## Yorkshire Dales National Park Authority

**Committee:** Planning

**Date:** 15 July 2025

**Applicant:** Mr Brian Steadman

**Parish:** Sedbergh

**Officer:** Nicola Dinsdale

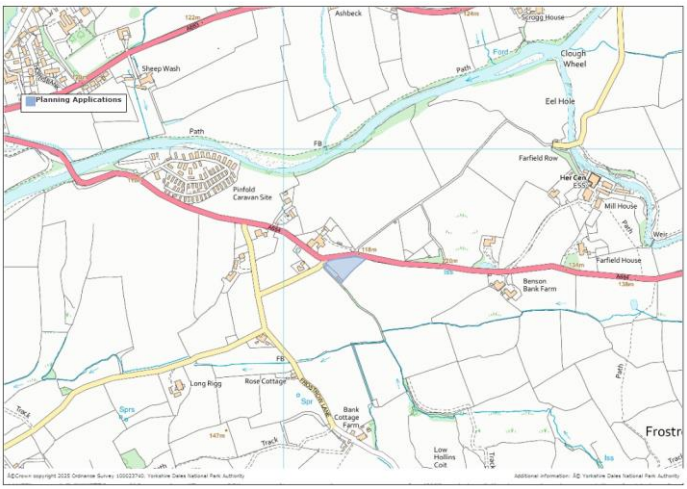
**Application No:** S/03/773

**Site Address:** Land off Frostrow Lane, Garsdale Road, Sedbergh (GR:367136,491712)

**Proposal:** Full planning permission for erection of 1no. single-storey local occupancy dwelling with associated curtilage and parking, partial demolition of existing stable and creation of new public pedestrian right of way

### Purpose of Report

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



## Reason For Committee Consideration

2. This application is reported to Committee for the following reasons: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take and the application has been called to Committee by Mrs Bateman and the public interest reason given is that the proposal has some merits which will have a positive impact on the primary and secondary purposes of the National Park.

## Application Site

3. The site is a 0.75 acre field situated approximately 800 metres to the southeast of Sedbergh. The field includes a stable block, surfaced yard and drive situated along its west perimeter. The access to the highway is at the junction of the unclassified Frostow Lane and the A684. The field is partly bound by the A684 which passes along its northern perimeter and is enclosed for the most part by a fenced hedge with dry stone wall sections. Several trees are situated along and within the site boundary. A public right of way passes to the west just outside the site. A United Utilities sewer passes through the site.

4. The stable block was granted planning permission (ref. Y8/77/5068) in 1977, however the building as constructed appears to be much larger than originally approved. In addition, a large shipping container is sited on the land underneath a large tree on the west perimeter of the site. The container is unauthorised but is understood to have been on site in excess of 10 years and is therefore likely to be immune from enforcement action.

## Proposal

5. This application seeks planning permission for the erection of 1no. single-storey local occupancy dwelling with associated curtilage and parking and the partial demolition of the existing stable block with the retention of three bays. In addition the proposal inlcudes the creation of a new public pedestrian pathway to pass along the inside of the north boundary of the field with a new opening created within the hedge and fence at the north-eastern corner to enable access to the highway (A684) and Frostrow Lane to the west.

6. The proposed dwelling would have an offset plan form with an approximate overall length of 13.5 metres by 9.2 metres and will incorporate a kitchen/dining area with a living room, two bedrooms, a bathroom, utility room and hall. The building would be clad in local stone with larch timber panels and covered in blue slate, with a dual pitched roof form, which is hipped on the north-east side. The dwelling would have an open sided canopy with supporting post overhanging the southwest entrance and an open canopy on the northeast elevation detailed as bin storage. Solar panels are shown on the south facing roof slope.

7. The dwelling would have a large private amenity space with a courtyard and parking for three cars. The stable would be reduced scale to incorporate three bays, with one indicated as forming a plant room.

8. The excavated earth from the construction works, would be re-distributed within the field to the east of the proposed dwelling and the land re-graded to form a landscaped embankment that would be supported by a gabion retaining wall. Native tree planting is proposed.

9. The footpath would have a permeable bonded surface and would create a level access path that would provide a mostly off-road link joining the two parts of Frostrow Lane and would cross the A684 on the corner of the field's northeast perimeter. The pathway would be bound by the existing roadside hedge to the north with a new native hedge planted along its south perimeter with a section of the existing boundary fence and hedge removed to provide an opening.

