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**From:**

**Sent:** 22 September 2020 11:36

**To:** Hilary Saunders

**Cc:** 'Gill Forster'

**Subject:** RE: NYM/2019/0628/FL - Land to rear of Brookfield, Maltongate, Thornton Dale

Good Morning Hilary.

Please find attached the required Heritage Assessment prepared and written by Nick Corbett of WSP Leeds office.

I apologise for the delay however I appreciate that you will understand the necessity for the document to be an independent and thorough assessment of the application.

I'm sure you are aware that WSP is a world-leading international multi-disciplined consultancy group of high repute who act for a range of clients from governments and large companies to private individuals. They pride themselves on applying their vast wealth of experience to seek positive outcomes at a local level.

Nick Corbett BA Hons, BPI MA IHBC MRTPI, associate director – planning and heritage in the Leeds office is an author and chartered town planner specialising in heritage and placemaking. He has over 25 years of heritage planning experience. His work is highly respected and regularly published in professional publications such as “The Planner” and “Property Week”

“Small is Beautiful: Planning for a Post-Covid World” published in “The Planner” on 22 April 2020 is an article written by him which advocates precisely the type of development that we propose. It can be accessed by following this link and is worthy of your attention.

<https://www.theplanner.co.uk/features/small-is-beautiful-planning-for-a-post-covid-world>

Regards

Graham

Briggate Barn

Briggate

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UK



NYMNP

22/08/2020

Mrs G E Forster

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# LAND REAR OF BROOKFIELD, MALTONGATE, THORNTON-LE- DALE

Heritage Assessment





Mrs G E Forster

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**LAND REAR OF BROOKFIELD,  
MALTONGATE, THORNTON-LE-DALE**

Heritage Assessment

**TYPE OF DOCUMENT (VERSION) PUBLIC**

**PROJECT NO. 62260323-HER**

**DATE: SEPTEMBER 2020**



Mrs G E Forster

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**LAND REAR OF BROOKFIELD,  
MALTONGATE, THORNTON-LE-DALE**

Heritage Assessment

WSP



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London

WSP.com



# QUALITY CONTROL

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Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks	Table text	Table text	Table text	Table text
Date	04.09.2020	Table text	Table text	
Prepared by	Nick Corbett	Table text	Table text	
Signature				
Checked by	John Brooks	Table text	Table text	Table text
Signature				
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1

# THE PROPOSAL





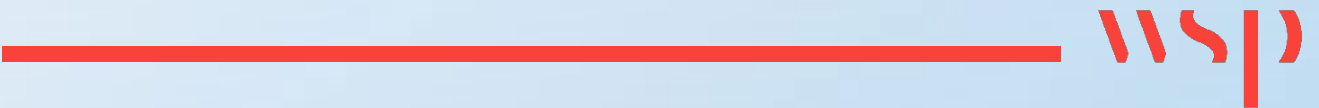
# 1 THE PROPOSAL

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- 1.1.1. The proposed development is the erection of two single-storey dwellings in the style of an agricultural group together with access and amenity space, upon a cleared site previously used as a market garden and latterly partly for building material and machinery storage in connection with the trade and business of the last Yeoman family occupant of Brookfield and partly as a domestic garden, associated with Brookfield, a grade II listed cottage dating from the late eighteenth century.
- 1.1.2. A planning application for the scheme was initially intended to be included on the agenda for planning committee in July 2020, but it was withdrawn to allow for this Heritage Assessment to be produced by Nick Corbett BA Hons, BPI MA IHBC MRTPI, who has over 25 years of heritage planning experience and has walked extensively around the site and the Thornton-le-Dale Conservation Area. This Heritage Assessment follows the correct methodology as set out in the Good Practice Advice (GPA) No 3, The Setting of Heritage Assets (2<sup>nd</sup> Edition, December 2017) by Historic England. It addresses all relevant issues, (including those raised by CPRE and CBA in their responses to the planning application).
- 1.1.3. A previous scheme for larger, two storey houses upon the site was refused planning permission and an appeal was dismissed, but the principle of development upon the site was not ruled out.
- 1.1.4. The revised scheme has been designed in accordance with guidance received from officers and is intended to integrate with existing agricultural buildings associated with Brookfield to form a group of the type found throughout Thornton-le-Dale, a village made of historic small-holdings with outbuildings converted to residential use.

