
Appeal Decision

Site visit made on 20 February 2017

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 March 2017

Appeal Ref: APP/W9500/W/16/3164332

Land at Hallgarth Farm, Westgate, Thornton-le-Dale, Pickering YO18 7SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by A & D Sturdy Ltd against the decision of North York Moors National Park.
 - The application Ref NYM/2015/0467/FL, dated 7 July 2015, was refused by notice dated 1 November 2016.
 - The development proposed is construction of 8 no dwellings with associated access, parking, garages and landscaping works.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Prior to the determination of the application by the Authority the number of dwellings proposed was reduced from 9 to 8. I have determined the appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the setting of the Grade II listed building of Hallgarth Farm and whether it would preserve or enhance the character or appearance of the Thornton-le-Dale Conservation Area.

Reasons

4. Hallgarth Farm comprises of a former farmhouse and a range of attached buildings together with an extensive open field to the south and east. Planning permission has been granted for the conversion of the attached buildings to a single dwelling together with alterations and repairs to the farmhouse, and I saw at my site visit that these works appeared to be complete.
 5. Hallgarth Farm is a group of Grade II listed buildings characterised by linear buildings aligned along the road frontage of Westgate with the farmhouse extending to the rear. Based on the evidence before me and my observations on site, I consider that there are a variety of elements which contribute to the significance and setting of Hallgarth Farm as a designated heritage asset. This includes its extensive layout and a linear form of buildings with variations in roof height. The open field adjacent to the farmstead emphasises its historic
-

pastoral character and enables its significance to be fully appreciated. It has a separate identity to the traditional form of Westgate and has a historic, visual and functional relationship to the farming landscape to the south, although this is limited to a degree by unsympathetic modern housing development to the south and east.

6. The site is also located directly adjacent to the southern boundary of the Thornton-le-Dale Conservation Area (CA). Although the site is shielded in views from Maltongate (the main southern entrance into the CA) by housing, I saw that the site is visible to the rear of the farmstead from the highway of Westgate. The unique character of Hallgarth Farm and the associated open field contribute to the self-contained detached character of Westgate which distinguishes it from adjacent housing areas and the historic core of the village. Although the field is relatively unkempt, it is representative of the rural history of the area and of Hallgarth Farm in particular. Due to this distinct character, the site makes a positive contribution to the setting of the CA and its significance as a designated heritage asset.
7. The appeal proposal would consist of 8 dwellings facing onto an access road/private drive. Due to this layout and the regimented arrangement of the predominantly detached dwellings, the proposal would appear as a residential cul-de-sac of a suburban character extending into the field adjacent to Hallgarth Farm. Whilst this arrangement may be functional in relation to access and the movement of vehicles, it is typical of highway-led residential schemes and does not reflect the character of Hallgarth Farm or the adjacent CA.
8. I acknowledge that the dwellings would be constructed from traditional materials and would follow the simple understated theme and vernacular detailing which has been successfully implemented in the dwelling of 'Upgang' adjacent to the site entrance. Furthermore, on an individual basis, the proposed dwellings would be of a height, scale and massing that would be subservient to Hallgarth Farm. However, taken as a whole, the extent and scale of the proposal and the massing of the group of dwellings would dominate the setting of the listed buildings and would impact on the relationship between the farmstead and its pastoral setting. The positive aspects of the design of individual dwellings would not overcome the harm arising from the suburban form and scale of the development and its impact on the setting of designated heritage assets.
9. The Council's reason for refusal also refers to the density of the development. However, there is a mixture of development densities in the area and this aspect of the proposal would not be out of character for the area, notwithstanding my comments in relation to the suburban character of the scheme.
10. I note that the Archaeology and Heritage Statement submitted by the appellants states the setting and heritage of the listed buildings and CA would be affected by the proposal and that the impact would be minor, but that this could be lessened with mitigation such as an appropriate design and layout in keeping with the village. However, for the reasons stated above, I consider that the design and layout of the proposal is not in keeping with the setting of the designated heritage assets or the wider historic character of the village. Rather than mitigating harm to these assets, the suburban layout and

appearance of the proposal would exacerbate the harm. Nevertheless, I accept that the harm would be less than substantial and, in the terms of the National Planning Policy Framework (the Framework) and in accordance with paragraph 134, needs to be balanced against the public benefits of the proposal.

11. The development site is bounded to the south and east by a mixture of post-war dwellings which do not reflect the historic character of Hallgarth Farm or the CA. The appellants contend that a major benefit of the proposal is that it would screen these dwellings from the listed buildings. However, the effect of the proposal would be to bring an unsuitable suburban form of residential development closer to Hallgarth Farm, with resultant harm to the setting of both the listed buildings and of the CA.
12. I note that a Unilateral Undertaking (UU) has been submitted by the appellant in relation to the contribution of a sum of £135,000 towards the cost of providing off-site affordable housing. I also note that the Authority states that it is minded to accept this UU subject to a number of amendments. I have therefore had due regard to the provisions of the UU on that basis. The proposal would also add 8 dwellings to the supply and mix of housing in the area as well as adding to the support of community facilities from residents of the dwellings. I also note that the appellant has offered to install solar water heating panels and wood burning stoves to reduce CO₂ emissions. These are public benefits which weigh in favour of the proposal.
13. However, mindful of the statutory duties imposed by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the stipulation in paragraph 132 of the Framework that the significance of a designated heritage asset can be harmed through development within its setting, these benefits would not be sufficient to outweigh the harm to the significance of the designated heritage assets that would be caused.
14. I therefore conclude that by reason of its design, form, scale, massing and layout the proposal would fail to preserve the setting of the listed buildings and that the harm to the setting of the CA would fail to preserve the character and appearance of the CA. Thus I consider that the proposal would be contrary to Core Policies A and G of the Core Strategy and Development Policies 2008¹ (CSDP) which state that, amongst other things, that development should conserve and enhance historic assets and their setting. The proposal would also conflict with Development Policies 3, 4 and 5 of the CSDP with regards to design and the effect on the setting of the CA and listed buildings.
15. For the reasons stated above, I consider that the proposal would conflict with the provisions of the Framework in respect of conserving and enhancing the historic environment. The site is within the North York Moors National Park and I am mindful that Paragraph 115 of the Framework states that the conservation of cultural heritage should be given great weight in National Parks. I therefore consider that the proposal would also conflict with the provisions of the Framework in respect of its location within the National Park and the harm it would cause to the setting of designated heritage assets.

¹ North York Moors National Park Authority Local Development Framework: Core Strategy and Development Policies 2008

Other Matters

16. I am mindful of the comments raised in support of the proposal, including the comprehensive and considered response from the residents of Meadow Barn and the support expressed by the Parish Council. The issues raised in support of the appeal relating to matters of design, the need for housing and the overgrown nature of the site are addressed above. I acknowledge the comments in relation to the good reputation and local nature of the appellants as well as the successful renovation work already undertaken to the farmstead, but these are not matters which fall within the remit of this appeal.
17. I have also taken into account objections raised locally relating to the effects of the proposed development on disturbance, trees, ecology, flooding, privacy, highway safety, boundary treatment, capacity of services, health and safety, outlook and archaeology. However, consideration of these matters has not led me to a different conclusion on this appeal.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR