



KIRKBY MALZEARD, LAVERTON AND DALLOWGILL NEIGHBOURHOOD PLAN

APPENDICES TO DRAFT PLAN OCTOBER 2025

**APPENDIX A – POLICY KMLD6: NON-DESIGNATED
HERITAGE ASSETS**

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KIRKBY MALZEARD, LAVERTON AND DALLOWGILL NEIGHBOURHOOD PLAN - APPENDIX A

POLICY KMLD6: NON-DESIGNATED HERITAGE ASSETS

POLICY KMLD6: NON-DESIGNATED HERITAGE ASSETS

The Plan identifies the individual buildings and structures listed below and illustrated in Appendix A, as Non-Designated Heritage Assets. Further assets that meet Non-Designated Heritage Asset criteria may be identified over the lifetime of the Plan, for example through the determination of planning applications.

1. The Mechanics Institute, Kirkby Malzeard.
2. The Queen's Head Public House, Kirkby Malzeard.
3. The Ebenezer Methodist Chapel, Kirkby Malzeard.
4. The Henry Jenkins Public House, Kirkby Malzeard.
5. Laverton Bridge/Pinfold, Laverton.
6. Village Pump, Laverton.
7. Greygarth Methodist Chapel, Dallowgill.
8. Greygarth Monument, Dallowgill.
9. St. Peters Church, Dallowgill.
10. The Chapel of the Resurrection, Laverton.
11. Lady Hill (Dallowgill) Bridge, Dallowgill.
12. Cast Hills Settlement, Dallow, Dallowgill.
13. Belford Aqueduct, Dallowgill.
14. Swetton Bridge, Dallowgill.
15. The Potato House, Carlesmoor, Dallowgill.
16. Carlesmoor Sighting Tower, Dallowgill.
17. Recording/Discharge Station, Carlesmoor, Dallowgill.
18. Carlesmoor Aqueduct, Dallowgill.
19. Stope Bridge, Dallowgill Moor.

Proposals for development which would adversely affect these assets will be considered in accordance with national planning policy relating to Non-Designated Heritage Assets.

Introduction

A.1 This supporting evidence document supports the above policy in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan, concerning individual Non-Designated Heritage Assets (NDHAs). It briefly sets out the background and context to their designation and explains the methodology used.

A.2 A short description of the attributes of each character building with supporting photographic evidence and location map is provided. Further assets that meet Non-Designated Heritage Asset criteria may be identified through the determination of planning applications.

Background

A.3 The National Planning Policy Framework (NPPF)¹ sets out the Government's planning policies for England and how these are expected to be applied. Section 16 (paragraphs 202-221) of the NPPF covers all aspects of conserving and enhancing the historic environment. Paragraph 203 states that *'Plans should set out a positive strategy for the conservation and enjoyment of the historic environment'*. The NPPF also states in paragraph 202 that, *'Heritage assets range from sites and buildings of local historic value to those of the highest significance'*.

A.4 Paragraph 216 of the NPPF confirms that non-designated heritage assets can be taken into account during the consideration of planning matters, stating *'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'*.

A.5 The associated National Planning Practice Guidance 'Historic Environment'², confirms that neighbourhood plans can identify non-designated heritage assets, stating that, *'There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes'*. Adding, *'it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence'*.

A.6 The identification and conservation of locally important heritage assets is also supported and encouraged by local planning policies. The Harrogate Local Plan³, for example, includes a specific policy (HP2 Heritage Assets) and supporting text on designated and non designated heritage assets. It requires that applicants should: *'Ensure that proposals affecting a heritage*

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

² <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

³ <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/harrogate-planning-policy/harrogate-district-local-plan>

asset, or its setting, protect or enhance those features which contribute to its special architectural or historic interest’.

A.7 The policy also states that *‘where development may affect any heritage asset type, applicants will be required to demonstrate a full understanding of its significance and will be expected to address any impact that proposals may have, ensuring any harm to significance has been minimised through the design of the development’* and further states with specific regard to NDHAs that *‘the effect of development proposals on the significance of non-designated heritage assets will be taken into account when determining planning applications. In assessing applications, a balanced judgement shall have regard to the scale of any harm and the significance of the heritage asset’.*

A.8 In addition, Harrogate Borough Council’s (Harrogate BC) Heritage Management Guidance Supplementary Planning Document (SPD)⁴ contains guidance. The SPD is a material consideration in the determination of planning applications and appeals and supports the Local Plan policies. This SPD states, within Chapter 1 – Introduction to Guidance, paragraph 1.59:

‘General principles for development that would affect non designated buildings or features:

- a) There is a presumption against any development which would remove, demonstrably harm or undermine the significance of a non-designated asset, or its contribution to the character of a place, unless the public benefits of the development would outweigh the harm;*
- b) New development should enhance or reinforce those characteristics, qualities and features of the environment that contribute to local distinctiveness within the district’s rural and urban areas.’*

Harrogate BC has also produced a Guidance Note (No 4) entitled Non-Designated Heritage Assets⁵ which provides guidance on the identification and policy context for the designation of NDHAs.

Criteria used for the identification of Non-Designated Heritage Assets in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan

A.9 Chapter 5 of the document Heritage Management Guidance SPD (2014) prepared by Harrogate BC referred to above contains criteria and general advice on the identification and designation of non-designated heritage assets. The aim is that any group or body preparing a local list in the district should use this. The group leading on the preparation of the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan have adopted the criteria developed by Harrogate BC (now part of North Yorkshire Council). Briefly the NDHA should meet at least two

⁴ <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/harrogate-planning-policy/harrogate-local-planning-guidance-and-supplementary-planning-documents/harrogate-heritage-management-guidance-supplementary-planning-document>

⁵ <https://www.northyorks.gov.uk/planning-and-conservation/heritage-conservation-areas-and-listed-buildings/heritage-conservation-areas-and-listed-buildings-harrogate/non-designated-heritage-assets>

of the criteria, namely that they have architectural, artistic, archaeological or historic significance.

Proposed Non-Designated Heritage Assets in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan

A.10 Various buildings and structures in the parish were initially considered for their suitability for designation as a NDHA by the group leading on the preparation of the Plan.

After careful consideration, 19 buildings have been identified that are considered to be locally important and meet the criteria to be classed as NDHAs in the Plan. The proposed assets have been assessed and ‘tested’ for their appropriateness for designation through the plan preparation process.

The following section briefly details why each asset is important and which criteria it meets. An indicative photograph is also provided for each one.

KIRKBY MALZEARD



Figure 6: Map showing location of Non-Designated Heritage Assets- Kirkby Malzeard

1. The Mechanics Institute (Village Hall), Kirkby Malzeard.



Location: Situated in the centre of Kirkby Malzeard village fronting onto Main Street.

Grid Reference: SE 423286 474361

Description: Detached single story building of stone construction with slate covered roof comprising main hall and ancillary accommodation.

History: The building was constructed as a two-storey building in 1852 as part of the Victorian Education and Training initiative. In 1936 following structural problems much of the building was demolished and rebuilt as a single storey building with a large hall added. It was further extended in 2002 with the addition of a side annex.

Selection criteria: Architectural and Historic significance.

2. The Queen's Head Public House, Kirkby Malzeard.



Location: Situated overlooking the Market Cross on the junction of Main Street/Ripon Road (running East/West) and Church Street/Galphay Road (running North/South) being the historic centre of Kirkby Malzeard (see Church Street Area of Local Character and Heritage).

Grid Reference: SE 423501 474408

Description: Two storey building of stone construction under stone slate roof forming public house with ancillary accommodation.

History: This public house dates from the 19th century when it was one of a number of public houses in the village. In its early years prior to the creation of the Mechanics Institute it served as the principal venue for public events such as auctions, hearings etc. It is the last functioning public house with the Plan Area with a long unbroken tradition of serving the local community.

Selection criteria: Architectural and Historic significance.

3. The Ebenezer Methodist Chapel, Kirkby Malzeard.



Location: Situated on the South side of Main Street towards the eastern end of Kirkby Malzeard.

Grid Reference: SE 423419 474361

Description: Stone built building of two storey height having a slate covered roof with small single storey side extension.

History: Constructed in 1880 – 1881 to replace a smaller building nearby which now forms a private house. Ebenezer (meaning ‘stone of help’) Chapels were created nationally following the secession in 1797 by a group subsequently known as the New Connexion Methodists from the Wesleyan Methodists. There was also a Primitive Methodist Chapel in the village and another Chapel in Laverton (built in 1895) both of which are now private houses. The Ebenezer Chapel continued to function as a Chapel until 2022 but, after standing empty in the interim, planning consent was granted in 2025 to enable conversion to a dwelling. The building is however a symbolic reminder of a once important form of Christian worship in the Kirkby Malzeard area and continues to warrant inclusion as a Non-designated Heritage Asset.

Selection criteria: Architectural and Historic significance.

4. The Henry Jenkins Public House, Kirkby Malzeard.



Location: Positioned in the centre of Kirkby Malzeard on the south side of Main Street.

Grid Reference: SE 423252 474330

Description: Two storey building of stone construction (painted cream) under a concrete tile covered roof. The building is in two sections with the western part being the original public house, and the eastern section, which was originally a joiner's workshop, having been incorporated into the public house in the 1950's.

History: The original building is believed to date from the early 19th century having been substantially altered over the years. It closed as a public house in 2011 with planning consent subsequently obtained to convert the former joiners workshop section into a residential dwelling. The future use of the remaining public house section is still to be determined. Despite its poor state of repair at present, the building remains a focal point in the village and constitutes an important historic landmark regardless of future use.

Selection criteria: Architectural and Historic significance.

LAVERTON



Figure 7: Map showing location of Non-Designated Heritage Assets- Laverton

5. Laverton Bridge and Pinfold, Laverton.



Location: Situated in the centre of Laverton village, being the second largest settlement in the parish.

Grid Reference: SE 422804 473294

Description: Single arch stone bridge crossing the River Laver. It carries the single carriageway road between Kirkby Malzeard and areas to the south. The small historic pinfold is immediately adjacent and now provides a seating area. The bridge is owned by, and is the responsibility of, North Yorkshire Council. The ownership of the Pinfold is unknown.

History: Bridge originally built in 1813 but largely rebuilt in 1923 following partial structural collapse. It is understood that copies of newspaper and coins of the time were buried within the structure. The Pinfold is older but has been remodelled to accommodate road re-alignment.

The Bridge and Pinfold are collectively the main architectural structure and focal point in Laverton. The Pinfold provides a central meeting/seating point for villagers with floral borders maintained and cared for by local residents.

Selection criteria: Architectural and Historic significance.

6. Village Pump, Laverton.



Location: Centre of Laverton village close to the bridge and pinfold (asset 5)

Grid Reference: SE 422832 473295

Description: Redundant water pump with stone trough refurbished as village feature.

