the benefits to the local economy.
- 5.62 The financial report sets out that the proposal for consideration now would represent a £8,628,241 investment. An initial assessment also considers an industry-standard proposal without the further enhancements proposed in this current application, which is a £ 3.4mn less under the enhanced set up cost, cited as version 1 in the report. It is stated the application would exceed the current farming requirements both in terms of legislative requirements and codes of good agricultural practice such as the RSPCA Assured standards. It considers the cycle of poultry farming and indicates a year 1 and year 2 profit figures for both projects. The financial assessment indicates that the proposals have the potential to be profitable, cash generative and provide margin against risk. Each year, it is stated, once the units are established, the development is expected to contribute £2,240,416 per annum to the economy under Version 1 and £2,221,345 under Version 2.

Heritage assets and public benefit

- 5.63 The impact on the heritage assets of the two grade II listed farmhouses is described above and the harm identified as less than substantial on their setting. The NPPF para 202 allows planning decisions to consider any public benefits of a planning proposal in the balance against the harm identified, where a development proposal will lead to less than substantial harm. The impact on the setting of the heritage assets is from the scale and intensification of the development proposed. It is noted that the proposal offers no benefits in terms of securing the optimal viable use of the assets. The public benefit identified here is the creation of 9 full time jobs and £2.24m to the economy per year. Whilst job creation and wider economic benefits are valuable, it is considered that given the impact in the scale and intensification of the proposal over a large site area within the setting of these two grade II assets, that this is insufficient to offset the harm identified.

Planning balance

- 5.64 It is found that the site and the scale of the proposal would have significant impact on its environs by way of landscape character and visual impact would have a significant impact on the local character of this area of the District. This is in direct conflict with policies S5, EG7 and EG8 meaning that the principle of this development proposed cannot be supported.
- 5.65 Whilst the other issues raised by this assessment can be adequately dealt with by condition or resolved a refusal recommendation is recommended. It is noted that there is no qualifiable biodiversity net gain however the recommendations proposed by the ecological statement is likely to, if not precisely qualifiable, give rise to some limited ecological benefits.
- 5.66 In the balance are also the benefits to the local economy of a new profitable agricultural enterprise and one requiring a significant investment. The submissions state nine new jobs would be created with a contribution to the local economy of £2.2mn per annum. However, the application makes only a limited assessment of alternative sites for such a proposal, not beyond the applicant's existing land holding at Morton on Swale. As stated above, officers find the application involves a proposal that would be in conflict with the central thrust of the Local Plan's policies to protect landscape character and the distinctive qualities of the Hambleton countryside. This location is noted in the Hambleton Landscape Character Assessment and Sensitivity Study as an area of a 'tranquil, rural character.'

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)
1. It is found that the site and the scale of the proposal would be in direct conflict with policies S5, EG7 and EG8 having a significant harmful impact on its environs by way of landscape character and visual impact which would have a significant impact on the character of this part of the District. The proposed development is not considered sensitive to its surroundings and does not exploit opportunities to make the development more sustainable as required by para 85 of the National Planning Policy Framework.

2. The proposed development will result in less than substantial harm to the significance of the listed Farm Houses in the vicinity, through the change caused to the setting of the buildings resulting through an erosion of the landscape character of the area. The proposed development fails to meet the requirements of policy E5 and the tests set out in the NPPF.