
From: Graham Forster
Sent: 29 July 2020 17:11
To: Hilary Saunders
Cc: Planning; 'Gill Forster'
Subject: NYM/2019/0628/FL - Land to rear of Brookfield, Maltongate, Thornton Dale

Good Evening Hilary.

The Pinfold Maltongate Thornton Dale

I have prepared the attached document regarding the Pinfold.

This is for publication on the NYMNPA website.

Regards

Graham

Brigate Barn
Brigate
Nesfield
Ilkley
LS29 OBS
UK

THE PINFOLD MALTONGATE THORNTON DALE

In my report on the "Title history of land in the ownership of the Yeoman family" I record that The Yeoman family first obtained Possessory Title to the Pinfold in 2004 with the title upgraded to Absolute Title in 2018.

Both Mrs Forster and myself were keen to visually present the Pinfold in a manner befitting its historical significance and the first move was to clear out the brambles, self-seeded saplings and other small shrubs which had enveloped it over the years. This work was carried out on 13 February 2017 entirely of our own volition. Regular maintenance work has continued since that time.



The Pinfold Immediately following clearance (Photograph by Contractor)

Note the hazel Tree (subsequently removed) to the left of the corner.

Minutes of Thornton Dale Parish Council meetings record the following:

August 2013

Item 48/13 – Listing of Pinfold Maltongate.

The Clerk received a letter from C M France, (Director of Planning) stating that he has passed the details to Mr Ed Freedman who will contact English Heritage to progress this matter further.

September 2013

Item 54/13 (Part)

He (Councillor Porter) requested an update on the Pinfold situation.

This is being investigated on our behalf by Parks and as soon as the Council receives any information regarding this matter it will be forwarded to all concerned.

October 2013

Item 63/13

The matter of the Pinfold was once again raised. Councillor Porter gave an overall view of how and why the Pinfolds were used and originated. Councillor Mills will be meeting with Mr C France in the very near future and he will discuss the Council's concerns regarding this matter.

November 2013

Item 84/13

The Pinfold situation was discussed and the PARKS solicitors thought that the information put forward was appropriate and robust enough to carry the project forward.

March 2015

Item 43/15

Councillor J Garbutt will try and access details from the archives regarding Land Registry of land in Thornton le Dale/ pinfolds/folds. To be placed on April's agenda.

April 2015

Item 55/5 a

Councillor Biggins.

Update on the pinfold/pound.

Councillor Garbutt is continuing to collect information from archives regarding this and he will update the Council when he has finished his enquiries.

May 2015

Item 73/15

The Clerk will contact PARKS regarding the Pinfold situation. At this moment the Pinfold is registered on the Land Registry to the owner of Brookfield and has been so since September 2003.

June 2015

Item 78/15

The matter of the Pinfold was debated and it was thought that the Clerk should contact the Land Registry to find out if they, the L R, had informed the Council when the Affidavit was sworn to enable the present owners to obtain this land, also if any other paperwork was available and held by them regarding this transaction. (See Note 1)

August 2015

Item 118/15

Further information has been received from the Land Registry regarding the dispute over the Pinfold. Councillor Garbutt will; investigate the Council's concerns regarding the matter. (See Note 2)

September 2015

Item 125/15

Councillor Garbutt contacted Person & Wards (solicitors) and spoke to Mr Oliver Riley regarding the concerns of the Council regarding the Pinfold. He was informed that the original owners would need to put forward a challenge to have the claim by Mr Yeoman overturned.

Note 1.

The affidavit referred to was sworn by Dennis Robin Yeoman in September 2003 in connection with the application to the Land Registry which resulted in Possessory Title being granted to the Yeoman family.

Note 2.

The matter of a dispute over ownership of the Pinfold was clearly in the mind of the Parish Council but not in that of Mrs Forster who co-operated fully with the Council and provided all relevant information to establish that her family are the registered owners.

It is clear that the Parish Council wished to acquire the Pinfold, and the reference in the minutes for September 2015 to:

“the PARKS solicitors thought that the information put forward was appropriate and robust enough to carry the project forward.”

appears to indicate that they had a restoration project in mind. Below, I detail how they were given this opportunity and what became of it.