History: The pump was originally constructed in 1854 and served the villagers up until as recently as 1960 when a temporary bore hole supply was created until mains water was connected to the village in 1963. The pump was then renovated as a decorative feature. It is an interesting item of Victorian 'street furniture' which once played an important role in villagers' lives.

Selection criteria: Architectural and Historic significance.

DALLOWGILL



Figure 8: Map showing location of Non-Designated Heritage Assets- Dallowgill

7. Greygarth Methodist Chapel, Dallowgill.



Location: Situated within the hamlet of Greygarth which forms part of Dallowgill. The Chapel is situated just below Greygarth Monument (asset 8).

Grid Reference: SE 418770 472316

Description: 19th century Methodist Chapel of Gothic design.

History: The existing Chapel replaced a smaller chapel just to the south west which had been built in 1816. Land to build a new Chapel was bought from the Marquis of Ripon and the original chapel demolished. This new Chapel was built by Brothertons (builders of Kirkby Malzeard) at a cost of £263 with the foundation stone laid on 12 June 1885. The first service was on 19th October of the same year. A School room was added in 1930 and the small adjacent car park formed to the side in 1953. Regular services are still held here. It is a prominent Victorian building of importance to the local community.

Selection criteria: Architectural and Historic significance.

8. Greygarth Monument, Dallowgill.



Location: Situated in the hamlet of Greygarth within Dallowgill.

Grid reference: SE 418618 472363

Description: Square stone-built tower extending to approximately 5m. in height located on high ground to the west of the hamlet of Greygarth. An internal ladder provides access to a small viewing platform giving panoramic views over the countryside beyond. It is approached solely by a permissive footpath across agricultural land.

History: The present tower is understood to be constructed on the site of earlier towers with the original built sometime in the mid-18th century, on the site where, so the story goes, the last wolf in Dallowgill was killed. That tower is understood to have been 'tall and pointed' but it was blown down by gales and a smaller tower replaced it in 1897 marking Queen Victoria's diamond jubilee. The condition of this replacement tower deteriorated over time and in 1984 the Parish Council restored it in its present form. This prominent historic local landmark is often used as the visual symbol of Dallowgill.

Selection criteria: Architectural and Historic significance

9. St. Peter's Church, Dallowgill



Location:

One of a small group of properties situated alongside the principal road around Dallowgill. Due to the nature and use of the properties this area was generally seen as the centre of Dallowgill during the 20th century. In addition to the Church there was a Vicarage, School and Post Office (originally part of Knott Farm) all close by.

Grid Reference: SE 419469 471809

Description: Redundant Anglican Church in the Early English style with closed churchyard.

History: Built by John Brotherton (builder of Kirkby Malzeard) to the designs of A H Cates at a cost of £450. Consecrated 17 October 1842. Original stone altar removed soon after construction as the Lord Bishop of Ripon was said to have disapproved of it. This then stood in the churchyard until finally disposed of in 1980. The churchyard was closed in 1956 and the church itself closed for services in 2011. It has recently been converted to serve as an ancillary building to the neighbouring Outdoor Education Centre (which was the former local School).

Selection criteria: Architectural and Historic significance.

RURAL AREA (BELFORD/DALLOW)



Figure 9: Map showing location of Non-Designated Heritage Assets – Belford/Dallow.

10. Chapel of the Resurrection, Laverton.



Location: Situated alongside the road between Laverton and Pateley Bridge approx. 1 mile south of Laverton. Land originally formed part of Mossie Mire Farm.

Grid Reference: SE 421568 472394

Description: Small Church of England Chapel with open churchyard.

History: Opened following the closure of the churchyard at St Peters Dallowgill. Dedicated on 24 March 1956. The building is still used for monthly services during the summer months. The building is the sole place of Anglican worship in the Parish of Laverton and the sole burial site serving all denominations.

Selection criteria: Architectural and Historic significance.

11. Lady Hill (Dallowgill) Bridge, Dallowgill.



Location: Situated in the Lady Hill/Belford area of Dallowgill

Grid reference: SE 420321 472210

Description: Stone-built single arch bridge crossing the River Laver, of typical local design. It carries the single carriage way road linking Dallowgill to Laverton and Pateley Bridge. It is owned by, and is the responsibility of, North Yorkshire Council.

History: Understood to have been built in 1862 having been commissioned by the local landowner Lord Ripon to replace the original ford. This is an historic bridge which still has importance for present day residents in providing access between communities within the Parish.

Selection criteria: Architectural and Historic significance.

12. Cast Hills Settlement, Dallow, Dallowgill.



Location: Some remaining stones are positioned inside the stone field wall running alongside the road opposite the entrance to Castiles Farm.

Grid reference: SE 420433 471550

Description: Cast Hills is part of a probable Iron Age circular enclosure comprising 25 earth fast boulders and a boundary ditch. Much of the enclosure and its interior have been disturbed by post-medieval and recent farm buildings.

History: The information below is provided in Historic England Research Records Ref 52167:

Castilles (East Hills), re-examined 1936-7 by B.J.W. Kent, who considers it an I.A. settlement. An ill-defined circular earthwork is cut by a modern wall and farm roads. Some standing stones survive as part of the wall bounding the public road. A small mound in the east appears to have been dug into. South of the circle and across the road are remains of a bank of small stones and earth with 6 low standing stones aligned along it in a double row. Various trenches east and south of the circle appear unconnected and their purpose, if artificial, is not clear. The 'wall' is said to have been 6' high and 6 yards thick all round, about 1800, with the main entrance in the east. In the middle a mound of stones about 30' in diameter and 6' high resembled a barrow. A line of pit dwellings ran for 300 yds. eastwards from Rowntree Gill to the easternmost trench. Many small barrows have been levelled and many trenches filled in.

