



Historic England

YORKSHIRE OFFICE

Mr M Parkes
Harrogate Borough Council
Department of Development Services
Knapping Mount, West Grove Road
Harrogate
North Yorkshire
HG1 2AE

Direct Dial: 01904 601961

Our ref: P00717731

8 December 2017

Dear Mr Parkes

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND COMPRISING FIELD, AT 426061 459023, CHURCH LANE,
HAMPSTHWAITE, NORTH YORKSHIRE
Application No. 17/04924/FUL**

Thank you for your letter of 17 November 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The proposed housing development will affect the setting of the Church of St Thomas a Becket, a Grade II listed building, and the setting of several buildings of local interest on Church Lane. It will also affect the character and appearance of Hampshtwaite Conservation Area. The open character of the proposal site makes a positive contribution to the significance of the heritage assets affected. We therefore have concerns about the proposal on heritage grounds and urge your authority that if minded to grant consent for the proposal you should be satisfied that there is a clear and convincing justification and that the public benefits of the proposal outweigh the harm to the significance of the designated heritage assets. This is in order to address the special regard required by section 66 (1) and the special attention required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) regarding heritage assets and the National Planning Policy Framework (NPPF) (March 2012).

Historic England Advice

Significance

Church Lane is the oldest part of the village and its historic character can be appreciated through the layout of the buildings and open spaces. St Thomas a Becket's Church, a Grade II listed building 'forms a focal point' set within peaceful



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk





YORKSHIRE OFFICE

meadowland and marks the northern entrance of the village on the west side (section 4, p.4 of the Hampsthwaite Conservation Area Character Appraisal (HCACA). This contrasts with the tight urban grain of the rest of Church Lane with its back of pavement historic buildings and the aptly named 'End House' which terminates a characterful pre-1850, historic terrace of houses which mark the edge of the village on the east side of Church Lane.

This characterful historic group makes a positive contribution to the character and appearance of the conservation area in views towards the village from Clint Bank Lane. There are several public footpaths which afford elevated views when descending into the village and the historic edge of the conservation area and the church can be appreciated in its rural setting.

The proposal site is located in Hamsthwaite Conservation Area and is referred to in the appraisals as 'important open space' which adds to the historic character of the village (section 5.13, p. 6 HCACA). It provides an important green space between the village and the Grade II listed seventeenth century Hamsphwaite Bridge from which the approach into the hstoric village can be appreciated.

The new housing expansion in Thomas a Becket Walk of mainly detached houses on the site of a former cattle slaughterhouse is set back away from the historic core of the conservation area. This means that it does not cause significant harm to the character and appearance of the conservation area. However, the HCACA identifies that this development would benefit from further screening with additional tree planting. Screening is seasonal and by nature subject to being removed or lost over time, therefore it should not be relied upon as a way of making a harmful development acceptable or reducing or mitigating the harm which derives from the fundamental change in character of an area.

Impact

The proposed housing development would have a harmful impact on the character and appearance of the conservation area. It would extend the uncharacteristic layout of the new development on St Thomas a Becket Walk into the conservation area and significantly change the northern edge of the village in views from the north.

The urbanisation in this area would also detract from the setting of the Grade II listed Church. Bringing development closer to the church and extending north of 'End House' would fundamentally change an area which is identified as 'important open space' on the Landscape character analysis (map 4, p.19 HCACA) which currently straddles Church Lane. The proposed housing development would erode this important green edge which contributes positively to the significance of the heritage assets.

Policy

Section 66(1) of the 1990 Act places a general duty on local planning authorities as



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk





YORKSHIRE OFFICE

respects listed buildings when exercising planning functions. When considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be paid to the desirability of preserving the building or its setting. Section 72 (1) of the 1990 Act calls for special attention to be paid to the desirability of preserving or enhancing character or appearance when considering developments in conservation areas. We consider that the proposal will neither preserve or enhance the character or appearance of this part of the conservation area, or views that are important to its setting.

The NPPF calls for great weight to be given to the heritage asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset, no other consideration is given greater weight in the planning system. Paragraph 132 of the NPPF states that significance can be harmed or lost through development within the setting of heritage assets.

We understand that the proposal site has not been identified or allocated for housing in the emerging Local Plan and would therefore question the justification for the harm to the significance of the heritage assets affected. The proposal also appears to be in conflict with the policies and objectives identified in your adopted document 'Hampsthwaite Conservation Area Character Appraisal' HCACA (18 February 2009).

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 131, 132 and 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk





Historic England

YORKSHIRE OFFICE

Kerry Babington

Inspector of Historic Buildings and Areas

E-mail: kerry.babington@HistoricEngland.org.uk

cc:



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.