

North Yorkshire Council

Community Development Services

Richmond (Yorks) Area Committee

12 March 2026

ZD25/00383/FULL – Full Planning Permission for construction of 1no. dwelling and change of use for part of the site from paddock to domestic.

At High Bank Farm, Cleasby Road, Stapleton, Darlington, North Yorkshire, DL2 2QE

On behalf of Mr and Mrs Thompson

Report of the Head of Development Management – Community Development Services

1.0 Purpose of the Report

- 1.1. To determine a full planning application for 1no dwelling and change of use for part of the site from paddock to domestic on land at High Bank Farm, Stapleton, Darlington, North Yorkshire, DL2 2QE.
- 1.2. This application is referred to the Planning Committee because the applicant is a North Yorkshire Councillor and also a member of the Richmondshire Area Planning Committee. In accordance with the Council's adopted governance procedures, applications submitted by or on behalf of serving Councillors must be determined by the Planning Committee to ensure transparency and proper decision-making.
- 1.3. It is recommended that planning permission be refused as the application is contrary to the Richmondshire Local Plan 2012 – 2028 Core Strategy (adopted 9 December 2014) and the National Planning Policy Framework 2024.

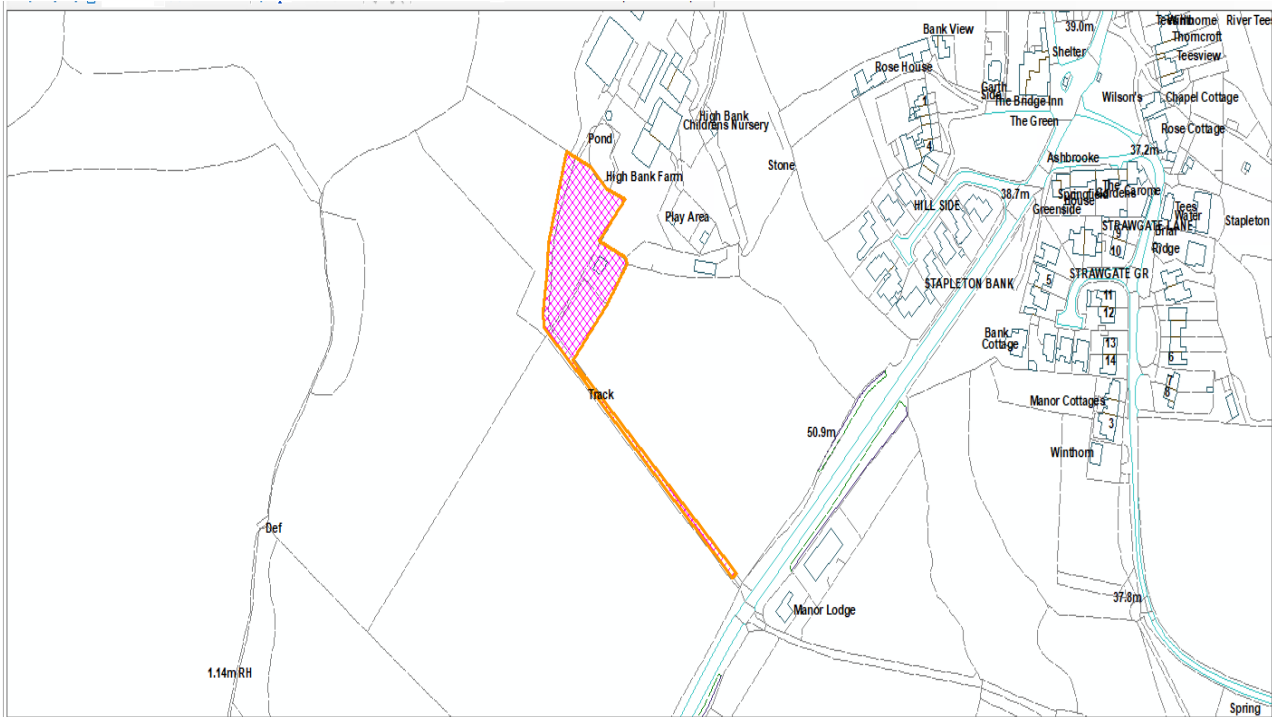
2.0 SUMMARY

RECOMMENDATION: That planning permission be REFUSED.

- 2.1. This application seeks full planning permission for the construction of 1no. self and custom build dwelling and a change of use for part of the site from paddock to domestic.
- 2.2. The application site is situated in the countryside outside and away from the development limits of Stapleton. The application relates to a rectangular parcel of land measuring approximately 0.35 hectares which currently comprises paddock land and vegetated garden.
- 2.3. The application site comprises land to the south of the existing farm steading. The wider steading includes a children's day nursery occupying converted buildings, an existing farmhouse, and a range of equestrian and agricultural buildings associated with High Bank

Farm. The proposed development would be positioned directly to the south of these existing buildings.

- 2.4. The site benefits from an existing access which would be utilised by the proposed development, which is from Stapleton Bank to the east. The access point onto the public highway and the application site are both approximately 150 metres west of the settlement of Stapleton.
- 2.5. The nearest bus stop is located approximately 500 metre walk to the north of the proposed development. The walking route to this bus stop is largely along a section of highway with no dedicated footpath, which limits safe pedestrian access and reduces the overall sustainability of the site for future occupants.
- 2.6. Whilst the proposal would contribute towards the housing supply within the area, it is considered that isolated dwellings within the open countryside would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regards to key policies for directing development to sustainable locations.
- 2.7. It is acknowledged that the proposal constitutes a self and custom-build dwelling, which carries moderate positive weight in the planning balance. However, this benefit does not outweigh the clear policy conflict identified, arising from the siting of new residential development in the open countryside, at a location significantly removed from the development limits of Stapleton.
- 2.8. This proposal is therefore contrary to Policies, CP3, CP4 and CP8 of the Richmondshire Local Plan Core Strategy, which directs new housing to sustainable locations within the established settlement hierarchy and restricts residential development in the open countryside. The proposal also conflicts with paragraph 84 of the National Planning Policy Framework (NPPF), which states that planning decisions should avoid the development of isolated homes in the countryside unless one of the following specific circumstances applies.
 - 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 building 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:
 - i. Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - ii. Would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- 2.9. None of the above circumstances are applicable in this case. As such, the proposal constitutes unjustified new residential development in the open countryside and is therefore unacceptable in principle.

