



Appeal Decisions

Site visit made on 23 September 2025

by **M J Francis BA (Hons) MA MSc MCIfA**

an Inspector appointed by the Secretary of State

Decision date: 17th November 2025

Appeal A Ref: APP/U2750/W/25/3363896

The Stables, Allerton Park, North Yorkshire HG5 0SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Allerton Park Estate against the decision of North Yorkshire Council.
 - The application Ref is ZC24/03033/FUL.
 - The development proposed is internal alterations including lift, with new external steps and wheelchair lift.
-

Appeal B Ref: APP/U2750/Y/25/3363895

The Stables, Allerton Park, North Yorkshire HG5 0SE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Allerton Park Estate against the decision of North Yorkshire Council.
 - The application Ref is ZC24/03034/LB.
 - The works proposed are listed building consent for internal alterations including lift, with new external steps and wheelchair lift.
-

Decision

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.

Preliminary Matters

3. The address on the application forms refers to 'Church to Stable Flats'. I have removed this from the banner heading above as it is not an official part of the address.
4. A revised drawing¹ removing the canopy over the proposed door has been submitted by the appellant. Applying the principles established by Holborn², by accepting this and using the substantive test, would not result in a fundamental change to the application. Furthermore, as the Council has been consulted on it, and interested parties did not object to the proposal, there would be no procedural unfairness. Therefore, I have proceeded to determine the appeal based on this drawing.
5. As set out above, there are two appeals on this site, one for planning permission, and the other for listed building consent. Planning permission and listed building consent are under different legislation; however, I have dealt with both appeals together in my reasoning.

¹ Ref 23/02/2381 03 Rev F

² Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

6. Therefore, as required by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue

7. The main issue in both appeals is whether the proposal would preserve the grade II listed building, The Stables, or any features of special architectural or historic interest that it possesses.

Reasons

8. The building³, constructed as a stable block in the late 18th century as part of the Allerton Castle estate, is one of several buildings and structures that are listed on the estate. It is approached along a country lane that skirts the estate parkland. A short gravel driveway leads to The Stables (hereafter, the stables), which is set amongst neatly mowed grass and a copse of trees. The building was reputedly converted to residential use in the 1970s.
9. The stable block has a courtyard plan which is entered by a large, arched, central pavilion, with attached wings, and two-storey corner pavilions. Most of the building is finished in stucco, although the rear of the wing with carriage openings fronting the courtyard, is of brick. It has sliding sash windows, and on the upper level has a series of circular windows.
10. From what I saw, and the evidence before me, the special interest and significance of the listed building, derives from its historic and architectural interest. Whilst its evidential value has been reduced following its conversion to residential accommodation, its form, layout and carriage openings, point to its previous use, providing high quality stabling for horses in the 18th century.
11. The scale and purpose of the building, designed for an imposing country house, within a wider designed landscape, illustrates its architectural value. The building is reputed to have been built by the architect Henry Holland, commissioned by Prince Frederick, Duke of York. However, the appellant's statement refers to new research suggesting that the stables were designed by John Plaw for Colonel Thomas Thornton.
12. Notwithstanding who designed the stables, the building has an aesthetic value which derives from the composition of the building with its classical architectural design to the southern elevation, including circular and arched windows, stucco finish, and the large open courtyard. The glimpsed views through the trees from the adjoining lane also contributes to its significance.
13. Converting the building to residential accommodation has resulted in the subdivision of the stable block and the insertion of large numbers of domestic windows on the western and eastern elevations, and domestic style doors and windows on the elevations facing the courtyard. The courtyard area has been resurfaced with modern paving blocks, and a large urn and pots with flowers are growing within the centre. The western elevation has a trellis style porch and fronts an attached garden with flower beds and garden furniture, which gives it a strongly domestic character and appearance.

³ List entry 1189456

14. The apartment, where the works are proposed, is currently accessed from the courtyard into a lobby where a staircase leads up to the first floor. The lobby would house a lift. I saw that the apartment, where it is proposed to alter the first-floor plan to allow wheelchair access, does not, apart from some round windows, appear to have any apparent features or fixtures appertaining to its use as stabling. Therefore, based on the evidence and what I saw, the construction of the internal lift would not harm any features of historic or architectural interest within the building.
15. There is no evidence of the eastern elevation prior to the residential conversion of the building. However, it is unlikely, based on knowledge of the design of stables at that period, to have had the numbers and style of windows, which are now sliding sash or side opening casements. A partly glazed door, steps and railings have, in addition, been constructed at the south-eastern corner. Consequently, the character and appearance of this elevation will have changed significantly from when it was built as stables.
16. Only a limited amount of original fabric would be removed to create the new entrance door, and it would have a similar pattern of small panes as the existing windows on this elevation. Because of the difference in floor levels, a wheelchair lift, and external steps and railings would be constructed. Whilst these would be of a simple design, and the railings on the other steps would be replaced to match, the siting of the proposal and the construction of the lift would be a discordant addition to the building.
17. This is because, being located near the centre of the eastern façade, it would disrupt what is now, visually, a simple elevation, unencumbered by additions other than the less intrusive existing door and steps near the corner of the building. In addition, both when the stables were built, and more recently when it was converted to residential use, entrance doors have largely been confined to the inward facing elevations overlooking the courtyard. Therefore, access and circulation have continued to follow historic precedent.
18. Whilst it is important to retain the character and appearance of the courtyard elevations, building on a prominent external elevation, visible from views both from within the site, and when entering it from the road, is concerning. Although a suitably worded condition could be used to require the removal of the proposed steps and lift when no longer needed, ensuring that this takes place at some future date, would be difficult to enforce and potentially unreasonable. Therefore, it is unlikely that a condition would meet the required legal and policy tests⁴ as set out in the Planning Practice Guidance and paragraph 57 of the National Planning Policy Framework (the Framework), 2024.
19. Although the proposal would not result in changing the special interest of the building to the extent that it would no longer read as a stable block, altering and extending this external elevation would be unsympathetic to the character and appearance of the building which would harm its significance.
20. I have had full regard to other designated assets on the estate. To the rear of the appeal site is the grade II listed dovecote attached to the north of the stables⁵. This is of late 18th century date, and its special interest rests in part because it is a