On 21st February 2017 I emailed Councillor Bell as follows:

“Good Afternoon Ms Bell.

I write to you in your capacity as Chair of Thornton Dale Parish Council.

You will recall that between 2013 and 2015 the Parish Council made extensive enquiries regarding the ownership of the Pinfold. In this respect I refer to my email correspondence with Mr Garbett culminating on 13th October 2015 which clearly shows that “The Yeoman Family” hold valid legal title. This fact is supported by your own enquiries of Messrs Pearson and Ward as recorded in the minutes of September 2015.

I have read the Parish Council minutes for the meetings of August ,September, October and November 2013, together with March, April, May, June, August and September 2015 from which it is clear that at that time the Council had concerns about its future. I hope that I can alleviate those concerns and that we can work together to preserve this interesting and historical feature of the village.

In my previous correspondence I make the point to Mr Garbutt that “that both Mrs Forster and I are very aware of the historic significance of the Pinfold and it is not our intention to ‘develop’ it in such a way that its character would be lost to the village.....

As you may have noticed, work has recently been carried out to clear the undergrowth and prevent further deterioration of the Pinfold. Please see the attached photographs. We hope that this is the first stage in its restoration and long term preservation for the benefit of the village.

In order to complete this stage the tree shown in the attached photograph needs to be removed as its roots will eventually cause the Pinfold wall to collapse. I do not know who owns the land upon which the tree is situated. Our extensive enquires reveal that there is no registered owner, there is no evidence of an unregistered owner and that Ryedale District Council cut the grass even though they too do not own it.

Would you please arrange for the careful removal of the tree so that the wall is not disturbed. As the it is situated within a conservation area the consent of NYMNPA will be required but as you know, this is by way of a simple letter. For the avoidance of doubt I wish to record that although some branches of the tree have recently been removed, this was not by our contractor. It may well have been Ryedale District Council seeking to retain access to the adjacent bench but I cannot be certain of this.

The next stage will be to obtain the consent of NYMNPA to repair of the walls. Taking into account the Parish Council’s clear recorded wish to preserve this feature of the village, I am

requesting that you support this worthwhile project specifically by diverting funds which would have been used for its acquisition by the Council to a grant for the purpose of assisting in its immediate repair and preservation.

I look forward to a positive response and working with the Parish Council for the betterment of the village."

Councillor Bell forwarded this email to her fellow councillors and on 15th March 2017, Councillor Boden forwarded it to one David Smith who in turn forwarded it to Edward Freedman and Mark Antcliff of NYMNPA.

On 22nd March 2017 agreement was reached between Mrs Forster and Mr Freedman for the tree to be removed by and at the expense of NYMNPA.

On 23rd March 2017 the hazel tree was removed leaving the base of the trunk and the root, removal of which would have caused the wall to collapse. The remains were treated to prevent further growth.



The treated stump of the Hazel Tree immediately following removal (Photograph by Contractor)

Mr Freedman indicated that grant aid may be available to carry out a limited restoration of the pinfold and in view of the stated position of the Parish Council it was hoped that the 3 parties (Mrs Forster, NYMNPA and the Parish Council) could work together on a project to benefit the community.

Accordingly, a meeting took place at the pinfold on Monday 24th April 2017. It was attended by Councillor Bell, Councillor Porter, Edward Freedman (Conservation Officer NYMNPA), Mrs Forster and myself.

Following the meeting, on 27th April 2017, I wrote the email below to Ms Bell:

"Good afternoon Ms Bell.

Gill (Mrs Forster) and I would like to thank both yourself and Mr Porter for attending the site meeting on Monday afternoon.

In the end, I think that it proved to be very positive and we look forward to working with you.

In the meantime, if Mr Porter can provide the photographs that he mentioned we would be very grateful.

Initially we will work closely with Mr Freedman to establish the scope of the works.

I will be in touch with you again in due course.

On 23rd May 2017 I emailed Ms Bell again as follows:

“Good Afternoon Ms Bell.

Further to my email below, we have had further discussion with Mr Freedman however we await input from Mr Porter.

Would you be kind enough to let us have any information which either of you hold so that this may also be discussed with Mr Freedman.

I await hearing from you.”