Figure 1: Site Location

3.0 **Preliminary Matters**

3.1. Access to the case file on Public Access can be found here:-

<https://planning.richmondshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SYI8YZNAJCA00>

3.2. There is no planning history directly relevant to the consideration of this application. While the wider site has previously been associated with a children's nursery and an agricultural business, these uses do not have any material bearing on the assessment of the current proposal and therefore carry no weight in its determination.

3.3. The planning history for the wider site is as follows:

20/00503/FULL - Full Planning Permission for New Classroom to Accommodate Existing Pupils Following Alterations to Nursery Layout due to COVID19 (as Amended Plans Received 15.09.2020) – Granted 04.11.2020

18/00606/FULL - Full Planning Permission for Single Storey Extension to Existing Nursery to Provide Additional WC, Storage and Office Space – Granted 10.10.2018

17/00669/FULL - Full Planning Permission for Lean to Extension on Side of Existing Building – Granted 07.12.2017

15/00712/FULL - Full Planning Permission for Erection of Agricultural Building to House Cattle, Sheep and Straw – Granted 23.10.2015

14/00214/FULL - Full Planning Permission for Erection of Timber Framed Building to Provide Additional Space for Play Area – Granted 21.05.2014

12/00840/EXT – Extension of Time for Implementation of Full Planning Permission for Proposed Visitor Farm and Educational Facility with Associated Farm Shop and Tea Room and New Access Ref. 1/101/19K/FULL – Granted 12.02.2013

10/00447/VAR – Application Under Section 73 of the Town and Country Planning Act 1990 to Vary Condition No. 2 of Planning Permission Reference No. 1/101/19K/FULL to Allow Alterations to Window and Door Openings – Granted 20.07.2010

09/00606/FULL – Full Planning Permission for Proposed Visitor Farm and Educational Facility with Associated Farm Shop and Tea Room and New Access – Granted 22.12.2009

07/01101/FULL - Full Planning Permission for Construction of New Agricultural Building on Agricultural Land – Granted 05.12.200

4.0 Site and Surroundings

- 4.1. The application relates to a rectangular parcel of land measuring approximately 0.35 hectares located to the southern edge of Stapleton. The application site is directly south of the existing farmstead including children's day nursery and farmhouse. The site currently comprises paddock and vegetated garden land, containing a disused timber stable.
- 4.2. Agricultural fields lie to the south, east, and west of the application site, reflecting the rural context of the surrounding landscape. The eastern boundary of the site is defined by a timber fence, while a farm track runs immediately to the south and west, from which the proposed development would take its access.
- 4.3. There is an existing vehicular access from Stapleton Bank, and this would be utilised to serve the proposed development. The access arrangement would therefore make use of established infrastructure without requiring the formation of any new access point.
- 4.4. The nearest bus stop is approximately a 500metre walk north outside of the Bridge Inn Public House, with services to Darlington, Richmond and Catterick Garrison. However the walking route to this bus stop is largely along a section of highway with no dedicated footpath, which limits safe pedestrian access and reduces the overall sustainability of the site for future occupants.
- 4.5. The site is approximately 2.7 miles southwest of the shops and services located in Darlington, there are very limited services in Stapleton, with the main services being a children's nursery and the Bridge Inn public house.
- 4.6. The site is in flood zone 1 according to the Environment Agency Flood Maps.
- 4.7. The site lies within the Teesmouth and Cleveland Coast Special Protection Area and is therefore subject to nutrient neutrality requirements.
- 4.8. There is a public right of way (Bridleway 20.65/3/1) running east to west through the wider site (farm) and is located approximately 75 metres north of the proposed development.
- 4.9. The Stapleton Pasture SINC is approximately 240metres east of the proposed development on the eastern side of Cleasby Bank.

5.0 Description of Proposal

- 5.1. This application seeks Full planning permission for 1 no self and custom-build dwelling.

- 5.2. The plans submitted in support of this application show a dwelling of traditional design and proportions over two storeys, with single storey off-shoots. The property would be constructed in brick and stone under a slate roof.
- 5.3. The property has been designed to be accessible – fully compliant with part M4 of the Building Regulations.
- 5.4. The proposed dwelling would be heated with biomass.
- 5.5. The proposed development would utilise an existing vehicular access off Stapleton Bank.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

- Richmondshire Local Plan 2012-2028 Core Strategy, adopted 2014
- Saved Local Plan Policy 23 of the Richmondshire Local Plan 1999-2006
- The Minerals & Waste Joint Plan 2015 – 2030 adopted 2022

Emerging Development Plan – Material Consideration

North Yorkshire Council is preparing a new Local Plan, however, it is at too early a stage to be a material planning consideration.

Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:

- National Planning Policy Framework
- National Planning Practice Guidance
- National Design Guide 2021

NPPF 2026 Consultation

- 6.4. The Government has begun a consultation exercise on a new draft of the NPPF, ending 10 March 2026.
- 6.5. The revised draft separates plan making and decision-making policies. The implication of this approach is that where local plan policies are inconsistent with national decision-making policies, the local policies are expected to be given very limited weight in decisions. National decision-making policies are proposed. Policy S5 restricts development that is considered acceptable outside settlements, to prevent unsustainable patterns of growth and conserve rural character. Section (j) allows development addressing an evidenced unmet need provided it is well related to an existing settlement and of an appropriate scale. The consultation draft introduces stronger support for rural social and affordable housing and, through Policy HO5, sets clearer expectations for accessible housing to meet the needs of older and disabled people. This includes a new national

baseline requiring 40% of homes to meet accessible standards, with tenure mix expectations for sites of 150 homes or more.