# 2

## **SITE AND SURROUNDINGS**



## 2 SITE AND SURROUNDINGS

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- 2.1.1. The whole of the application site is within the Thornton-le-Dale Conservation Area.
- 2.1.2. To the east of the application site, on the opposite side of Maltongate, is an attractive group of historic houses accessed by foot bridges over a beck. The group includes the detached house, Rookwood, which is grade II listed, set in extensive gardens, dating from the early nineteenth century, and a terraced group of cottages that includes Brooklet House, which is grade II listed, dating from the early eighteenth century; and Ivy Cottage, which is grade II listed, dating from the early eighteenth century (with possibly older origins).
- 2.1.3. The application site is now cleared of vegetation and buildings, but photographic evidence reveals it was previously used as a market garden and latterly partly for building material and machinery storage in connection with the trade and business of the last Yeoman family occupant of Brookfield and partly as a domestic garden. Abutting the site to the north are remaining single storey outbuildings associated with the small-holding, originally used as pig sty's and latterly as a workshop, a store for building materials and equipment and a greenhouse. In 2015 this was converted into 2 garages pursuant to Application nos. NYM2015/0054/FL, NYM/2015/0055/LB, NYM/2015/0490/NM and NYM/2015/0605/LB. Further to the north and still within the small-holding ownership, are two-storey stone barns that have been converted into two dwellings.
- 2.1.4. Recent photographs show that large conifer leylandii trees previously stood along the western boundary that backs onto the gardens of three modern detached houses that were within the Brookfield small-holding in the 1970s. Suburban development to the west of the application site has obscured any historic burgage plots that might have been farmed from Brookfield, and within the site itself there is no evidence of any heritage assets or historic features associated with earlier agricultural use that would prevent the proposed development from being approved. Any hidden archaeology would be covered by a standard planning condition in the usual way.
- 2.1.5. A public footpath, known as Lady's Walk, screened by vegetation, flanks the southern boundary linking Maltongate and Jessamine Villas.
- 2.1.6. A stone built pinfold, an historic enclosure for stray animals, stands to the east of the site, fronting onto Maltongate. This area is not subject to the current application and is screened from the site by vegetation. The pinfold is not listed in its own right, but is understood to be regarded as being curtilage listed by the local planning authority. Historically, the village may have had two or three of these pinfolds (as explained in the Conservation Area Appraisal and Management Plan), but this is the only survivor.

The pinfold with the application site located behind the hedgerow.



The application site, looking west



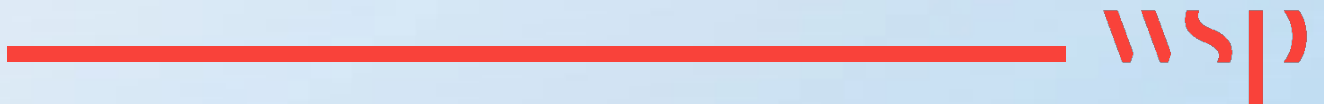
One of the previously existing buildings within / abutting the application site.



The application site, looking north

# 3

## **IMPACT OF THE PROPOSED DEVELOPMENT UPON HERITAGE SIGNIFICANCE**

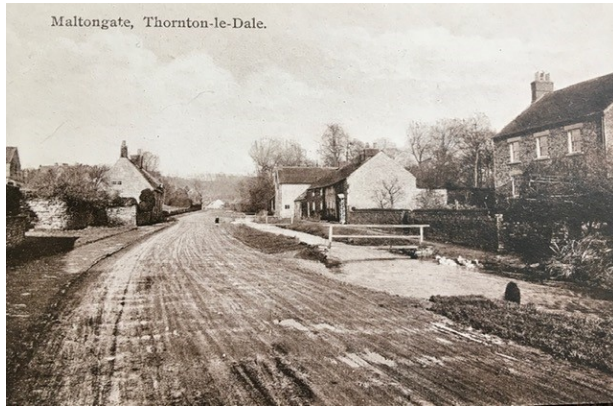


### 3 IMPACT OF THE PROPOSED DEVELOPMENT UPON HERITAGE SIGNIFICANCE

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#### THE THORNTON-LE-DALE CONSERVATION AREA