**Relevant Planning History**

10. The following applications are relevant:

| | |
|---|---|
| Y8/77/5068<br>OS Plot 1373. | The erection of loose boxes and hay store for keeping horses on<br>Approved – Conditional 30/12/1977 |
| Y8/89/3/184 | Outline planning permission for erection of one dwelling.<br>Refused 21/02/1990 |

**Consultations**

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

**Waste and Environmental Services** No response received.

**Environmental Health** No response received.

**Fire Officer** No response received.

**Highways** Concerns raised about visibility at the eastern end of the proposed right of way for pedestrians and approaching traffic, although some plans show the new hedgerow set further back from the highway.

Although the design of the footway would benefit everyone, the applicant is asked to consider including a standard minimum 2m wide footway alongside the carriageway, along the stretch of the hedgerow instead. This would then eliminate the issue of pedestrian visibility as represented by the current proposal and there will no obstruction caused by the hedgerow, the Local Highway Authority would maintain responsibility of the footway thereafter.

Additional details are required from the applicant and upon receipt of the amended plans a the Highway Authority will be better placed to provide full response.

**Sedbergh PC "**Members discussed the application, and resolved to support, with the condition that the right of way is created in advance of any development of the proposed single-storey dwelling, and that the right of way should be a formal public right of way and remain in perpetuity, and that the property should be local occupancy only, as noted in the application. Finally, Members noted the applicant's intention to retain and preserve the listed milestone marker."

**Area Ranger (Western Dales)** No objection Proposed development indirectly affects the PROW. The definitive map shows Public Footpath 568063 passing Northwest to Southeast along the boundary of the development area. The definitive line of the PROW must remain open, unobstructed and available to users during and after works. Materials or machinery must not be stored on the PROW.

**Wildlife Conservation Officer** No objection. The site is 0.30 ha, comprising a managed paddock of modified grassland. The site contains native hedgerow with trees and species-rich native hedgerow with trees. There are no irreplaceable habitats on site or any habitats of a very high distinctiveness. Site located in red squirrel buffer Yorkshire Dales complex. Bats recorded close to the site location: SE 04507 98969, semi-detached building, Vesper bat species, day roost.

The proposal includes biodiversity enhancement through the planting of at least three scattered rural trees, including Downy Birch (Betula pubescens), Wild Cherry (Prunus avium), Rowan (Sorbus aucuparia), Field maple (Acer campestre) and/or Aspen(Populus tremula). It is proposed a new 62m line of species-rich native hedgerow with trees is planted along the southern edge of the footpath and bat box and bird boxes attached to the building.

**Trees & Woodlands** No objection to the proposed development on the condition that the Arboricultural Tree Protection and Method Statement, as included in the Arb report by Cumbria Tree Surveys Arboricultural Consultancy, is adhered to, to ensure adequate protection of the trees during the development works.

A high number of the existing trees on site were surveyed as having a relatively low retention span due to poor form, health or defects (Cat C and U), and in time these trees will be lost from the landscape. Therefore, it is recommended that a landscaping plan is conditioned with any approval (preferably standards of 8-10 cm girth minimum), for the planting of new native trees within the wider site now, so that these are well-established before those currently on the site are lost, so as to maintain tree cover and ecological value for the future.

**United Utilities Water Ltd** Recommends that a drainage condition relating to surface water, drainage and mitigation measures is imposed on any planning approval. In

addition, a prior to occupation condition is reccomended to secure sustainable drainage at the site for the lieftime of the development.

A public sewer crosses the site and no building works will be permit over it. An access strip will be required for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

**Public Responses**

A site notice was displayed on 31 March 2025 and expired on 21 April 2025.
Public responses received at the time of writing: 6

12. Six public responses have been received supporting the proposal and are summarised below.
    - Any addition to the housing stock for local occupancy is supported.
    - The siting and design of this single storey dwelling is unobtrusive and blends well into its surroundings and offers some enhancement to the area and is a welcome addition to the Frostrow Lane area and more appealing than the existing.
    - The design is well thought out sensitive proposal, which would fit well into the landscape. Together with the existing stables the new house would make an attractive group of buildings with no harm.
    - The site is not in the open countryside, it is set within some scattered but grouped properties centred on Lane Ends and the Moss, with easy access to the highway.
    - The inclusion of a much-needed footpath will greatly enhance the safety of pedestrians on this very dangerous double bend on the busy A684, improving highway road safety on a notoriously difficult section of road for pedestrians. Numerous near collisions have been witnessed on this road due to the danger created by the sharp double bend at Moss House.
    - The proposed improvement would benefit all pedestrians many of whom walk from Sedbergh to Farfield Mill.
    - The addition of the path will also open up the footfall to Farfield Mill and make it a more attractive route for people.