⁴ Paragraph: 003 Reference ID: 21a-003-20190723

⁵ List entry 1262210

unique type of dovecote, with the flight boxes arranged in freestanding rows. The site is also located within the grade II registered park and garden, Allerton Park⁶, which contains several grade II and II* listed buildings. The significance of the asset derives from its extensive 18th century parkland with lakes that surround the grade I listed, Allerton Castle⁷.

21. I have also had due regard to the Church of St Martin⁸, a grade II* listed building in a Norman style and the grade II listed wall and piers, which are located opposite the driveway entrance to the stables. Both designated assets date to c.1745 when the church was rebuilt.
22. The stable block is, however, located on the edge of the designated park, and is reached by a separate driveway to Allerton Park and the mansion. Therefore, and because of the scale and position of the proposal, it would not intrude into the immediate and wider setting of these and the other nearby heritage assets.
23. In concluding on this issue, I find that whilst the proposal would not harm the adjoining heritage assets, it would harm, and therefore, fail to preserve the listed stables.

Public Benefits and Balance

24. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have clear and convincing justification. I find the harm to be less than substantial, and whilst this is on the lower end of the scale, it is, nevertheless, of considerable importance and weight.
25. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
26. The apartments within the stable block are used by the owner and her extended family. The family has lived on the estate for many generations, and the owner has lived at the stables since the early 1980s and wishes to remain there. However, they now require adaptations to achieve this, including a wheelchair lift so that they can safely access the apartment. Providing a level entry to the building and the creation of an accessible dwelling, is seen by the appellant as a public benefit which would preserve the courtyard arrangement, without the need for a ramp.
27. I have had due regard to the Public Sector Equality Duty (PSED) set out in s149 of the Equality Act 2010. The development is required to meet the needs of a person who has protected characteristics due to their disability.
28. I have also taken into consideration the Human Rights Act (HRA), 1998, and recognise that the dismissal of the appeal would interfere with some of the appellants' rights under Article 8 of the First Protocol. Article 8(1) states that

⁶ List entry 1000402

⁷ List entry 1189430 referred to as Allerton Park. A mansion dating to 1848-51.

⁸ List entry 1149996 and 1294266

everyone has a right to respect for their private and family life, their home and their correspondence.

29. The Planning Practice Guidance⁹ sets out what may be regarded as public benefits, such as works to a listed private dwelling which secures its future as a designated heritage asset. Although there would be economic benefits from the proposed building works, I have seen no evidence to suggest that these works are essential to secure the optimum viable use of the building, which is already divided into apartments. Moreover, no alternative proposals for appropriate accommodation, other than the use of a ramp from the courtyard, have been put forward in the evidence.
30. I appreciate the needs of the owner, and the benefits that the new entrance and lift would provide. Whilst this is primarily a personal benefit, it would enhance the housing stock to provide more inclusive accommodation and avoid the need for a ramp in the courtyard setting which would be a limited public benefit.
31. Hence, in this instance the public benefits are not sufficient to outweigh the considerable importance and weight I give to the harm to the heritage asset.
32. Therefore, I conclude that the proposal would fail to satisfy the requirements of the Act and paragraph 212 of the Framework. Additionally, it would conflict with Policy H2 of the Harrogate District Local Plan 2014-2035, 2020, which states that proposals that affect heritage assets will be determined in accordance with national planning policy. It would also conflict with the Harrogate District Heritage Management Guidance Supplementary Planning Document, 2014, which sets out the direction for the management of the historic environment.
33. However, in the context of the HRA and the PSED, the personal circumstances of the owner are a substantial consideration in favour of the appeal. In addition, I note that the Framework recognises that planning decisions should ensure that development creates places that are safe, inclusive and accessible.
34. Whilst I am sympathetic to the owner's position, I must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Therefore, in this instance the considerations would not outweigh the conflict with the development plan as a whole.
35. Consequently, I consider that it is in the wider public interest to interfere with the qualified rights under Article 8 in order to remedy the harm to the significance of the listed building. In making this decision, I consider that any interference with those rights is necessary and proportionate and in accordance with the law.

Conclusion

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

M J Francis

INSPECTOR

⁹ Paragraph: 020 Reference ID: 18a-020-20190723, 23 July 2019