We continued to work with Mr Freedman a scheme was agreed. This is detailed in the “Pinfold Restoration Document” dated 7th June 2017 which is attached.(APPENDIX 1)

In their letter to the Planning Inspectorate dated 22nd May 2017 which related to an appeal lodged by Mrs Forster against the refusal of Planning Consent for application No NYM/2015/ 0919/FL Mr and Mrs P Smith wrote:

1.3 There is a ‘pinfold’ at the south eastern part of the proposed site. Mr and Mrs Foster have arranged to clear this area ‘to its former glory’ to the benefit of the village.”

This, together with a verbal complaint from Mr R Gray that the Hazel tree had not been fully removed caused us to feel that there was little appetite for the project within the immediate community.

There has never been a response to either email to Councillor Bell which is rather surprising in view of the Parish Council’s well documented interest in acquiring the Pinfold. and their track record renovating the stone wall adjacent to the Beck.

Faced with a clear lack of interest on the part of the Parish Council and the local community, the restoration project was reluctantly abandoned and an opportunity lost.

Graham W Forster

29 July 2020

Appendix 1

REPORT ON THE PINFOLD BROOKFIELD THORNTON DALE YO18 7SD

PREPARED BY G W FORSTER FOR DISCUSSION WITH THE CONSERVATION OFFICER OF MYMNP

THE PINFOLD BROOKFIELD THORNTON DALE YO18 7SD

This document is to be read in conjunction with the following:

- a) Plan dated 5th June 2017 of the Pinfold.
- b) Photographic record dated 1st June 2017.
- c) PDF of old photograph – date unknown.
- d) PDF of 2 old postcards – dates unknown.
- e) PDF of old photograph 2 – date unknown.

The objective is to reach an agreement with North Yorkshire Moors National Park Authority over the extent of renovation to this historic structure and to secure grant assistance.

The plan identifies seven specific areas in need of rebuilding and one where the former gated entrance may be reinstated. It also identifies the North and west walls of the structure which are in need of extensive general repair.

Areas in need of rebuilding.

- A & F The south-east corner shown in Photographs 1,2 ,11 and 12 where bulging of the wall over a length of approximately 4.0 metres has taken place over many years. This is due in part to the hazel tree (photograph 11) which was removed by NYMNP. As part of the proposed works, the stump and roots should be removed.
- B The southern wall shown in Photographs 3 and 4 where bulging of the wall over a length of approximately 3.2 metres has taken place over many years.
- D The eastern wall shown in Photographs 7 and 8 where bulging of the wall over a length of approximately 2.9 metres has taken place over many years. Photograph 8 clearly shows the difference in wall heights between the eastern and northern walls which should be addressed as part of the restoration.
- E The eastern wall behind the seat shown in Photographs 9 and 10 where bulging of the wall over a length of approximately 1.7 metres has taken place over many years.
- G The southern garden wall to Brookfield shown in Photograph 13 where deterioration of the wall over a length of approximately 1.95 metres has taken place over many years.
- H The eastern garden wall (fronting Maltongate) to Brookfield shown in Photograph 14 where deterioration of the wall over a length of approximately 0.9 metres has taken place over many years.
- J The eastern garden wall (fronting Maltongate) to Brookfield shown in Photographs 15 and 16 where deterioration of the wall adjacent to the pedestrian entrance gate to Brookfield over a length of approximately 3.45 metres has taken place over many years.

Gate Opening

Position C.

There is no definitive evidence of the position of an entrance gate which must have existed at one time in the past. Mrs Forster has a clear recollection of there being in the mid 1970's an opening in the southern wall which was blocked up by boarding. She believes that a wall was built to completely block the entrance at about this time. There is evidence of part of the southern wall approximately 7.2 metres back from the line of the eastern (front) wall having been rebuilt and it is reasonable to assume that this is the position of the original entrance.

Areas in need of general repair

Photographs 17 to 20 show the northern wall of length approximately 9.9 metres and 21 to 23, the western wall of length approximately 9.1 metres. With the exception of the access from the garden of Brookfield (photograph 20) the state of repair is generally satisfactory.

I believe that these walls should be restored by removing the top 300mm and then rebuilding and increasing the height in specific areas by up to a further 300mm as appropriate. These works are best looked at in the course of a further site meeting and will need to be specified to any contractor.