- 3.1.1. The Conservation Area was designated in 1977. A Conservation Area Character Appraisal and Management Plan was published in November 2017 and this defines the significance of the Conservation Area.
- 3.1.2. The Conservation Area's significance is described as being drawn from its picturesque qualities, most notably the beck that flows through the village, serving as a unifying feature, fronted by modest stone cottages, many of which originated as farms and now have their outbuildings converted to residential use.
- 3.1.3. Limestone walls with red pantile coping are the prevailing boundary feature, flanked by grass verges. There are vestiges of a twelfth century street layout around the village green that contains the market cross and stocks.
- 3.1.4. The Conservation Area Character Appraisal and Management Plan includes a long list of features of architectural and historic significance that are to be sustained and enhanced; the list does not specifically include the surviving pinfold.
- 3.1.5. There is a photograph of the pinfold on page 14 of the Conservation Area Character Appraisal and Management Plan (where it is referred to as the village pound) and the hedgerow trees behind it form the eastern boundary of the application site.
- 3.1.6. The hedgerow vegetation around the application site, which forms the backdrop to the pinfold, is not mentioned in the Conservation Area Character Appraisal and Management Plan, but it does make a positive contribution to the appearance of the Conservation Area and helps to screen the back of the 1970s houses on Roxby Road. (The proposed development leaves this hedgerow intact).
- 3.1.7. The cleared land within the application site itself makes a neutral contribution to the Conservation Area and the 1970s houses backing onto it make a negative contribution because they introduce a suburban form of development alien to the character and appearance of the Conservation Area, which is largely defined by eighteenth century cottages.
- 3.1.8. The proposed development would take what is currently a left-over space between the pinfold and the back of 1970s houses and create a more historically appropriate form of development, better integrated with the converted agricultural buildings associated with Brookfield. The Conservation Area is largely defined by small-holdings with outbuilding converted to residential use, and the proposed development would conform with this historic typology.
- 3.1.9. The proposed development would have no harmful effect upon any public views because it is set well back from the road and pinfold behind a mature hedgerow; even when glimpsed from Maltongate or neighbouring listed buildings through the trees, it would appear, appropriately, as part of the historic small-holding of Brookfield.
- 3.1.10. In summary, the proposed development would cause no harm to the character or appearance of the Conservation Area.



Historic Photo of Thornton-le-Dale, with the pinfold shown to the left.

## LISTED BUILDINGS

### **1: Brookfield, Maltongate, grade II listed for its architectural and historic significance. List Entry Number: 1241309**

- 3.1.11. Brookfield is a late C18 cottage built in dressed sandstone with some herringbone-tooled and includes later alterations and an extension. It is single storey with attic rooms and includes a three-bay front with a two-cell direct-entry plan-form. The left gable is partly rendered. There is a pantile roof with rebuilt brick stacks.
- 3.1.12. The proposed development may be visible from some of the windows of Brookfield, but it would not affect the listed building's setting in any harmful way, indeed the roofs of the proposed development may partly screen and soften the rear elevations of 1970s houses, and may therefore slightly enhance the wider setting of Brookfield. (The listing description does not mention any of the outbuildings or the pinfold).
- 3.1.13. In summary, the proposed development would cause no harm to the setting or heritage significance of Brookfield.

### **2: The Pinfold, Maltongate, (possibly curtilage listed as part of Brookfield)**

- 3.1.14. The pinfold is not listed in its own right, but it is understood that the local planning authority regard it as being curtilage listed and so it is treated in this report as if it were listed, (this remains open to question depending upon how the curtilage of Brookfield is defined).
- 3.1.15. The pinfold consists of dry stone walls with some rebuilding and is clearly of local interest because it would have been maintained by the local community.
- 3.1.16. The pinfolds in Thornton-le-Dale would have been integrated with the village, rather than being remote from it, and their setting would be defined by cottages and outbuildings rather than fields.
- 3.1.17. The proposed development would at the closest point be approximately 5 metres from the pinfold, but is set back behind a mature hedgerow. Whilst the proposed development might be glimpsed



from the pinfold, through the hedgerow, the fact that the development would be single storey and would be constructed in vernacular materials and have the appearance of a converted agricultural building associated with the small-holding of Brookfield, mean it would not appear inappropriate or harmful to the setting of the pinfold. The proposed development may also partially screen 1970s houses from the pinfold, which would further enhance the way in which the pinfold is experienced.