Selection criteria: Historic and Archaeological significance.

13. Belford Aqueduct, Dallowgill.



Location: Situated in open farmland to the west of Belford Lane. The aqueduct crosses the River Laver.

Grid Reference: SE 420725 472585

Description: Stone built 3-arch structure approx. 10m high housing a water supply pipe.

History: This structure was built in conjunction with the construction of Roundhill Reservoir between 1903 and 1911.

This aqueduct, together with a similar structure further to the north (asset 18), the Sighting Tower (asset 16) and the Recording/Discharge Station (asset 17) are unusual structures, with all four being individual and prominent.

Selection criteria: Architectural and Historic significance.

CARLESMOOR AND SWETTON



Figure 10: Map showing location of Non-Designated Heritage Assets – Carlsmoor and Swetton

14. Swetton Bridge, Dallowgill.



Location: Situated within open countryside in the Swetton area of Dallowgill.

Grid Reference: SE 420081 473487

Description: Single arch stone-built bridge of typical local design, crossing one of the tributaries of Carlesmoor Beck. It carries the single carriage road linking Dallowgill and Kirkby Malzeard. It is owned by, and is the responsibility of, North Yorkshire Council.

History: The bridge was constructed in 1853 to replace a ford. It was commissioned by the landowner John Morritt Esq and was constructed by Thomas Hall, a Builder from Kirkby Malzeard. Work was required to raise the height of the road in the 1920's after the first motor bus got stuck on the hump of the bridge.

Selection criteria: Architectural and Historic significance.

15. Potato House, The Grange, Carlesmoor, Dallowgill.



Location: This structure is located adjacent to Carlesmoor Lane within the grounds of a farmyard.

Grid Reference: SE 419315 473504

Description: Small structure understood to be of Victorian origin, approx. 2m x 6m with arched roof, having height of approx. 2m being of stone construction built into the slope of the land. The roof would originally have been sealed with clay and covered with soil or turfs to make it water tight. Door opening to front and normally having an opening to rear to enable potatoes to be shovelled in.

The structure is now relatively rare, being readily visible from Carlesmoor Lane which is a well-used public bridleway. The main farm house is Grade II Listed but there is no reference to this outbuilding within the Listing Entry. The structure is now becoming derelict, and it is hoped that inclusion as a non-designated heritage asset will provide some protection against further decay and encourage the provision of funding towards the cost of renovation work.

Selection criteria: Architectural and Historic significance.

16. Carlesmoor Sighting Tower, Dallowgill.



Location: To north of Low Farm, Carlesmoor Lane, Dallowgill

Grid Reference: SE 419480 473707

Description: Stone built Sighting Tower situated in open farmland having a height of approx. 10m. It is one of a group of linked properties which also includes assets 13, 17 and 18.

History: It was built in conjunction with the construction of Roundhill reservoir (approx. 4 miles NW of the Parish) between 1903 and 1911, being one of three towers used to triangulate the end of the water tunnel for the pipeline towards Harrogate. A similar tower close to Roundhill Reservoir is Grade II listed.

Selection criteria: Architectural and Historic significance.

17. Carlesmoor Recording/Discharge Station.



Location: To north of Low Farm, Carlesmoor Lane, Dallowgill

Grid Reference: SE 419345 473830

Description: Stone built Recording/Discharge Station situated in open farmland close to the Carlesmoor Sighting Tower (asset 16) having a height of approx. 6m.

History: It was constructed in conjunction with the construction of Roundhill reservoir and is positioned above the water pipe taking water from the reservoir to Carlesmoor Aqueduct. It is still operational, housing equipment to enable recording and water discharge. Together with Carlesmoor Sighting Tower (asset 16), Carlesmoor Aqueduct (asset 18) and Belford Aqueduct (asset 13) this is one of a group of structures created between 1903 and 1911 having historic significance specific to this locality.

Selection criteria: Architectural and Historic significance.

18. Carlesmoor Aqueduct, Dallowgill.



Location: Situated in Carlesmoor valley south of Low Farm. The aqueduct crosses Carlesmoor Beck.

Grid Reference: SE 419560 473469

Description: Stone built 3-arch structure approx. 12m high housing a water supply pipe.

History: This structure was built in conjunction with the construction of Roundhill Reservoir between 1903 and 1911. This, together with a similar structure further to the south (asset 13), the Recording/Discharge Station (asset 17) and the Sighting Tower (asset 16) are unusual structures of a type not commonly found in the countryside with all four being individual and prominent.

Selection criteria: Architectural and Historic significance.

DALLOWGILL MOOR



Figure 11: Map showing location of Non-Designated Heritage Assets – Dallowgill Moor

19. Stope Bridge, Dallowgill Moor.



Location: Moorland to the west of Tom Corner, Dallowgill.

Grid reference: SE 416001 472947

Description: Stone single arch bridge carrying a single unmade track over North Gill Beck. It is owned by, and is the responsibility of, North Yorkshire Council. The track is little used except by gamekeepers maintaining the moors, and by walkers. It offers open views to the east towards the North Yorkshire Moors, Teesside, and York.