- 6.6. Whilst draft proposed changes to national policy can be treated as a material consideration, officers are of the view that given that this is only subject to consultation and represents significant from current policy in respect of this specific application, no more than negligible weight should be given to the suggested change/ changes.

7.0 Consultation Responses

- 7.1. A site notice was displayed on the site on 15 July 2025, neighbour notifications were issued, and consultation with all relevant statutory consultees was undertaken.

7.2.

- 7.3. The following consultation responses have been received and have been summarised below.

- 7.4. Stapleton and Cleasby Parish Council:** No objections.

- 7.5. Ecology:** The Holding objection is upheld as further information remains outstanding in relation to ash tree located outside but immediately adjacent to the red line boundary. This tree may support potential bat roosting features and other protected species and therefore requires appropriate assessment before the objection can be lifted.

- 7.6. Environmental Health:** No objection subject to land contamination condition.

- 7.7. Natural England:** No objection subject to appropriate mitigation being secured by condition. Concludes that LPA's Habitat Regulation Assessment that subject to all mitigation being appropriately secured that it would mitigate against the adverse effects that could potentially occur as a result of the development.

- 7.8. NYC Highways:** No objection subject to conditions relating to onsite parking.

Local Representations

- 7.9. No local representations have been received.

8.0 Environment Impact Assessment (EIA)

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

9.0 Main Issues

- 9.1. The key considerations in the assessment of this application are:

- Principle of development
- Landscape Impact
- Design and Visual Impact
- Highway Safety
- Residential Amenity
- Contamination
- Ecological Impact
- Arboricultural Impact

- Biodiversity Net Gain
- Protected Species and Off-site Habitats
- Drainage
- Unilateral Undertaking

10.0 **ASSESSMENT**

Principle of Development

Location

- 10.1. The site is located within the open countryside, approximately 150 metres south of the development limits for Stapleton. Policy CP4 establishes that development proposals should be directed to locations within defined settlement limits or, where formal limits are not identified, within the main built-up confines of a settlement. Where no deliverable opportunities exist within these areas, development may be directed to sites adjacent to the defined Development Limits, as set out on the Local Plan 1999–2006 Policy Designation Map, until such time as the Proposals Map is formally superseded.
- 10.2. The scope for development adjacent to the settlement edge depends on the application of other policies and in particular core policies CP2, CP3, CP4, CP8, CP12 and CP14. In all cases development proposals must respect the scale, form and character of the settlement and its service and infrastructure provision.
- 10.3. Stapleton is defined within the Richmondshire Local Plan as an Elsewhere Location, placing it outside the SP2 settlement hierarchy. Policy direction for areas and settlements beyond the hierarchy is instead provided through SP3 (Rural Sustainability) and CP8 (Achieving Rural Sustainability).
- 10.4. Stapleton lies within North Richmondshire, which policy SP1 sets out is an area of modest growth, reflecting its largely rural nature and the limited services available within its settlements.
- 10.5. Policy SP4 sets out that 9% of new housing will be in North Richmondshire Sub Area distribution (Spatial Principle SP1) where the site is located. The settlement hierarchy of Spatial Principle SP2 refers to “Elsewhere in the plan area” locations sets out a 5% distribution of which within the North Richmondshire Sub Area including Stapleton the expected scale and distribution is 2% / 70 dwellings to be delivered by the end of 2029. The Richmondshire Annual Monitoring Report 2024 / 2025 (published September 2025) details that 87 dwellings of the 70 dwellings have been completed in these locations within the North Richmondshire area.
- 10.6. Policies SP3 and CP8 of the Richmondshire Local Plan support small-scale housing development within or adjacent to smaller villages lying outside the SP2 hierarchy. However, CP8(3) requires that development must not conflict with policies relating to landscape character, amenity, environmental protection or nature conservation.
- 10.7. The proposed development lies approximately 150 metres south of the development limits of Stapleton, clearly placing it outside the settlement boundary within open countryside (Please see Appendix A for a map of the application site and Development Limits). The nearest services are located in Darlington, approximately 2 miles from the site, resulting in significantly limited access to daily amenities. The nearest bus stop is located around 500 metres to the north, but access requires walking along a stretch of highway with no dedicated footpath, thereby restricting safe pedestrian movement. This lack of safe, convenient and sustainable pedestrian connectivity results in a car-dependent form of development, undermining the site’s overall sustainability credentials.

- 10.8. The proposed development is therefore contrary to Policies SP3, CP4 and CP8 of the Richmondshire Local Plan as it does not represent a sustainable location for new development and fails to comply with the spatial strategy.
- 10.9. This position is reinforced by a recent appeal decision following the refusal of planning permission for 9 dwellings at The Smallways Inn near Newsham (appeal ref: APP/U2750/W/25/3359331). In that decision, the Inspector stated:
- “The appeal site is not adjacent to the settlement’s development limits or main built-up confines, and it is not well related to existing facilities or accessible by means that the private car. The proposal would therefore conflict with the spatial strategy set out within the development plan in this regard”.*
- 10.10. Whilst this appeal decision relates to a larger development for 9 dwellings, the Local Planning Authority are of the opinion that development in locations physically and functionally detached from settlement limits, without adequate access to service or sustainable transport options, conflicts with the spatial strategy and cannot be supported.

National Planning Policy Framework

- 10.11. Paragraph 84 of the National Planning Policy Framework (NPPF) states:
- Planning Decisions should avoid the development of isolated homes in the countryside unless one 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 re-use redundant or disused building 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:*
 - i. *Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - ii. *Would significantly enhance its immediate settings, and be sensitive to the defining characteristics of the local area.*
- 10.12. The proposed development is contrary to Paragraph 84 of the National Planning Policy Framework, as it fails to meet any of the circumstances outlined within the policy. Paragraph 84 makes clear that planning decisions *should avoid the development of isolated homes in the countryside unless one or more of the circumstances apply*. In this case, it is considered that none of the qualifying circumstances are satisfied.
- 10.13. In assessing this proposal against the development plan as a whole and the National Planning Policy Framework (NPPF), the key considerations relate to the site’s unsustainable location, the principle of development within the open countryside and the degree to which any identified benefits weigh against the harms.
- 10.14. The application site is located approximately 150 metres south of the development limits of Stapleton and is therefore positioned within the open countryside. Policies CP3 and CP4 of the Richmondshire Local Plan direct new housing towards sustainable locations within the

established settlement hierarchy and restrict isolated residential development in the countryside. Furthermore, Stapleton is defined as an Elsewhere Location, falling outside the settlement hierarchy, and the proposal does not meet the criteria for small scale rural development supported under SP3 and CP8. Accordingly, the proposal conflicts with the spatial strategy of the development plan.