- 3.1.18. In summary, the proposed development would cause no harm to the setting or heritage significance of the pinfold.

**3: Rookwood, Maltongate, grade II listed for its architectural and historic significance. List Entry: 1241254**

- 3.1.19. Rookwood is a house dating from the early C19, constructed in pink and cream brick in garden wall bond, under a pantile roof with brick stacks.
- 3.1.20. The proposed development would be approximately 50 metres to the west of Rookwood and may be glimpsed through vegetation, but the new buildings would appear as part of the agricultural group associated with the small-holding of Brookfield and they may partially screen the incongruous 1970s houses from Rookwood with more historically appropriate development.
- 3.1.21. In summary, the proposed development would cause no harm to the setting or heritage significance of Rookwood.

**4: Brooklet House, Maltongate, grade II listed for its architectural and historic significance. List Entry: 1241299**

- 3.1.22. Brooklet House is an early C18 terraced cottage, possibly originally consisting of two single-celled cottages. It is constructed of coursed sandstone rubble, timber lintels, pantile roof and a brick stack.
- 3.1.23. It is listed because of its age, being a good example of a local vernacular cottage, with the added interest of the evidence that the building was possibly a pair of single-celled, early-C18 cottages, and has period features including hinges, joinery, sash windows, timber partitions and historic roof structure.
- 3.1.24. (Brooklet House was originally listed as a single List entry as Brooklet Cottage and Rose Cottage, but Rose Cottage, to the north, was removed from the listing in 2015 as it was shown to have been rebuilt in the 1970s).
- 3.1.25. There might be oblique views of the roofs of the proposed development through dense vegetation from Brooklet House, but the proposed development could also have the benefit of partially screening the unsympathetic 1970s houses and result in a more historically appropriate form of development.
- 3.1.26. In summary, the proposed development would cause no harm to the setting or heritage significance of Brooklet House.

**5: Ivy Cottage, Maltongate, grade II listed for its architectural and historic significance. List Entry: 1241253**

- 3.1.27. Ivy Cottage is an early C18 cottage, built of dressed coursed sandstone, with timber lintels, pantile roof and brick stack. There are some late C20 alterations, but the cottage retains a good range of period features and fabric providing evidence of its early C18 form with hints of a possible C17 timber framed longhouse predecessor.
- 3.1.28. Ivy cottage stands approximately 40 metres to the north-east of the application site and there might be oblique views of the roofs of the proposed development, through dense vegetation, from windows of Ivy Cottage, but the proposed development might also have the benefit of partially screening unsympathetic 1970s suburban houses and result in a more historically appropriate form of development.
- 3.1.29. In summary, the proposed development would cause no harm to the setting or heritage significance of Ivy Cottage.

**6: Cruck Cottage and attached outbuilding, Maltongate, grade II listed for its architectural and historic significance. List Entry: 1241308**

- 3.1.30. Cruck Cottage dates from C17 and includes two attached byres, converted to residential use. The cruck frame is encased in coursed limestone rubble, under a pantile roof with rebuilt brick stacks.
- 3.1.31. Cruck Cottage is approximately 30 metres to the south of the application site and is visually separated from it by the large detached house, Croftburn.
- 3.1.32. The proposed development would cause no harm to the setting or heritage significance of Cruck Cottage.