Proposals

- a) It is important that all of the "archaeology" of the structure is retained so that evidence for its historical development is preserved
- b) All walls to be of dry stone construction unless specifically stated.
- c) All limestone rubble brought to site to match existing and be approved by NYMNPA.
- d) Use large flat coping stones to finish pinfold wall tops.
- e) Take down and rebuild using the recovered stone all of the areas identified above. Remove tree root stump.
- f) Using the wall height along the eastern (front) boundary to level off the top of the eastern and southern walls forming the Pinfold at approximately 1.450 metres above external ground level.
- g) The walls to the northern and western boundaries to be repaired by carrying out very selective reconstruction to consolidate the existing height and coursing.
- h) The straight joint in the north wall to be retained.
- i) Those walls on Maltongate fronting the garden to Brookfield to be rebuilt to the current heights. Stone to be bedded in lime mortar with deep recessed joints. All existing coping stones to be removed, numbered, recorded and re-bedded in their existing positions using lime mortar.
- j) The access and steps from the garden of Brookfield to be built in a position and to a style to be agreed. My initial proposal is for stone steps in in the north-west corner where an access already exists.
- k) A gate opening to be constructed in position "c" shown on the plan. New 3ft tantalised softwood picket gate with a pair of substantial tantalised softwood gateposts to be of a style and size to be agreed with NYMNPA.

Graham W Forster

6th June 2017. Revised 16th June 2017.

PHOTOGRAPHS – 1ST JUNE 2017



Photograph 1. Position A (External Wall)



Photograph 2. Position A (Internal Wall)



Photograph 3. Position B (External Wall)



Photograph 4. Position B (External Wall)



Photograph 5. Position C (External Rebuilt Wall – Former Gate Position)



Photograph 6. Position C (Internal Rebuilt Wall – Former Gate Position)



Photograph 7. Position D (External Wall)



Photograph 8. Position D (Internal Wall)



Photograph 9. Position E (External Wall)



Photograph 10. Position E (Internal Wall)



Photograph 11. Position F (External Wall)



Photograph 12. Position F (Internal Wall)



Photograph 13. Position G (External Wall)



Photograph 14. Position H (External Wall)



Photograph 15. Position J (External Wall)



Photograph 16. Positions H and J (External Wall)

The following photographs are of the internal walls backing onto the Brookfield garden land. They start in the north east corner and move anticlockwise to the south west corner.