- 10.15. The development also conflicts with paragraph 84 of the NPPF, which requires that planning decisions should avoid the creation of isolated homes in the countryside unless one of the specific policy considerations applies. No such exception is relevant in this case: there is no essential rural worker need identified, no reuse of redundant or disused buildings, no heritage justification, no subdivision of an existing dwelling and the proposal does not represent exceptional or outstanding design.
- 10.16. It is recognised that the proposal would deliver a self and custom-build dwelling, which carries moderate positive weight in the planning balance. However, this benefit is not considered sufficient to outweigh the clear harm arising from the unsustainable and isolated location of the development and its conflict with both the development plan and national policy. The site also offers limited access to local services, and the walking route to the nearest bus stop is constrained by the absence of a dedicated footpath, further reducing the site's overall sustainability credentials.

National Planning Policy Framework

5 Year Land Housing Supply

- 10.17. The extant Richmondshire Local Plan is now more than five years old. In accordance with the National Planning Policy Framework (December 2024), the minimum annual local housing need for this area is 320 dwellings, calculated using the Government's Standard Method. When applying the required 5% buffer, the five-year housing land supply requirement is 1,680 dwellings. Based on the most recent monitoring data for the 2024/25 period, the Council can currently demonstrate a deliverable supply of 901 dwellings over five years. This equates to 2.7 years of supply, which falls significantly below the five-year requirement.
- 10.18. Accordingly, the Council cannot demonstrate a five-year housing land supply, and as set out in footnote 8 of the NPPF, paragraph 11(d)—the “presumption in favour of sustainable development” is engaged for applications involving the provision of housing.
- 10.19. NPPF paragraph 11d states that where the policies which are most important for determining the application are out-of-date planning permission should be granted unless
- i) *the application of policies in this Framework that protect areas or assets of particular importance* provides a strong reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination***

**The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of*

archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

***The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.*

- 10.20. On the above basis, because the Council cannot demonstrate a five year housing supply housing applications such as this one should be granted unless either two exceptions are met (i) and/or (ii).
- 10.21. In respect of 11(d)(ii) there are adverse impacts which will significantly and demonstrably outweigh the benefits which is explored in the remains of the report below. As such, the principle of development is not considered acceptable.

Self and Custom Build

- 10.22. The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) creates a duty for Local Planning Authorities to give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to an authority's register during a base period.
- 10.23. The Council published a Self-Build and Custom-Housebuilding Report 2024, December 2024. This report stated the self and custom build demand of 37 individuals had been met through 39 plots. Having examined this document, the identified plots have no S106 / Unilateral Undertaking or condition securing this as self / custom build. As such, it is not considered these plots can be included for development management decisions.
- 10.24. Separate to this report the following Richmondshire Plan Area self / custom build permissions have been identified:
- 5no. self or custom-build dwellings as part of a larger scheme at The Ashes Farm, Barton (ref: 19/00635/OUT) which was allowed at appeal on 5th January 2022
 - 1no. self-build dwelling approved on 4th May 2023 on land adjacent to Springfield in Middleton Tyas (23/00124/FULL).

Principle of Development Conclusion

- 10.25. The proposal would deliver 1no. self-build and custom-build dwelling, which attracts some positive weight in favour of the development. However, the benefits associated with providing a self-build home carry only limited weight in this instance, given the proposal's location as an isolated dwelling within the open countryside. This limited benefit does not outweigh the significant policy harm arising from the proposal's clear conflict with paragraph 84 of the NPPF, which seeks to avoid isolated homes in rural locations unless specific, defined circumstances apply.
- 10.26. The site is not located within, adjacent to, or well-related to a settlement, nor does it form part of the main built-up confines. Instead, it is situated approximately 150 metres south of the development limits of Stapleton, within open countryside that is not supported for new residential development under the spatial strategy.
- 10.27. The Policies SP4, CP4 and CP8 collectively require that new housing development be directed to sustainable locations either within settlement limits, within main built-up areas, or adjacent to such areas where appropriate. The proposal does not meet any of these criteria and therefore conflicts with the Local Plan's spatial approach.

- 10.28. While it is acknowledged that the Council cannot currently demonstrate a five-year housing land supply, and that paragraph 11(d)(ii) of the NPPF is consequently engaged, this does not in itself justify development in any location. The presumption in favour of sustainable development does not override the need to avoid isolated rural dwellings where unacceptable harm would result.
- 10.29. The application site is neither located within nor adjacent to a settlement or its built-up confines, and therefore fails to comply with Policies SP4, CP4 and CP8. Although the housing land supply shortfall is a material consideration, the location of the site means that the proposal does not represent sustainable development in spatial terms. The adverse impacts arising from this isolated countryside location, including reliance on the private car and conflict with the spatial strategy, would significantly and demonstrably outweigh the benefits when assessed against.
- 10.30. The provision of a self-build dwelling carries moderate positive weight in national policy terms. However, this benefit does not outweigh the substantial harm arising from the introduction of an isolated home in the open countryside. Paragraph 84 of the NPPF requires that such development should be avoided unless certain circumstances apply. As none are met in this case, the proposal is in direct conflict with national and local planning policy. Accordingly, the positive weight associated with the self-build element falls well short of overcoming the significant policy harm identified.