# 4

## **RELEVANT LEGISLATION AND PLANNING POLICY**



## 4 RELEVANT LEGISLATION AND PLANNING POLICY

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### LEGISLATION

- 4.1.1. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides the statutory test for consideration of proposals affecting a listed building or its setting. Section 66 (1) states:

*“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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”*

#### Summary

- 4.1.2. An important issue to remember is that when considering harm, ‘preserving’ for the purposes of S.66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, means ‘doing no harm’ (South Lakeland v Secretary of State [1992]). This is clarification that preservation does not preclude change to or within the setting of heritage assets. Preserving means not causing harm to the elements which comprise the asset’s significance.
- 4.1.3. This report assesses the impact of the proposed development upon the significance of listed buildings visible from the application site and concludes that their setting will be preserved.

### NATIONAL PLANNING POLICY FRAMEWORK

- 4.1.4. The preservation and enhancement of heritage assets forms an important part of the National Planning Policy Framework (NPPF, 2019). Section 16, paragraphs 184 to 202 deals specifically with conserving and enhancing the historic environment.
- 4.1.5. The NPPF defines significance as being the “value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic interest”. Importantly, it adds that significance is not only derived from an asset’s physical presence, but also from its setting, that is “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve” (Annex 2: Glossary).
- 4.1.6. Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Similarly, there is a requirement on local planning authorities, having assessed the particular significance of any heritage asset that may be affected by a proposal, to take this into account when considering the impact of a proposal on a heritage asset (paragraph 190).
- 4.1.7. In determining planning applications, local planning authorities should take account of the following three points:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 192).

- 4.1.8. Heritage assets can be harmed or lost through alteration, destruction or development within their setting. This harm, in respect to designated heritage assets, ranges from less than substantial through to substantial. With regard to designated assets, paragraph 193 states that the more important the asset, the greater the weight should be on its conservation. Distinction is drawn between those assets of exceptional interest (e.g. Grade I and Grade II\* listed buildings), and those of special interest (e.g. Grade II listed buildings).
- 4.1.9. In instances where development would cause substantial harm to, or total loss of significance of a designated asset, consent should be refused unless that harm or loss is 'necessary to achieve substantial public benefits that outweigh that harm or loss' (paragraph 195). In instances where development would cause less than substantial harm to the significance of a designated asset, the harm should be weighed against the public benefits of the proposal, including its optimum viable use (paragraph 196).
- 4.1.10. Paragraph 194 states that, 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. '
- 4.1.11. Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.
- 4.1.12. Paragraph 200 states that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting, that make a positive contribution to or better reveal the significance of the asset, should be treated favourably.

#### Summary

- 4.1.13. The proposed development is considered to be compliant with Chapter 16 of the NPPF because it would cause no harm to the significance of any heritage assets due to the carefully considered vernacular design, which is sensitive to its setting in terms of scale, massing, orientation, and materials, and which reflects the local typology of small-holdings with single-storey outbuildings converted to residential use. It will in effect transform a left-over space, backed onto by unsympathetic 1970s suburban houses, into a more historically appropriate form of development that will complement the setting of the grade II listed small-holding of Brookfield, the pinfold, other listed buildings, and preserve the character and appearance of the Conservation Area.
- 4.1.14. The proposed development is considered to be compliant with all relevant heritage legislation and Chapter 16 of the NPPF.

## THE NORTH YORK MOORS NATIONAL PARK AUTHORITY LOCAL PLAN, JULY 2020

(Note: the following policies have been abridged to focus upon the heritage and placemaking considerations relevant to this report).

### 4.1.15. Strategic Policy A - Achieving National Park Purposes and Sustainable Development

Within the North York Moors National Park a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park...

### 4.1.16. Sustainable development means development which:

- a) Is of a high quality design and scale which respects and reinforces the character of the local landscape and the built and historic environment;

### 4.1.17. Strategic Policy B - The Spatial Strategy

### 4.1.18. Development will be guided in accordance with the following settlement hierarchy:

Larger Villages (including Thornton-le-Dale): Development should support the service function of Larger Villages by providing additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality

### 4.1.19. The explanatory text states in relation to Larger Villages: These settlements have a more 'self-contained' character, and a range of facilities serving the wider community. The Local Plan allows for small scale development in the main built up area of these villages to meet housing, employment and community needs, including 'principal residence' housing on suitable sites (Policy CO7). No development boundaries or limits are defined and the suitability of a site for development will be defined on a case by case basis.