**Assessment**

Key Issues:
- Principle of development
- Design and Landscape Impact
- Highways
- Nature Recovery

- Parish Council comments
- Equality Act

**Principle of Development**

13. The National Planning Policy Framework 2025 (Framework) sets out the government's planning policies for England and how these should be applied. The Framework states that the purpose of the planning system is to "contribute to the achievement of sustainable development." (Para 7) and to this end, three overarching objectives have been identified and all proposed development needs to demonstrate these in order to achieve it. These are economic, social, and environmental objectives with their aims stated. In the case of this application, the most pertinent are the social and environmental objectives which require all developments to "foster well-designed, beautiful … places" and "to contribute to protecting and enhancing our natural, built and historic environment." (Paragraph 8).

14. Paragraph 189 of the framework also specifies that "great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

15. Section 5 of the Framework relates to "delivering a sufficient supply of homes" and addresses the supply and delivery of housing across the country. It refers specifically to rural housing and directs Local Planning Authorities to support rural settlements and communities through the allocation of exception sites for affordable and market housing. This site is not land designated for new housing.

16. With specific reference to rural housing, the Framework steers new residential development towards existing villages and settlements to maintain and enhance existing communities. Paragraph 84 – copied out below – is clear in stating that unless very specific circumstances are met, planning decisions should avoid the development of isolated homes in the open countryside.

    "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
    a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
    b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
    c) the development would re-use redundant or disused buildings and enhance its immediate setting;

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

e) the design is of exceptional quality, in that it:

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."

17. The site is situated in the open countryside. The exception under para. 84 e does not apply as the proposed design would need to be of exceptional quality, truly outstanding, and significantly enhance its setting. The proposed design is not exceptional and does not meet this standard. No case for any of the above criteria to be used in support of this planning application has been made.

18. The Framework refers to design in its section "Achieving well-designed places" and states that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the key planning and development process should achieve. Good design is a key aspect of sustainable development." (Para 131). The Framework goes on to provide 6 design criteria that all developments need to comply with in para 135. These principles have been translated into Policies SP1 and SP4 of the Local Plan.

19. Para 139 of the Framework states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design" and adherence to design guides and local policies is advised.

20. The Yorkshire Dales Local Plan (2015-2030) addresses housing development through its spatial strategy, policies SP3 (Spatial Strategy) and Policy C1 (Housing in Settlements) and supports new housing development within the housing development boundaries of local service centres and service villages. The site is situated outside the Sedbergh housing development boundary and is in the open countryside, where new housing development is tightly restricted. Therefore, new build housing would only to be permitted outside of allocated sites or village development boundaries, where it would meet an exceptional need for affordable housing (policy C2) or, meet the needs of a rural based enterprise in accordance with policy C3.

21. Policy C2 relates to 'rural exception sites' and the provision of small-scale affordable housing. The proposed development is not for affordable housing as defined in the Local Plan or the Framework. In addition, the policy requires that housing exception sites are to be located on land within or adjacent to a settlement boundary. The application site is well outside the settlement boundary and does not satisfy the spatial requirements of the policy and therefore is contrary to Local Plan policy C2.

22. The submitted details place an emphasis on the site being previously development land (a brownfield site) and that the site is within a cluster of residential properties. However, the policies SP3, C1 and C2 do not provide any special dispensation for previously developed land (brownfield sites) outside of the housing development boundary that would override this. The proposed dwelling does not replace the existing building but would be built adjacent to it.

23. Local Plan policy C3 accepts housing outside of settlements where the functional needs of agriculture or some other essential rural based enterprise requires a full-time worker to reside at the site (i.e., animal welfare). The submitted application is for a local occupancy dwelling and no case has been demonstrated that there is any enterprise or functional need for a dwelling in this location and therefore policy C3 is not applicable.

24. The Yorkshire Dales Design Guide (2017), at 3.2.2 specifies that bungalows are rarely an appropriate form of dwelling in the National Park because their proportions conflict starkly with that of traditional buildings in the Dales. Bungalows have a large, often square, plan form, which results in a high, dominant roof shape. The proposed single storey building has a wide plan form and is not consistent with Dales vernacular.

**The Footpath**

25. In relation to the provision of the proposed footpath policies C11 and T4 are of relevance. Local Plan policy C11 aims to supports the development of new infrastructure that will increase the quality of life for those living, working, or visiting the National Park, whilst protecting the National Parks special qualities. Policy T4 encourages visitor facilities or services that help visitors to enjoy the special qualities of the National Park. Proposals that sustainably utilise the area's natural resources offering wider enjoyment without harming the National Parks special qualities will be permitted subject to conformity with other policies in the Local Plan. In accordance with national policy and echoed in policy SP2, where there is conflict between the National Parks statutory purposes, the purpose of conservation is given priority over its enjoyment by the public if there is conflict.