Landscape Impact

- 10.31. Policy CP8 of the Richmondshire Local Plan seeks to avoid developments that would have an adverse impact upon the character, or distinctiveness of the landscape. Proposals are therefore required to demonstrate a sensitive response to their surroundings and avoid harm to established landscape features.
- 10.32. Paragraph 135(c) of the National Planning Policy Framework states that the planning decision should ensure that developments are:
- Sympathetic to local character and history, including the surrounding build environment and landscape setting, while not preventing or discouraging appropriate innovation or change*
....
- 10.33. The application site is located within the open countryside to the south of Stapleton, beyond the defined development limits. It is visually and physically separated from the village by a mature woodland belt running east–west to the north of the site. This woodland forms a clear and defensible landscape boundary, distinctly separating the existing farmstead within which there has already been a degree of business diversification, including a children’s nursery occupying converted agricultural buildings, alongside more modern buildings supporting this diversification, and the original farmhouse from the built form of Stapleton. Consequently, the site relates more strongly to the wider open countryside than to the settlement and does not read as a natural or logical extension of the village.
- 10.34. The application site is partially screened from Stapleton Bank by mature trees which run parallel to the road in a north-south direction. This vegetation provides some visual filtering; however, it does not fully conceal the site when viewed from certain vantage point and the development would still be perceptible within the open countryside.
- 10.35. The proposed development, by virtue of its siting to the south of the existing built form, would introduce new built development into an otherwise open and undeveloped rural landscape beyond the existing farmstead and farmhouse. This encroachment would erode the established rural character of the area and result in an unwarranted extension of development into the open countryside.

- 10.36. The proposed dwelling would appear visually intrusive when viewed from the public right of way (bridleway) located approximately 75 metres to the north of the site, outside the red line boundary. From this public viewpoint the development would be readily perceptible due to the limited screening available beyond the existing tree belts. As this site does not relate well to the established settlement patterns and lies beyond a clear and defensible landscape boundary, the proposal would fail to respect or enhance the local landscape character.
- 10.37. In the absence of any justified need for the dwelling to be sited in the countryside, and given its location outside any development limits, the proposal would have a harmful impact on the character of the landscape and countryside. This is in direct conflict with Policy CP8 of the Richmondshire Local Plan which requires development to protect the landscape character and with Policy CP12 which seeks to maintain, enhance and where appropriate restore the landscape character of the plan area for the benefit of the both the natural and historic environment. The scheme is therefore considered contrary to Policies CP4, CP8 and CP12 of the Richmondshire Local Plan as well as paragraph 135(c) of the National Planning Policy Framework.

Design and Visual Impact

- 10.38. Policy CP13 of the Richmondshire Local Plan seeks to support proposals that promote high quality design and deliver development that is both visually attractive and functional. The policy emphasises the importance of ensuring that new development contributes positively to the local character, reinforces distinctive design features and integrates effectively with its landscape and built environment context.
- 10.39. Paragraph 41 of the National Design Guide states:
- Well designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary.*
- 10.40. Paragraph 135 (b) of the National Planning Policy Framework states that planning decisions should ensure that developments are:
- Visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 10.41. This proposal seeks planning permission for the construction of a two-storey dwelling with single-storey offshoots. The accommodation would comprise four bedrooms along with a study, dining hall, and a range of other associated rooms. The overall scale and layout reflect a substantial new residential building within the open countryside.
- 10.42. The scale, massing and form of the building are not considered to respond sensitively to the rural context. While the proposed dwelling would be constructed with materials which are sympathetic to a rural location, the modern design elements do not reflect or reinforce the established character or vernacular of the surrounding countryside. The proposed two-storey structure combined with its offshoots and overall footprint would appear overly prominent in this rural setting. Further, the development does not integrate effectively within the existing landscape and fails to demonstrate how it would enhance or positively contribute to the character, distinctiveness or visual quality of the area.
- 10.43. The proposal is therefore contrary to Policy CP13 of the Richmondshire Local Plan, paragraph 41 of the National Design Guide as well as paragraph 135 of the National Planning Policy Framework as it fails to achieve a design that is sympathetic to local character, history and the surrounding landscape setting. The modern form, massing and visual prominence of the dwelling would not integrate successfully with the rural

environment, nor would it reinforce the established vernacular or contribute positively to the landscape.

Highway Safety

- 10.44. Policy CP4 (3e) of the Richmondshire Local Plan states that development should not cause significant adverse impact on highway safety. Whilst Paragraph 116 of the National Planning Policy Framework states:

Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.

- 10.45. The Local Highway Authority has assessed the proposed development and has raised no objection to the use of the existing site access from Stapleton Bank. However, they have advised that, should planning permission be granted, a condition should be imposed requiring the submission of detailed plans relating to the access, turning, and parking arrangements for the proposed dwelling.
- 10.46. The Local Highway Authority does not anticipate that the proposed dwelling would give rise to a material increase in vehicle movements to and from the site. They also consider that construction traffic would be minimal and unlikely to have any significant impact upon the local highway network.
- 10.47. Therefore, having assessed highway safety, the proposal accords with Policy CP4 of the Richmondshire Local plan and paragraph 116 of the National Planning Policy Framework.

Residential Amenity

- 10.48. Policy CP4(3e) of the Richmondshire Local Plan requires that development should not cause any significant adverse impact on amenity. Paragraph 135(f) of the National Planning Policy Framework similarly states that planning decisions should ensure that developments create places that are safe, inclusive and accessible, promote health and well-being, and provide a high standard of amenity for existing and future users.
- 10.49. The application site is physically and visually separated from the residential properties within Stapleton by a mature belt of trees running east–west to the north of the site. Given the substantial separation distance of approximately 150 metres between the proposed development and the nearest residential properties in Stapleton, together with the intervening landscaping, the proposal would not result in any loss of privacy or create an overbearing impact for existing occupiers. In addition, the separation distance between the existing farmhouse and the proposed dwelling approximately 55 metres to the northwest is sufficient to ensure that the amenity of the farmhouse would also be preserved.
- 10.50. The proposed dwelling would be set within a generous plot and separation from neighbouring properties are sufficient to ensure no unacceptable overshadowing or loss of daylight occurs. The isolated nature of the site is such that the development would not generate noise or activity levels that would harm the living conditions of nearby residents.
- 10.51. Future occupants would benefit from adequate internal living accommodation and appropriate outdoor amenity space, ensuring a satisfactory standard of residential amenity. outdoor amenity areas.
- 10.52. The proposal is considered to comply with Policy CP4 of the Richmondshire Local Plan as well as paragraph 135 (f) of the National Planning Policy Framework.

