The Planning Inspectorate

Appeal Decision

Site visit made on 22 June 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2023

Appeal Ref: APP/W9500/Y/22/3305119
Demesne Farm, Fylingdales, Whitby YO22 4QF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Alan Bancroft (Demesne Farm) against the decision of North York Moors National Park Authority.
- The application Ref NYM/2022/0442, dated 21 May 2022, was refused by notice dated 12 August 2022.
- The works proposed are installation of replacement double glazed timber windows and a door at Demesne Farm Holiday Cottages.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed works in the banner heading above is taken from the decision notice which succinctly describes the proposal. However, it does not refer to the proposed replacement door which is shown on the plans and is referred to in the decision notice. As such, I have included reference to the door in the description for clarity. As the scheme relates to a listed building, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The site lies within the North York Moors National Park thus I have also had regard to the statutory purposes of the national park designation.

Main Issue

3. The main issue is whether the proposed works would preserve the Grade II listed building, known as Demesne Farmhouse and attached farm buildings and garden walls, or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

4. Demesne Farmhouse and attached farm buildings and garden walls are Grade II listed and date from the 18th century. It has a distinctive formal layout with the main two-storey farmhouse facing into a courtyard enclosed by the smaller farm buildings. The courtyard is entered by an arched entrance where the main farmhouse dominates at the opposite side of the courtyard.

5. Both the farmhouse and farm buildings are built from sandstone with slate roofs. Although converted into holiday accommodation, the farm buildings fenestration pattern, layout, scale, form and more simple vernacular contrast

with the greater sense of grandeur and importance resulting from the scale, fenestration and architectural detailing of the farmhouse. The contrasting characteristics between the house and farm buildings provide a historical narrative to the site's former use as a small traditional farmstead.

6. From the evidence available to me, the significance of the listed building, insofar as it relates to this appeal, is largely derived from its architectural and historic qualities as an intact planned estate farmstead with its preserved courtyard layout.

Appeal proposal and effects

7. The windows and doors in the farm buildings are not original and were installed several years ago. They include top and side hung casement windows with glazing bars. Entrance doors to the individual holiday units are timber with half glazed doors. Windows and doors are often among the most prominent features and an integral part of the design of a listed building. In this case they have little historic interest, yet their design appears to generally replicate that of historic windows and doors found in vernacular farm buildings. They are single glazed, timber with relatively small panes of glass divided by structural glazing bars. In these respects, they have some aesthetic value, and they are in keeping with the character and style of the listed building.

8. I have had regard to the poor condition of some of the timber windows. Although it is clear from my observations on site that some windows need restoration work, no detailed robust assessment of the condition of the windows, or the door, has been submitted. As such, I cannot be certain that their condition is so poor that all or some could not be retained and sensitively refurbished by an experienced tradesperson.

9. Even if I accept that they are beyond repair and require to be totally replaced, the sealed units of the double glazing in the proposed windows and door would form a flat uniform plane of glass. This would be distinct from the existing single glazing, due to the double reflection that arises from the use of two panes and its bulkier appearance. Even with high-quality workmanship and a similar depth to the existing glazing bars, the 'sandwiched' dividers would be evident behind the applied glazing bars. Moreover, the continuous plane of the front glass of the sealed unit would be clearly discernible revealing their modern technical fabrication. Accordingly, the proposed windows and door would lack both the constructional integrity and the important visual subtleties of texture that traditional carpentry and glazing methods offer.

10. From a distance, the existing and proposed windows and door design would appear similar. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether close public views of the building can be gained. In this regard, on closer inspection the new windows and door would lack many of the subtleties of single glazed individual panes with structural glazing bars. As such, the replacement windows and door would be clearly identifiable as non-traditional modern fixtures, they would appear jarringly out of place on this listed building and the aesthetic value attributable to the existing windows and door would be lost.

11. Consequently, the works would fail to preserve, and instead harm, the special architectural and historic interest, and hence significance of the Grade II listed

building, known as Demesne Farmhouse and attached farm buildings and garden walls.

Public benefits and heritage balance

12. Paragraph 199 of the National Planning Policy Framework (the Framework) (2021) advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.

13. With reference to paragraphs 201 and 202 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, given that the windows and doors in the farm buildings are not original and the layout and form of the farm buildings would be retained, the harm to the listed building would be 'less than substantial' but, nevertheless, of great weight. Under such circumstances, paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.

14. The timber proposed would have a long-life span. Moreover, any improvements to energy efficiency, would have public benefits through the potential for lower energy consumption and by reducing carbon emissions. However, the extent of improvements to the building's thermal insulation and energy efficiency from the proposal have not been quantified. Given the size of the farm buildings, any environmental benefits which would flow to the public at large are likely to be minimal. Moreover, I have not been presented with any substantiated reasons that energy efficiency could not have been improved in other ways.

15. There would also be some very small economic and social benefits associated with the installation works and the general investment into the property. These outcomes assist the delivery of the main objectives of the planning system as outlined in the Framework. However, the scale of these public benefits is limited by the modest extent of the works.

16. There is no evidence that the use as holiday accommodation would not, or could not be, secured without the works. In this regard, clear and convincing justification for the harm that would occur to the significance of the designated heritage asset because of the proposed works, has not been provided.

17. Overall, the weight that I ascribe to the public benefits that would accrue from the proposed works, is not sufficient to outweigh the great weight that I attach to the harm I have found. As such, the works would not comply with paragraph 202 of the Framework.

18. The proposed works would fail to preserve the Grade II listed building known as Demesne Farmhouse and attached farm buildings and garden walls, or its features of special architectural or historic interest which it possesses. This is contrary to the requirements of sections 16(2) of the Act.

19. In so far as it is a material consideration the works would conflict with Strategic Policy I and Policy ENV11 of the North York Moors National Park Authority Local Plan (2020). These say, amongst other things, that harm to an element which contributes to the significance of a designated heritage asset (or to non-

designated archaeology of national importance) will require clear and convincing justification and will only be permitted where this is outweighed by the public benefits of the proposal. Accordingly, it would also be inconsistent with the first purpose of the national park designation, albeit to a very small degree.

Other Matters

20. The merits of an alternative window style or concerns regarding the processing of the application are not matters for my consideration as part of this appeal and do not alter the merits of the proposed works before me.

21. I have been referred to replacement windows at other listed buildings in the vicinity of the appeal site. However, I do not have full details of the circumstances that led to those replacement windows being accepted. As such, I am unable to make any meaningful comparisons with the proposal before me. In any event, I have determined the appeal on its own planning and conservation merits and concluded that there would be harm, which is not outweighed by sufficient public benefits.

Conclusion

22. For the reasons given, the appeal is dismissed.

Mr R Walker

INSPECTOR