History: The track which this bridge carries was originally a packhorse/cart track created for the monks of Byland Abbey near Thirsk, to access land near Bouthwaite in Nidderdale. There was originally a ford known as Stope Wath in this location with the present bridge built by John W Hall of Kirkby Malzeard in approximately 1890 at a cost of £5. The bridge was badly damaged by a storm in 1908 and required substantial repair. The beck crossing has historic significance dating back to the Middle Ages and the bridge is well loved by locals due to the long distant views to the east.

Selection criteria: Architectural and Historic significance.

KIRKBY MALZEARD LAVERTON AND DALLOWGILL NEIGHBOURHOOD PLAN

APPENDIX B

AREA OF LOCAL CHARACTER AND HERITAGE - CHURCH STREET, KIRKBY MALZEARD.

POLICY KMLD 7: AREA OF LOCAL CHARACTER AND HERITAGE- CHURCH STREET, KIRKBY MALZEARD.

Within the Church Street, Kirkby Malzeard Area of Local Character and Heritage, as proposed and shown in Figure 3, on the Proposals Map and described in Appendix B, development proposals should reflect the traditional pattern of buildings and spaces in the area, especially in scale and proportion, and use materials such as those used presently in the area with preference towards those traditionally used, wherever practical and sustainable.

Proposals for development which would adversely affect the area will be considered in accordance with national planning policy relating to Non-Designated Heritage Assets.

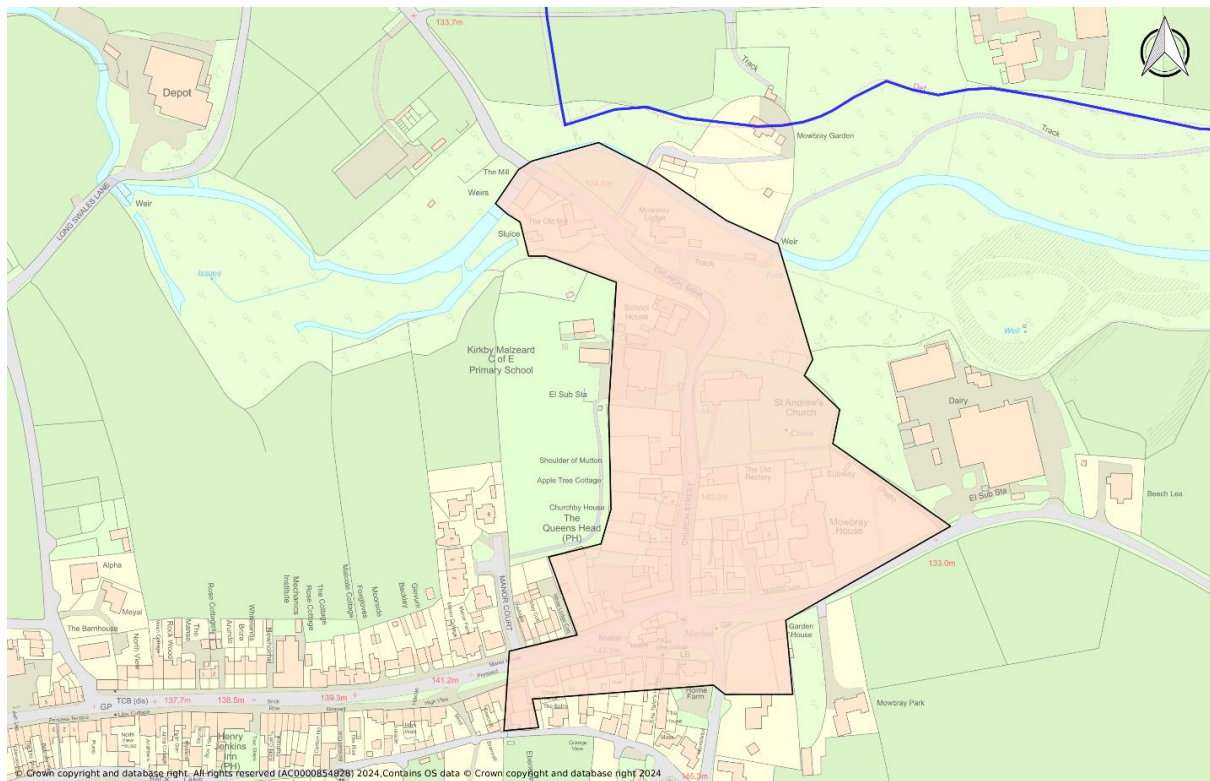


Figure 3: Map showing Area of Local Character and Heritage – Church Street, Kirkby Malzeard

Introduction

B.1 This document supports the inclusion of a policy in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan designating the area in and around Church Street in Kirkby Malzeard, as an Area of Local Character and Heritage. It describes the appearance and history of the area, illustrating features and characteristics that combine to give the area its local distinctiveness and unique identity. Photographic evidence and a location map is provided.

Background

B.2 Areas of Local Character and Heritage are a common tool and designation used to help conserve areas with significant architecture, townscape or landscape. They are seen to form an individual Non-Designated Heritage Asset (NHDA), the planning context for which is set out in Appendix A of this Plan, in which individual buildings and structures are identified as NHDA's.

B.3 Initially a number of potential Areas of Local Character and Heritage were considered by the Steering Group acting on behalf of the Parish Council. In order to ensure that the inclusion of any such policy corresponded with the views of the community a specific question was asked within the initial Public Consultation Questionnaire – *Are there any individual buildings (which are not already Listed) or local areas (such as groups of buildings, streets or sections of streets) which you feel could benefit from being designated under the Neighbourhood Plan to give them additional status and protection?*

Whilst most responses were suggestions for individual buildings or structures to be included as non-designated heritage assets, where groups of properties or areas were put forward, this area received more support than any other.