Contamination

- 10.53. Policy CP3 (4) of the Richmondshire Local Plan requires that development proposals provide an appropriate risk assessment and remediation strategy to address any issues relating to land contamination or land stability arising from past uses or activities.
- 10.54. Paragraph 196 (a) of the National Planning Policy Framework states that planning decisions should ensure that sites are suitable for their proposed use, taking account of ground conditions and any risks arising from land instability or contamination.
- 10.55. The site was historically in agricultural use and formerly operated as a pony paddock, with a timber stable still present on part of the land. The site now appears to be disused standing vacant.
- 10.56. The proposal introduces a vulnerable end use, in the form of a dwelling, onto the site. Following consultation with the Environmental Health Team, no objection has been raised, subject to the inclusion of an unexpected land contamination condition. Given the site's historic use, there is potential for unexpected contamination to be present. The recommended condition will ensure that any previously unidentified contaminants encountered during construction are appropriately investigated and remediated, thereby safeguarding the health of future occupants.
- 10.57. Subject to the recommended condition being attached to any grant of permission, the proposal would accord with Policy CP3 of the Richmondshire Local Plan and Paragraph 196 of the National Planning Policy Framework.

Ecological Impact

- 10.58. Policy CP12 of the Richmondshire Local Plan seeks to conserve and enhance biodiversity and requires development proposals to avoid, minimise or appropriately mitigate any adverse impacts on biodiversity arising from development.
- 10.59. Paragraph 193(a) of the National Planning Policy Framework states that planning permission should be refused where significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for. Paragraph 187(a) of the National Planning Policy Framework requires that planning decisions should protect and enhance sites of biodiversity value, ensuring that development does not undermine their ecological importance.
- 10.60. The Council's Ecologist has advised that the proposal is unlikely to result in any significant adverse impact on statutory or non-statutory designated sites such as Stapleton Pasture SINC which is approximately 240 metres east of the development due to the small scale of the development.
- 10.61. The Council's has issued a holding objection, noting concerns regarding a large mature ash tree located immediately adjacent to, but outside, the red line boundary of the application site. Clarification is required as to whether this tree has been assessed for potential bat roosting features or other protected species, as it does not appear to have been mapped or referenced within Figure 4 of the submitted ecological information. Although positioned just outside the application boundary, its proximity to the proposed development means that any ecological value associated with the tree must be properly understood.
- 10.62. In the absence of this ecological information having been submitted, the Local Planning Authority is unable to determine whether the proposed development would avoid harm to protected species or important ecological features.

- 10.63. The proposal is therefore currently contrary to Policies CP4 and CP12 of the Richmondshire Local Plan as well as paragraphs 187 (a) and 193 (a) of the National Planning Policy Framework as in the absence of sufficient ecological information it isn't able to be determined whether the proposed development could have an adverse impact upon protected species.

Arboricultural Impact

- 10.64. Policy CP12 of the Richmondshire Local Plan seeks to protect trees within the plan area and requires development proposals to avoid, minimise, or appropriately mitigate any adverse impacts on trees arising from development.
- 10.65. Paragraph 193 (c) of the National Planning Policy Framework states that development resulting in the loss of irreplaceable habitats such as ancient woodland and ancient or veteran trees should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
- 10.66. Paragraph 136 of the National Planning Policy Framework notes that trees should be retained wherever possible.
- 10.67. An arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP) have not been submitted in support of this application. Given the proximity of a large mature Ash tree immediately adjacent to the red-line boundary the absence of these documents means that the impacts of the development on this tree have not been fully assessed. Without an AIA and TPP prepared in accordance with BS5837:2012. It cannot be demonstrated that the proposed dwelling, associated groundworks or service installations would be located outside the trees root protection area or that appropriate protective measures would be implemented during construction.
- 10.68. The proposal is therefore currently contrary to Policies CP4 and CP12 of the Richmondshire Local Plan, as well as paragraphs 136 and 193(c) of the National Planning Policy Framework, as in the absence of sufficient arboricultural information it is isn't able to be determined whether the proposed development could have an adverse impact on the mature ash tree.

Biodiversity Net Gain

- 10.69. Planning Permissions in England are deemed to be granted subject to the general Biodiversity Gain Condition as set out by Schedule 7A, paragraph 13 of the Town and Country Planning Act 1990 (TCPA) as amended by Schedule 14, Part 2, paragraphs 13, 14 and 15 of the Environment Act 2021. This is a pre-commencement condition.
- 10.70. The proposed development qualifies for the self-build and custom-build exemption from the mandatory Biodiversity Net Gain (BNG) requirements because it (i) comprises no more than 9 dwellings (ii) is on a site no larger than 0.5 hectares and (iii) consists exclusively of self-build or custom building housing as defined by Section 1(A1) of the Self-Build and Custom Housebuilding Act 2015. Accordingly, the statutory biodiversity gain planning condition under Schedule 7A of the Town and Country Planning Act 1990 does not apply. This proposal therefore accords with the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Protected Species and Off-Site Habitats