### 4.1.20. Strategic Policy C - Quality and Design of Development

### 4.1.21. To maintain and enhance the distinctive character of the National Park, development will be supported where:

1. The proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide;
2. The proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular;
3. The siting, orientation, layout and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating

spaces around and between buildings which contribute to the character and quality of the locality;

4. The scale, height, massing and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers;
5. Sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources;
6. A good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity and makes use of appropriate native species forms an integral part of the proposal;
7. Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;
8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;
9. Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way; and
10. The proposal ensures the creation of an accessible, safe and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.

#### 4.1.22. Strategic Policy I - The Historic Environment

4.1.23. All developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:

1. Features that contribute to the wider historic landscape character of the North York Moors National Park such as the legacy of features associated with the area's industrial, farming, fishing and monastic past;
2. Archaeological sites and monuments, comprising both upstanding and below-ground assets, including Scheduled Monuments and regionally or locally important non-designated monuments such as the Neolithic barrows and Bronze Age cairns, tumuli and stone circles;
3. The vernacular building styles, materials and the form and layout of the historic built environment including Conservation Areas, Listed Buildings and regionally or locally important non-designated structures and buildings. Applicants will be required to provide a Heritage Statement of sufficient detail to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).

4.1.24. 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. Substantial harm will only be permitted where it can be demonstrated that the proposal would bring substantial public benefits that outweigh the harm or there are other exceptional circumstances.

- 4.1.25. Where non-designated heritage assets are affected, a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the asset and other material considerations.
- 4.1.26. Policy ENV9 - Historic Landscape Assets
- 4.1.27. Development affecting historic landscape assets of the North York Moors will be required to conserve and, where appropriate, enhance its landscape quality and character by taking into consideration the elements which contribute to its significance and, where relevant, the public's experience of it. Such assets can include, but are not limited to:
1. Registered Historic Parks and Gardens of Arncliffe Hall – Grade II, Duncombe Park – Grade I, Mulgrave Castle – Grade II\* and Rievaulx Terrace and Temples – Grade I;
  2. Other designed landscapes of regional or local significance;
  3. Medieval street patterns and garths;
  4. The layout of traditional farmsteads and their relationship with the surrounding agricultural landscape;
  5. Ridge and furrow and other evidence of past field systems and farming practices (including isolated features such as sheepfolds and limekilns);
  6. Other landscape features such as mature or veteran trees, hedges and historic boundaries and enclosures, trods, historic pavements, milestones and boundary stones, fords and watercourses and other important historic elements;
  7. Monastic ruins and associated water management systems;
  8. The open, unenclosed character of Common Land;
  9. Evidence of historic mining, railways and other historic industries;
  10. The early enclosure landscapes of the 12th and late 16th centuries and the Parliamentary enclosures of the late 18th and 19th centuries;
  11. The 18th Century water races of the southern Moors such as at the 75 North York Moors National Park Authority Local Plan July 2020 Duncombe Estate;
  12. The network of extant trenches, bombing decoys, anti-tank defences and radar installations from the First and Second World Wars;
  13. The remains of the structures associated with rabbit-farming along the southern edges of the Moors;
  14. Features of the Heritage Coast such as harbours, harbour walls, former lighthouses, and slipways.
- 4.1.28. Where a development will impact on features which contribute to the historic landscape (and our understanding and appreciation of it) the Authority will require preservation of the original features. When preservation is not justified the applicant will be required to make adequate provision for recording and analysis in advance of the development, secured through an approved Written Scheme of Investigation.
- 4.1.29. Policy ENV10 - Archaeological Heritage