26. Policy SP4 relates to development quality requires that new development is high quality whilst avoiding harmful impacts and danger. The design of new development should be informed by and respond positively to the site, its surrounding context and landscape setting, so that the height, proportions massing, form, materials and appearance are sympathetic and complementary. Furthermore, the policy at g) relating to transport, specifies that development should prejudice highway safety.

**Design and Landscape**

27. The proposed single storey dwelling has a wide almost square floor plan and will be situated within the corner of an open field adjacent to the existing stable block. The building's roof form would have a shallow 25º roof pitch, at an overall ridge height of 4.5 metres, above the existing ground level. The field is reasonably flat and the land

levels will be regraded within the field, using the earth excavated during the build used to create a landscaped bunded embankment area that will be tapered down to existing land levels. The submitted drawings indicate the land levels adjacent to the dwelling will be increased by approximately 1.2 metres and supported by stone gabions. The increased land levels would partly screen the proposed building having approximately 1.1 metres of visible wall above the bund and meeting the solid roof tiles of the hipped roof from.

28. The dwelling as proposed would have a large footprint of approximately 124m² and would be set at a 90º angle to the stables positioned approximately 6 metres to the west and extends above its height by approximately 1.75 metres. The dwelling has been designed to have its main glazed outlook to the southeast overlooking the agricultural fields and would incorporate a solid masonry wall to the north, with roofed overhang canopy within the buildings northwest corner facing the highway. The building in these views due to its shallow roof pitch, one sided hipped roof form, together with the open sided canopy design, would appear at odds with traditional Dales building styles.

29. The existing stable would be reduced in scale, to incorporate three bays with an overall length of approximately 8.7 metres removing and will be of a comparable size and design to the stable originally approved in December 1977, removing the unauthorised element which would be a small improvement to the existing structure.

30. The main vantage point of the site would be from the highway on the approach to the site on the A684 from Garsdale. In these views the site is highly visible, the increased land levels intended to screen the development in this location would appear as an artificial sloping bund, that would be an incongruous feature that would be placed within this otherwise level basin.

31. The introduction of the proposed dwelling, the associated engineering operations to change the land levels and associated development when viewed in context with the pastoral agricultural fields and the existing trees within this out of village setting, would negatively affect the character and appearance of the locality. Although the bunded slope and associated landscaping would provide some screening of the proposed development, this in itself would be an unnatural feature and so would not overcome the visual harm of the development. The proposed dwelling would introduce a high intensity use, within the field adding to the stabling and storage. It is therefore considered that the proposed development in this location would have a harmful landscape impact and would negatively affect the dark night skies of the National Park and is contrary to Local Plan policies SP1, SP2 and SP4.

32. The proposed pathway would require a section of the hedgerow to be removed to enable an opening but based on the current proposal it would be well screened and would have a limited visual impact. However, the Local Highway Authority has raised

concerns relating to visibility accessing the highway for pedestrians at the footpaths eastern access where it joins the A684, which is discussed below.

**Highways**

33. The Highway Authority has not raised any concerns at this stage relating to the vehicular access off the A684 and Frostrow Lane. However, it has commented that although the proposed footway is of public benefit, concerns are raised relating to the visibility of oncoming traffic on the bend of the A684 for pedestrians, when accessing the A684 crossing point to the east side of the site. The HA has advised that consideration is given to an alternative scheme to construct a pathway alongside the carriage way to eliminate any obstruction of the highway caused by the hedgerow and the Local Highway Authority would maintain responsibility of the footway thereafter.

34. Although the revised scheme suggested by the highway Authority would inevitably result in the loss of the entire hedgerow that forms the existing northern field boundary thereby improving visibility, this in turn would increase the prominence of the site in its entirety and increase the visual impact of the development. No specific details have been submitted detailing any additional visibility splays. To date no revised scheme has been proposed and therefore the access to the highway must be considered based on the current proposal.

35. The proposed footpath would be accessed from the west by an opening within the fence set within the existing vehicular access. The main consideration is the new access on the eastern side of the field, on the bend of the A684. The A684 at this point has a speed limit of 40 mph, however the visibility of oncoming vehicles at the access for pedestrians and other users at the pointing of joining the A684 is limited.