- 10.71. Policy CP12 of the Richmondshire Local Plan states that proposal which will have a detrimental impact upon the significance of a natural asset within the plan area will not be supported.
- 10.72. The application site lies within the Nutrient Neutrality SSSI Catchment Area. Before granting planning permission for developments within this catchment, the Local Planning Authority must be satisfied that the proposal would be nutrient neutral and would not adversely affect the Teesmouth and Cleveland Coast Special Protection Area (SPA) by increasing nutrient pollution.
- 10.73. This application proposes the creation of a new dwelling, which without suitable mitigation would result in an adverse effect on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar Site and would damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.
- 10.74. Natural England has confirmed that they have no objection to the proposal subject to mitigation. To mitigate these adverse impacts, Natural England has recommended the imposition of a condition requiring the installation of a Package Treatment Plant (PTP) achieving a final effluent concentration of Total Nitrogen (TN) ≤ 18 mg/litre..
- 10.75. The National Planning Practice Guidance (NPPG) states that competent authorities must ensure that development proposals do not lead to adverse effects on the integrity of designated European sites, including those affected by nutrient enrichment. In accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), the Local Planning Authority undertook a Habitats Regulations Assessment (HRA) and consulted Natural England as the statutory nature conservation body.
- 10.76. Natural England notes that the Local Planning Authority, as the competent authority, has undertaken an Appropriate Assessment of the proposal in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). Natural England is a statutory consultee at the Appropriate Assessment stage of the Habitats Regulations Assessment (HRA) process. The HRA submitted to Natural England in support of this application (dated 13 February 2026) concludes that the authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any designated sites. Having considered this assessment and the mitigation measures proposed to address all potential adverse effects, Natural England confirms that it concurs with the conclusions of the HRA, provided that all mitigation measures are appropriately secured through any planning permission granted.
- 10.77. The Local Planning Authority is satisfied that subject to the imposition of the required mitigation condition that the proposal would not have an adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA, and the proposal is also in accordance with the requirements of the Habitats Regulations and the relevant guidance contained within the NPPG. The proposal therefore accords with Policy CP12 of the Richmondshire Local Plan.

Flood Risk

- 10.78. Policy CP2 of the Richmondshire Local Plan states that development proposals should be steered away from areas at risk of flooding and should be designed to minimise flood risk both on-site and elsewhere, including through the incorporation of Sustainable Drainage Systems (SuDS) where appropriate.
- 10.79. Policy CP4(3d) of the Richmondshire Local Plan further requires that developments should not be located in areas of flood risk, nor should they result in an increase in flood risk to surrounding land.
- 10.80. Paragraph 181 of the National Planning Policy Framework states that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, taking into account all sources of flooding and the cumulative impacts of development.
- 10.81. The application site is located within Flood Zone 1, land within flood zone 1 has a low probability of flooding from rivers and the sea.
- 10.82. Environment Agency flood mapping indicates no identified surface-water flood risks within the proposed development site.
- 10.83. Surface water drainage is proposed to be managed via a soakaway system, which is acceptable in principle subject to compliance with Building Regulations Part H and the requirement for infiltration testing to demonstrate that ground conditions are suitable.
- 10.84. Foul drainage is proposed to be discharged to a sewage treatment plant. This will also mitigate against the adverse impacts of increased nutrient loading in the area and satisfies Natural England in this regard.
- 10.85. The proposal therefore accords with Policies CP2, CP4 as well as Paragraph 181 of the National Planning Policy Framework with regards to flood risk, surface water and drainage.

Unilateral Undertaking

- 10.86. The proposed dwelling qualifies as a self and custom-build development. The applicant has indicated their intention to construct the property for their own occupation rather than for commercial sale. In accordance with the legislative framework governing Biodiversity Net Gain (BNG) and associated exemptions, the self-build shall be formally secured to ensure the development is treated in line with the relevant exemption criteria. To achieve this, the applicant would be required to enter a Unilateral Undertaking to secure the self-build nature of the scheme should planning permission be granted. This mechanism provides the Local Planning Authority with certainty that the development meets the qualifying conditions for the exemption and ensure that the appropriate legal controls are in place for the duration of the development.

Equality

- 10.87. Under Section 149 of The Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions: (i) eliminating discrimination, harassment and victimisation; (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age (normally young or older people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

- 10.88. Section 149 of the Equality Act 2010 has been considered and there is no reason why the proposed application would prejudice anyone with the protected characteristics as described in paragraph 10.58.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The development would provide 1 no. -build and custom-build dwelling. However, the site lies outside the development limits and built-up confines of Stapleton and would result in the creation of an isolated dwelling in the open countryside. The proposal is therefore contrary to Policies SP4, CP4 and CP8 and SP4 of the Richmondshire Local Plan and to Paragraph 84 of the National Planning Policy Framework, which collectively seek to direct new residential development to sustainable locations and prevent unjustified isolated homes in the countryside.
- 11.2. The adopted development plan area only has a 2.7-year 5 year land housing supply, and the provision of housing is therefore given great weight in support the development. Additionally, the tenure is self / custom build for which there is an identified unmet need and is also given moderate positive weight in the planning balance.
- 11.3. Paragraph 11 of the National Planning Policy Framework stipulates that where the most important policies for an application are out-of-date (SP4 in respect of minimum housing delivery) that consent should be granted subject to two sets of exceptions. However, in this case, the adverse impacts arising from the creation of an isolated dwelling in the open countryside would significantly and demonstrably outweigh the limited benefits of the scheme when assessed against the policies of the NPPF taken as a whole. The development therefore does not constitute sustainable development for the purposes of Paragraph 11.
- 11.4. The benefits achieved as a result of the development weighing in its favour are the provision of a self / custom build dwelling and the contribution this would make towards the housing supply and self / custom build demand within this area is given moderate positive weight in support of the proposal. However, the following significant adverse impacts outweigh these benefits and as such permission should be refused: the application site is in unsuitable location; encroachment into the open countryside; ecological impacts and arboricultural impacts. As such the development does not accord with the NPPF paragraph 11(d) and permission should be refused.