- 4.1.30. Development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted unless it can be demonstrated that there are wholly exceptional circumstances and that there are substantial public benefits that outweigh the harm.
- 4.1.31. The preservation of other archaeological sites will be an important consideration having regard to their significance. When development affecting such sites is acceptable in principle, the Authority will seek the preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the applicant will be required to make adequate provision for excavation and recording in advance of development, secured through an approved Written Scheme of Archaeological Investigation.
- 4.1.32. The Authority will require applicants to provide sufficient information to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance.
- 4.1.33. Policy ENV11 – Historic Settlements and Built Heritage
- 4.1.34. Development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features. Development proposals will only be permitted where they:
1. Conserve, enhance or better reveal elements which contribute to the significance of the heritage asset or its setting including key views, approaches and qualities of the immediate and wider environment that contribute to its value and significance;
  2. Conserve or enhance the special character and appearance of settlements including buildings, open spaces, trees and other important features that contribute to visual, historical or architectural character;
  3. Reinforce the distinctive qualities of settlements through the consideration of scale, height, massing, alignment; design detailing, materials and finishes;
  4. Respect the integrity of the form of historic settlements including boundary and street patterns and spaces between buildings;
  5. In the case of new uses, ensure the new use represents the optimum viable use of the asset which is compatible with its conservation;
  6. In the case of adapting assets for climate change mitigation, the proposal is based on a proper understanding of the asset and its material properties and performance, and of the applicability and effectiveness of the proposal. Development should not harm the heritage value of any assets affected.
- 4.1.35. When a proposal affecting a heritage asset is acceptable in principle, the Authority will seek the preservation of historic fabric in situ.
- 4.1.36. When retention of the feature is not justified or the form and appreciation of a heritage asset is compromised through the proposal, the applicant will be required to undertake an appropriate programme of historic building recording (HBR) and analysis secured through an approved Written Scheme of Investigation (WSI).

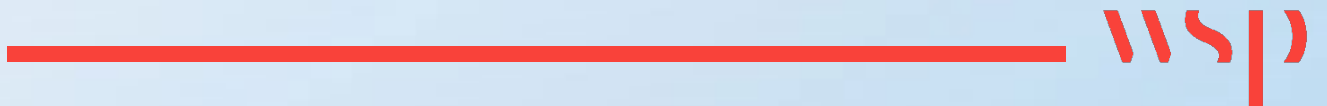


## Summary

- 4.1.37. The proposed development is considered to be fully compliant with The North York Moors National Park Authority Local Plan, July 2020, because it would cause no harm to the significance of the Conservation Area. Any potential harm to the setting of any heritage assets would be mitigated through the proposed vernacular design, which is appropriate and sensitive to its setting in terms of scale, massing, orientation, and materials, and which reflects the local typology of small-holdings with single-storey outbuildings converted to residential use. It will in effect transform a left-over space, backed onto by suburban 1970s houses, into a more historically appropriate form of development that will complement the setting of the grade II listed small-holding of Brookfield.

# 5

## CONCLUSION



## 5 CONCLUSION

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- 5.1.1. An important issue to remember is that when considering harm, 'preserving' for the purposes of S.66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, means 'doing no harm' (South Lakeland v Secretary of State [1992]). This is clarification that preservation does not preclude change to or within the setting of heritage assets. Preserving means not causing harm to the elements which comprise the asset's significance.
- 5.1.2. The design of the proposed scheme has been through several iterations and has been informed by analysis of the significance of the Conservation Area and neighbouring heritage assets, including the pinfold and Listed Buildings along Maltongate. As such, great weight has been given to the conservation of these heritage assets.
- 5.1.3. The proposed scheme would ameliorate and partially screen unsympathetic 1970s development by taking what is currently a left-over space and transform it into the kind of development that is more typical of the Conservation Area.
- 5.1.4. Thornton-le-Dale is a village made up of many small-holdings, with single-storey outbuildings converted to residential use, together with sensitively designed in-fill development. The proposed scheme would authentically reflect this historic typology.
- 5.1.5. The proposed development would cause no harm to the setting of Brookfield, the pinfold, neighbouring listed buildings, the Conservation Area, or any other heritage assets. It is therefore considered to be compliant with all relevant heritage legislation and policy.



This CGI image shows the proposed development located behind the pinfold and front garden wall of Brookfield (Brookfield stands to the right).



- 5.1.6. In conclusion, the proposed development is considered to be an example of the kind of small-scale growth, sensitive to its historic context, that helps to ensure Thornton-le-Dale continues to thrive as a sustainable and attractive village, where a proper understanding of heritage significance shapes new development.



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