Photograph 17. North East Corner



Photograph 18. North Side Adjoining Brookfield



Photograph 19. North Side towards North West Corner



Photograph 20. North West Corner



Photograph 21. West Side towards North West Corner



Photograph 22. West Side adjoining Brookfield



Photograph 23. South West Corner

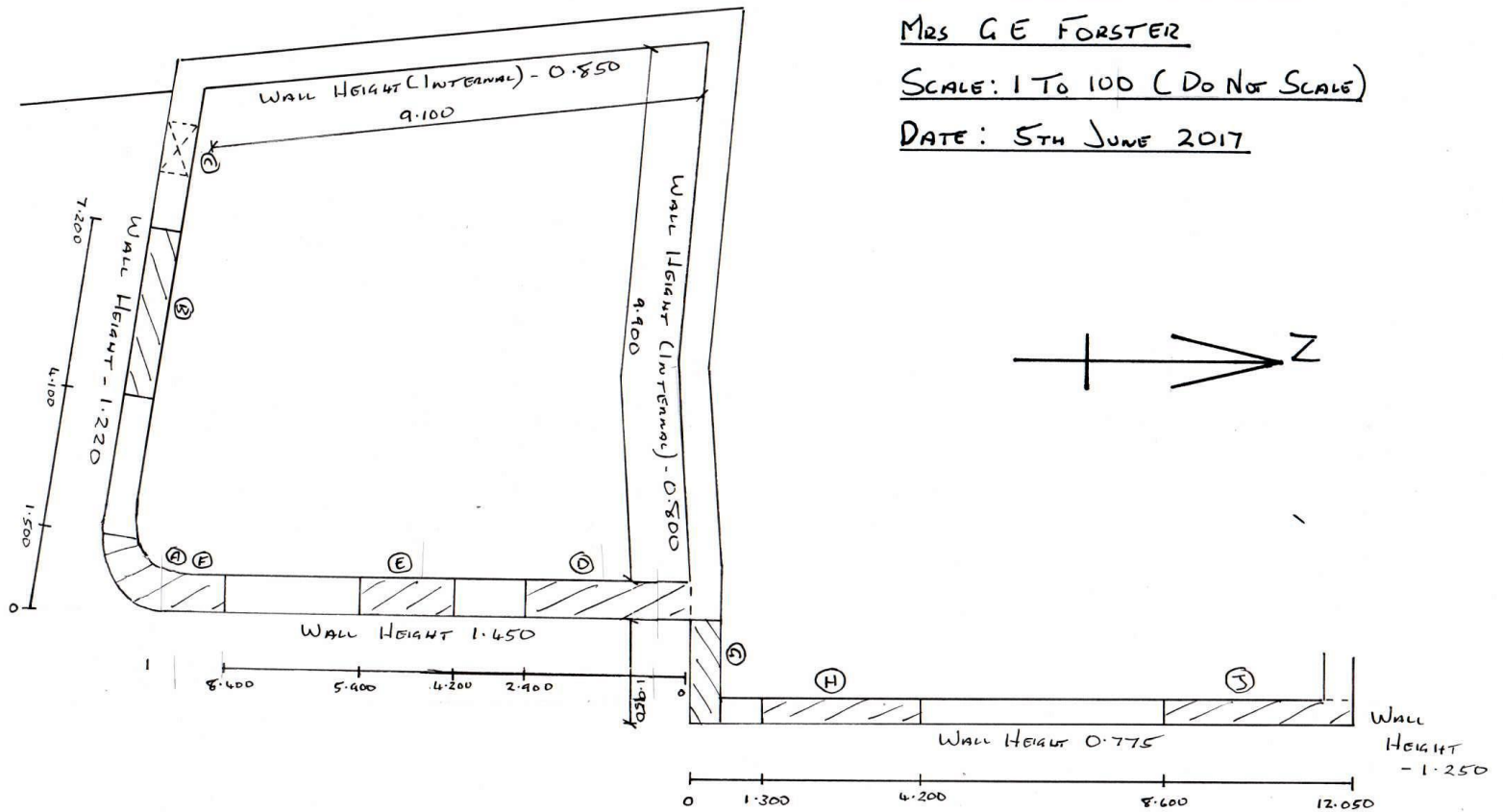
PINFOLD AT BROOKFIELD, MALTONGATE

THORNTON DALE YO18 7SD

MRS G E FORSTER

SCALE: 1 TO 100 (DO NOT SCALE)

DATE: 5TH JUNE 2017

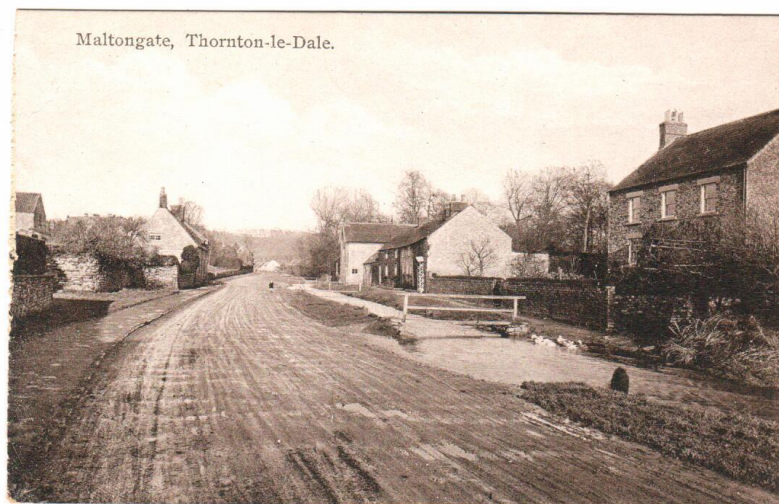


MALTONGATE



Old Photograph – Date Unknown

2 Old Postcards – Dates Unknown



Old Photograph – Date Unknown