12.0 RECOMMENDATION

- 12.1. That planning permission be REFUSED for the following reasons:
- i. The proposal represents an isolated dwelling in the open countryside, outside and physically detached from the development limits of Stapleton, and unrelated to the established settlement pattern. As such, it conflicts with the spatial strategy set out in SP4 and with Core Policies CP4 and CP8 of the Richmondshire Local Plan 2012-2028 (adopted 2014) which seeks to direct new housing to sustainable locations and restrict residential development in the countryside. The proposal also conflicts with Paragraph 84 of the National Planning Policy Framework which requires decision makers to avoid isolated homes in the countryside unless specific exceptions apply, none of which are met. The development is therefore unacceptable in principle.
 - ii. The proposed dwelling, by virtue of its isolated siting within the open countryside and its position beyond a clear and defensible landscape boundary, would result in an intrusive form of development that fails to respect the established rural character of the area. The

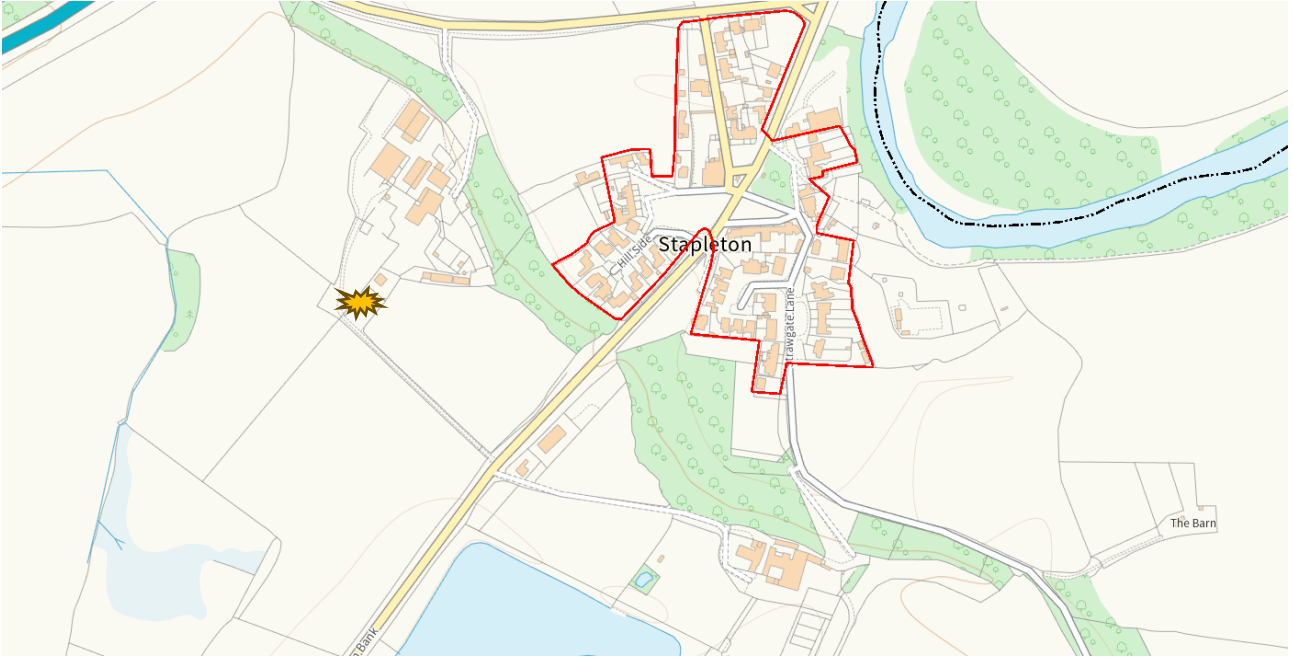
development would therefore harm the local landscape character and appearance, contrary to policies CP4, CP8 and CP12 of the Richmondshire Local Plan 2012-2028 (adopted 2014). The proposal also conflicts with paragraph 135 of the National Planning Policy Framework, which seeks to ensure that development is sympathetic to local character and maintains or enhances the quality of the landscape. Accordingly, the proposal is unacceptable on landscape grounds.

- iii. The proposed dwelling due to its isolated siting and intrusive appearance within the open countryside, would fail to respect local character or integrate with its surroundings. The development therefore results in an unacceptable design and visual impact contrary to Policy CP13 of the Richmondshire Local Plan 2012-2028 (adopted 2014). The proposal also conflicts with Paragraphs 41 and 135 of the National Planning Policy Framework and the design principles of the National Design Guide, which requires new development to be context-responsive, locally distinctive and visually well integrated.
- iv. Insufficient arboricultural information has been submitted to enable the Local Planning Authority to fully assess the impact of the proposed development on nearby trees, including a large mature ash tree located immediately adjacent to the red-line boundary. In particular, no Arboricultural Impact Assessment (AIA) or Tree Protection Plan (TPP) prepared in accordance with BS5837:2012 – Trees in Relation to Design, Demolition and Construction has been provided. In the absence of this information, it has not been demonstrated that the proposed dwelling, associated groundworks or service installations would be located outside the tree's Root Protection Area, nor that appropriate protective measures would be implemented during construction. The proposal therefore fails to ensure that important arboricultural features are safeguarded. The proposal is therefore contrary to policies CP4 and CP12 of the Richmondshire Local Plan 2012–2028 (Adopted 2014), as well as paragraphs 136 and 193 of the National Planning Policy Framework.
- v. Insufficient ecological information has been submitted to enable the Local Planning Authority to determine whether the proposed development would avoid harm to protected species or important ecological features. A large mature ash tree, located immediately adjacent to the red-line boundary, has not been subject to appropriate ecological assessment, including an evaluation of its potential roosting features (PRFs) for bats or its value as habitat for other protected species. The proposal is therefore contrary to policies CP4 and CP12 of the Richmondshire Local Plan 2012–2028 (Adopted 2014), as well as paragraphs 187 and 193 of the National Planning Policy Framework.

Target Determination Date: 12.03.2026

Case Officer: Liam Timmins, liamtimmins@northyorks.gov.uk

Appendix A – Adopted Development Plan Limits and Proposed Development Site



Key

Solid Redline – Development Limits

Yellow Star – Application site location



Key

Red circle – Development Limits / core village of Stapleton

Yellow Star – Application site location