B.4 The idea was therefore developed into a Policy and included within the Draft Plan which was the subject of an informal consultation in December 2023/January 2024. The following question was asked:

If you live within the proposed Church Street Area of Special Character and Heritage, please let us have your comments.

Most responses received were positive, with others only requesting clarification rather than making any objections. There was also unanimous support from those residents who responded to the pre-submission consultation carried out in summer 2024. On this basis the policy has been retained within the Plan.

Purposes of Designation.

B.5 Within the Area of Local Character and Heritage, development proposals should reflect the traditional pattern of buildings and spaces in the area, especially in scale and proportion, and use materials such as those used presently in the area with preference towards traditionally used materials wherever practical and sustainable. Proposals for development which would adversely affect the area will be considered in accordance with national planning policy relating to NDNAs.

B.6 Harrogate Borough Council's Heritage Management Guidance Supplementary Planning Document (SPD)⁶ contains guidance on this aspect. The SPD is a material consideration in the determination of planning applications and appeals and supports the Local Plan policies. This SPD states, within Chapter 1 – Introduction to Guidance, paragraph 1.59:

'General principles for development that would affect non designated buildings or features:

a) There is a presumption against any development which would remove, demonstrably harm or undermine the significance of a non-designated asset, or its contribution to the character of a place, unless the public benefits of the development would outweigh the harm;

b) New development should enhance or reinforce those characteristics, qualities and features of the environment that contribute to local distinctiveness within the district's rural and urban areas.'

Assessment of the Proposed Church Street, Kirkby Malzeard Area of Local Character and Heritage.

B.7 This section details why the area is important by reference to criteria used to assess Non-Designated Heritage Assets. These criteria are contained within Chapter 5 of the Heritage Management Guidance SPD (2014) document prepared by Harrogate BC, together with general advice on the identification and designation of NHDAs.

B.8 Briefly the NDHA should meet at least two of the criteria, namely that they have architectural, artistic, archaeological or historic significance. We are satisfied that the area meets both the architectural and historic criteria.

General Description

⁶ <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/harrogate-planning-policy/harrogate-local-planning-guidance-and-supplementary-planning-documents/harrogate-heritage-management-guidance-supplementary-planning-document>



B.9 The area around the Market Cross (extending North along Church Street and down Church Bank, and East/West along Main Street and Ripon Road), was the historic heart of the Kirkby Malzeard and is still the centre of the modern-day village.

In addition to the Grade I Listed Church, the prominent Market Cross and a number of other Listed buildings and structures, the area currently incorporates the local Primary School, the village General Stores, the one remaining public house in the Plan area and the Methodist Chapel, although this is currently unused having closed for religious worship in 2022.

Setting

B.10 Whilst Kirkby Malzeard is essentially of linear design, in this part of the village the east/west village Main Street, which leads to Ripon, crosses a north/south road leading to Masham and the Dales (to the north) and Harrogate and the West Riding (to the south). For most visitors therefore, both at present and in the past, this is normally the first part of the village which they encounter.

B.11 The buildings within this Area of Local Character and Heritage date almost exclusively from the 18th and 19th centuries or earlier. There are some modern buildings forming the current School which were constructed in 1971, used in conjunction with the older buildings dating from 1862, but the over-riding sense is of a long- established village area with its own distinctive nature within the wider village context.

B.12 Although the area is effectively fully developed there are some individual open spaces formed by the residential gardens to the larger houses, with a wooded area alongside Church Bank and adjacent to Kex Beck.



Historic Development

B.13 Mowbray Castle (understood to have been a wooden structure on earthen ramparts, the site of which is now a Scheduled Monument) would initially have dominated this landscape but after its destruction in 1174, the Church and Market Place became the centre, not only for villagers but of a much wider parish area, known as the Honour of Kirkby

Malzeard, the boundaries of which spread for many miles, from as far as Great Whernside to the west and Ripon to the east.

B.14 Work to rebuild the existing Church in stone is understood to have commenced circa 1150 and continued over five centuries with various different architectural styles in evidence including Norman, late Perpendicular and Early English. Some of this work still remains today but fire damage occurred in 1876 and again, to a greater extent, in 1908, after which major restoration was undertaken.

B.15 The current Market Cross, situated at the junction of Church Street, Main Street, Ripon Road and Galphay Road, was erected in 1868 to replace an older Cross, and this carries a plaque commemorating the granting of a Market Charter by King Edward I in 1307.

B.16 Given the presence of the Church and the Market in this location it is inevitable that other buildings will have been built and rebuilt here over the centuries, with their usage changing to reflect the fortunes of the area. At the present time the buildings are predominantly residential but house names such as 'The Old Post Office' and 'The Tailors House' indicate that a greater proportion were originally shops, with a former public house ('The Shoulder of Mutton') also located on Church Street. Churchby House situated close by was once the Doctors Surgery and there was even a Youth Hostel in a metal sheet hut close to the Methodist Chapel, but this was demolished in recent years and the site redeveloped for housing.

Lived Experience

B.17 Positioned as it is, this area incorporates the main access routes into the village and so inevitably there is a significant amount of passing traffic coming and going throughout the day. The presence of the school, village shop and public house also result in some increased pedestrian use at certain times, but for the most part Church Street and Church Bank are peaceful areas in which to live.