36. Although the submitted drawings appear to indicate that there is a verge along the highway adjacent to the field there is actually very little grassed verge with the existing hedgerow for the most part directly abutting the highway. The visibility of the access when travelling from the west (from Sedbergh) on the approach around the bend is extremely limited, with the estimated visibility for pedestrians at approximately 20 metres and up to approximately 35 metres when stepping out slightly into the westbound lane (from the Garsdale direction). The estimated visibility when looking east along the highway towards Garsdale is about 100 -120 metres. When accessing the site from Frostrow Lane from the west, the visibility of oncoming vehicles from the Sedbergh direction, due to the ‘U’ bend in the road is much increased.

37. It is considered that the visibility of oncoming vehicles approaching the access and pedestrians would be very poor and is likely to post a risk to highway safety and is therefore considered to be contrary to Local Plan policy SP4.

**Nature Recovery**

38. As a means of biodiversity enhancement, it is proposed that bird and bat boxes are introduced within the site along with landscape planting and can be controlled by condition, in accordance with Local Plan policy W2.

39. The national Biodiversity Net Gain (BNG) regulations allow self-build as an exemption to the requirement to provide BNG. Therefore, provided the development is carried out in the manner defined as self-build by the regulations, there are no requirements for meeting the statutory BNG legislation. The proposed scheme specifically details that the proposal is for a self-build and provided that this is carried out as a self-build (and occupied by the builder) then there would be no requirement to secure habitat creation through statutory BNG.

**Parish Council Comments**

40. Sedbergh Parish Council supporst the application on the basis that the right of way is created in advance of any development of the proposed single-storey dwelling, and that the right of way should be a formal public right of way and remain in perpetuity. The Parish Council has also added that the proposed dwelling should be local occupancy only as noted in the application. Finally, it is noted the applicant's intention to retain and preserve the listed milestone marker.

41. The introduction of a new dwelling in this location outside of the housing development boundary fundamentally conflicts with both national planning policy and Local Plan policy. To allow a new dwelling in this location would undermine the Authority's housing strategy and would set an undesirable precedent for resisting similar un-planned, sporadic development.

**Equality Act**

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

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

**Conclusion**

44. The proposed new dwelling would be located in the countryside outside of any settlement boundary. No case has been made or evidence submitted that satisfies

the exceptions for affordable housing or for a rural worker's dwelling in the Local Plan. The proposal is therefore contrary to the Authority's strategy for delivering sustainable housing development in the National Park (policies C1, C2, SP1, SP2 and SP3).

45. In addition, the introduction of a new dwelling, along with its associated curtilage, parking and change in land levels would introduce a significant amount of development on the site negatively affecting its character and appearance and that of the wider area. The introduction of a dwelling in this isolated location would adversely impact the natural beauty of this part of the National Park and the benefit of a single local occupancy dwelling would not outweigh the harm.

46. The proposed pathway would be open to the public and although considered to be a public benefit the pedestrian crossing would have very poor visibility at the crossing point where that pathway joins the A684. The pathway would form an intensified crossing place that would prejudice the safety of pedestrians and road users and is therefore contrary to Local Plan policies SP4, T4 and C11.

**Recommendation**

47. It is recommended that permission be REFUSED based on the following:

1. In the opinion of the Local Planning Authority, the proposed dwelling is not in a sustainable location for housing development and the proposal is not justified by an exceptional need, either as affordable housing or being necessary for a rural worker. To allow the proposal would set an undesirable precedent for permitting development in unsustainable locations that would harm the landscape and scenic beauty of the National Park and conflict with the objectives set out in the National Planning Policy Framework (2024) [paras. 8, 84, 189] and the strategy for delivering sustainable housing development in the National Park set out in Policies C1, C2, SP1, SP2, SP3 and SP4 of the Yorkshire Dales Local Plan (2015-2030). As such the proposal conflicts with the first statutory purpose of National Parks (S.5 National Parks and Access to Countryside Act 1949).

2. In the opinion of the Local Planning Authority the proposal does not respond positively to the site context and landscape setting or locally distinctive building traditions. The introduction of a dwelling, the change in land levels and associated development, represents a poorly designed, intensive and intrusive form of development in this isolated location that would detract from the scenic beauty and largely undeveloped pastoral and dark sky character of the area. As such the proposal is contrary to Policies SP2 and SP4 of the Yorkshire Dales Local Plan (2015-2030), the Yorkshire Dales Design Guide (2017), the guidance within the National Planning Policy Framework (2024) [paras. 8, 84, 139, 189 in particular] and the first statutory purpose of National Parks (S.5 National Parks and Access to Countryside Act 1949).

3. The introduction of a new pedestrian access from the A684 with poor visibility for pedestrians and oncoming traffic would prejudice highway safety, contrary to policy T4, C11 and SP4 of the Yorkshire Dales Local Plan (2015-2030) .