



The Planning Inspectorate

9

3/25 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-3728629
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-8629

<http://www.planning-inspectorate.gov.uk>

Mrs F A Farnell (The National Park Officer)
N Yorks Moors N P Authority
The Old Vicarage
Bondgate
Helmsley
York,
YO6 5BP

Your Ref: NYM4/019/0023E/LB
Our Ref: APP/W9500/E/03/1112572
Date: 7 July 2003

Dear Madam

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
APPEAL BY MR & MRS M HIRD
SITE AT MOWTHORPE FARM COTTAGE, MOWTHORPE FARM, HACKNESS, YO12 5TB

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

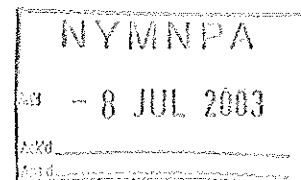
Fax No. 0117 372 8139

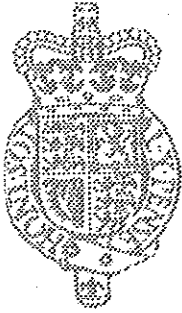
E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mr Tim Mather

COVERDL1





Appeal Decision

Site visit made on 02 July 2003

by **Keith P Durrant MA BArch(Hons) RIBA ARIAS**
MRTPI FRSA
an Inspector appointed by the First Secretary of State

The Planning Inspectorate
409 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-
inspectorate.gsi.gov.uk

Date

7 JUL 2003

Appeal Ref: APP/W9500/E/03/1112572

Mowthorpe Farm Cottage, Mowthorpe Farm, Hackness, North Yorkshire YO12 5TB

- 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 & Mrs M Hird against the decision of the North York Moors National Park Authority
- The application (Ref. NYM4/019/0023E/LB), dated 15 September 2002, was refused by the Authority by notice dated 20 November 2002.
- This is described on the application form as a retrospective application for construction changes that took place during building works, including the raising of the roof and eaves.

Decision:

For the reasons given below, and in exercise of the powers transferred to me, **I allow the appeal and grant listed building consent for the retention of works to raise the eaves height, install roof lights, omit two areas of glass tiles and demolish a chimney, at Mowthorpe Farm Cottage, Mowthorpe Farm, Hackness; in accordance with the terms of the application ref. NYM4/019/0023E/LB, dated 15 September 2002 and the plans submitted therewith.**

Clarification of Application

1. The works have already been carried out. The works did not form part of the listed building consent for conversion of a barn to a dwelling granted September 2000 and now implemented, but were changes made during construction. S.8(3) of the Act allows listed building consent to be sought even though the works have already been completed, although it is not retrospective. In this case, the works sought to be retained include not only those listed on the decision notice (the raising of the eaves height by 0.2 metres approximately, alteration to flues, installation of roof lights and omission of two areas of glass tiles) but also the removal of a chimney.
2. The appellants have suggested that the appeal building is not listed and therefore consent is not needed. On the limited evidence before me, the cottage appears to be a former barn attached to the Grade II listed Mowthorpe Farmhouse, forming part of the land since before 1 July 1948. Part of the building included residential accommodation for the farmhouse, which suggests a single curtilage. Historically (and at the time of listing in 1985) it was therefore not likely to have been an independent building, but one ancillary to the farmhouse and which served its purpose. Relying on the advice in these matters in Planning Policy Guidance Note 15 (PPG 15), I shall therefore proceed on the basis that listed building consent is required for works to this curtilage structure.

NYM4/019/0023E/LB
8 JUL 2003
AKd

Reasons for Decision

3. The context for my decision is the degree to which the character and appearance of the building was altered anyway by the works of conversion previously authorised. The former barn is now a dwelling attached to the larger and more dominant farmhouse, with the appearance of a farm cottage rather than a barn, whilst its shape and size retains strong echoes of its agricultural origins. Neither the changes to the approved pattern and location of rooflights nor the loss of a small chimney have altered that change in relationship and character to any significant extent – a conclusion also reached by the National Park Authority in respect of those changes.
4. I also believe that the raising of the eaves by the insertion of a small amount of additional stonework and the changed position of the flue onto the more prominent south elevation are relatively insignificant alterations to both the intrinsic character of the building and its relationship to the farmhouse. Although I acknowledge that the Authority feel strongly otherwise, but that local people differ in that assessment and support the appeal; I have come to that decision for a number of reasons:
- the additional height does not alter the relative scale of the two buildings, either from within the farmyard or from the south within the wider National Park landscape;
 - the retention of the projecting string course successfully ties the old and the new works together, helping to sit the cottage into its site and keep a proportionate relationship to the farmhouse, whilst retaining evidence of the changes;
 - the new stone work is already beginning to weather such that any initial prominence is being lost;
 - the black painted flue is not a noticeable feature of the overall building, and reflects simply and honestly its functional relationship to the stove inside;
 - the raising of the eaves expresses externally the structural integrity and function of the new roof structure internally.
 - although the new kneelers are somewhat crude, they do not dominant the elevation and with weathering I am satisfied that they will not detract from the overall appearance of the building.
5. This is a modest curtilage building whose conversion has produced an attractive addition to the local landscape, in keeping with its new purpose and its agricultural setting. The additional works have not harmed the character of the farmhouse, the wider group of farm buildings or their historic setting. That is consistent with the Secretaries of State's advice in PPG 15 and with the emerging Policy BE3 in the draft North York Moors Local Plan. Having considered the matter on its merits, I therefore do not share the Authority's view that a precedent will be set for works to listed buildings in the National Park.

KENTH P. DUNNALL

INSPECTOR