Architectural quality and built form

B.18 The majority of buildings within Kirkby Malzeard as a whole are built of the local stone, as is the case with those within this Area of Local Character and Heritage. Roof coverings also reflect the remainder of the local area, with no single type of tile or slate being predominant. Traditionally stone slates or even thatching with heather would have been used to some houses but blue slates or clay tiles have been used more commonly during the nineteenth century.

B.19 All the older buildings are considered to have individual architectural merit and they combine to create attractive frontages of substance, broken in places by sympathetically positioned climbers and shrubs. Where modern development has taken place, such as within Mowbray Court, the houses have been thoughtfully designed to provide individuality whilst being in sympathy with surrounding buildings.

B.20 Objectively whilst the old school buildings are of traditional Victorian appearance the new classrooms added in the 1970's are lacking by comparison, with the design owing more to functionality and cost saving, than any attempt to blend in with the spirit of the local area.

Hopefully by giving the area Non-Designated Heritage Area status, standards for new buildings in the future will be higher.

Open spaces, green areas, parks, gardens and trees.

B.21 This is a relatively intensively developed area of the village with only limited open spaces or green areas and whilst some of the larger residential properties have correspondingly well-proportioned gardens, the majority only have outside spaces of a limited nature. The gardens to Mowbray House and the Old Vicarage incorporate some mature trees including a Copper Beech to the latter which is covered by a Tree Preservation Order.

B.22 The redundant Churchyard is however a valuable green area which as well as providing an attractive setting for the Church itself also is sympathetically maintained in a way which allows some wild flowers and wild life to flourish.

B.23 The section of the area at the bottom of Church Bank is more open with mature trees and grassed areas adjacent to Kex Beck, giving this northern part of the area a rural 'edge of village' nature.



Individual Designated and Non-Designated Heritage Assets

B.24 In addition to St Andrews Church and the Market Cross there are a relatively large number of other Listed Buildings and Structures contained within the boundaries of this compact area.

B.25 The Old Rectory adjacent to the Church dates from 1813 being of stone construction under a slate covered hipped roof. The Shoulder of Mutton, on the opposite side of Church Street, is understood to date from the 17th century, whilst Churchby House and the attached Churchby Cottage also face east on Church Street and date from the 18th century, as does No 1 Church Street which incorporates a datestone from 1723.

B.26 There are also two Table tombs in the Churchyard which are Listed, being those of William and Helen Hobbs from 1674 and George Hewitt from 1739, together with the tombstone of Rev. Peter Save from 1732. A medieval Cross also stands in the Churchyard which is believed to be a preaching Cross.

B.27 Barkways and Greystones, a pair of semi-detached houses, front onto Ripon Road (having been originally constructed as Almshouses in 1848), with Mowbray House (previously

known as Mowbray Hall), which is a substantial stone-built house built in 1812 with Victorian additions, situated in the eastern corner of the Area of Local Character and Heritage. This house is known to have been purchased in 1870 for the second son of the Earl of Cathcart and was subsequently sold to the Moores family in 1921 as part of the 'Mowbray House Estate' (which then extended to 773 acres including various farms and buildings).



B.28 The Area also includes a number of other significant properties such as the Queens Head public house which dates from the 18th Century and is one of the NDHAs referred to in Policy KMLD5. The Mill bridge on Church Bank carrying traffic from Grewelthorpe over Kex Beck, is believed to originally date from 1620 with rebuilding carried out in the early nineteenth century. The two residential properties presently situated adjacent to the bridge have been built on the site of an original Mill which was operating until the turn of the twentieth century, with the original Mill Race still present.

Conclusion

B.29 It is apparent that there is considerable historic and architectural merit within this area of Kirkby Malzeard and that it has local distinctiveness compared to the remaining sections of the village.

KIRKBY MALZEARD, LAVERTON AND DALLOWGILL NEIGHBOURHOOD PLAN

APPENDIX C

POLICY KMLD 10: LOCAL GREEN SPACES

POLICY KMLD10: LOCAL GREEN SPACES

The sites identified below, in Figure 4, the proposals map and in Appendix C, are designated as Local Green Spaces.

1. Highside Playing Fields, Back Lane South, Kirkby Malzeard.
2. Jubilee Garden, Main Street, Kirkby Malzeard.
3. West End Green, located on the junction of Back Lane North/Ringbeck Road, Kirkby Malzeard.
4. West End Island, at the junction of Back Lane North/Ringbeck Road/Main Street, Kirkby Malzeard.
5. Churchyard surrounding St Andrew's Church, Church Street, Kirkby Malzeard.
6. High Walk Verges, Main Street, Kirkby Malzeard.
7. Lamberts Quarry, off Ringbeck Road and Kirkby Moor Road, Kirkby Malzeard.

Development proposals within a designated Local Green Space are required to be consistent with the national policy for Green Belts, as set out in National Planning Policy Framework section 13. Development will not generally be permitted unless there are very special circumstances where the public benefits of the development proposed would outweigh the harm that would be caused by development.



Figure 4: Map showing location of Local Green Spaces

Introduction

C.1 This supporting evidence document aims to provide evidence to support Policy KMLD 10 in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan concerning Local Green Spaces.

It briefly sets out the background to their designation, context and explains the methodology used. A short description of what makes each one special with supporting photographic evidence is also provided.

Methodology

C.2 The National Planning Policy Framework (NPPF)⁷ introduced the concept of Local Green Space (LGS) designation. LGS designation is a way to provide special protection against development for green areas of importance to local communities.

C.3 Paragraph 106 of the NPPF provides the following information on Local Green Space designations, *'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them'*.

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

It also states that *‘Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

And further adding in paragraph 107 that:

‘The Local Green Space designation should only be used where the green space is:

(a) in reasonably close proximity to the community it serves:

(b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

(c) local in character and is not an extensive tract of land.

And in paragraph 108 that:

Policies for managing development within a Local Green Space should be consistent with those for Green Belts’.

These requirements and guidance contained in the NPPF are developed in the National Planning Practice Guidance (NPPG) document ‘Open space, sports and recreation facilities, public rights of way and local green space’⁸ and other supporting policies and documents.

C.4 The identification and protection of local green spaces through neighbourhood plans is also supported through local planning policies. Special mention here should be made to Local Plan Policy NE6 headed ‘Local Green Spaces’, which states at para 9.54 that, “Local Green Space can be designated through a Local Plan or through Neighbourhood Plans. Once designated, Local Green Space will be subject to the same planning policy safeguards as land designated as Green Belt. The Local Green Space designation will provide special protection and only allow new development in very special circumstances”.

C.5 Whilst the NPPF establishes the concept of LGS designation and provides some guiding principles, it gives local communities preparing a neighbourhood plan some discretion to determine how to implement this at the local level.

A four-stage approach was adopted by the group leading in the preparation of the Plan.

C.6 Step 1: Identification of potential sites.

The potential sites were derived from local knowledge including the outcomes from the community consultation events and other input from the local community.

C.7 Step 2: Assessment against the NPPF criteria

⁸ <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

The 'long list' of sites was then assessed to consider their suitability for LGS designation. To allow a comparative assessment of the sites, a form was created based on the criteria in the NPPF. This enabled a consistent and transparent methodology for identifying LGSs in the parish. Each potential site was assessed by the Steering Group as well as the consultants helping the Parish Council preparing the Plan acting as a critical friend.

The Group, like most groups undertaking LGS analysis, faced challenges, in particular the sheer number of potential local green spaces of some significance within the Parish. National planning policy enables a neighbourhood plan to protect those of local significance. Also, the absence of a statutory or commonly used definition of these terms, particularly what constitutes 'special' or comprises an 'extensive tract of land'. A common-sense approach was taken, while at the same time having regard to good practice and the examples of LGS designations in approved neighbourhood plans.

The Group was also mindful of the fact that several sites are already given some protection through their location in a National Landscape as well as designations in the Local Plan. The NPPG where it refers to Local Green Space designation suggests that, where land is already protected by another designation, consideration should be given as to whether any additional local benefit would be gained by designation as LGS.

Through this process several sites were identified that were considered locally significant, valued by the community and met the tests set out in the NPPF to meet the test to be designated as an LGS.

C.8 Step 3: Further review

All the proposed sites were then reviewed for their appropriateness for designation as LGS by the independent consultant helping prepare the Plan acting in a 'critical friend' role.

C.9 Step 4: Consultation

Having been satisfied that the sites met in principle the criteria for LGS designation and that they were suitable to be formally proposed for designation in the Plan, they were then "tested" through the Plan process.

Local Green Spaces Assessment Forms.

C.10 The following section summarises how each of the sites meets the Local Green Space criteria set out in the NPPF. An indicative photograph is also provided for each one. A map showing the location of the sites can be found in Section 5.3 and above.

LOCAL GREEN SPACE 1- HIGHSIDE PLAYING FIELDS, BACK LANE SOUTH, KIRKBY MALZEARD



Owned by	North Yorkshire Council
Tenants	Highside Playing Field Association (Children's Play Area sub-let to Parish Council)
Owners/tenants consulted	Yes – no objection from owners or tenants.
Public Access	Yes.
Maintained by	Highside Playing Field Association (Children's Play Area managed by Parish Council)
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes.
Capable of enduring beyond the Plan term	Yes.
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Not especially.
Does it have historic significance?	No.
Does it have recreational value?	Yes.
Is it tranquil?	Yes.

Does it have richness of wildlife?	Not especially.
Is the site local in character?	Yes.
Extensive tract of land?	No.
Summary	This is a very attractive amenity space and clearly a focal point for the parish generally, containing a pavilion, a cricket field, football pitch, children's play area and other formal recreational activities. It is also evidently used for informal recreation such as walking. It is clear that it is important to the identity of the village. It offers attractive views of the surrounding countryside.

LOCAL GREEN SPACE 2- JUBILEE GARDEN, MAIN STREET, KIRKBY MALZEARD



Owned by	North Yorkshire Council
Owners Consulted	Yes – no objection.
Public Access	Yes.
Maintained by	North Yorkshire Council (assisted by Kirkby in Bloom).
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes

Capable of enduring beyond the Plan term	Yes
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Yes.
Does it have historic significance?	Of some, it was built in 1977 to celebrate Queen Elizabeth II Silver Jubilee that year.
Is it of recreational value?	Yes, mainly the bench seating.
Is it tranquil?	In part. Though situated adjacent to the main road through Kirkby Malzeard it is a popular place for people to sit and relax.
Does it have richness of wildlife?	Not especially.
Is the site local in character?	Yes.
Extensive tract of land?	No.
Summary	This is an attractive roughly rectangular amenity green space, with some mature trees and seating, easily accessible within the village. It is screened from the main road by an attractive stone wall creating a sense of separateness and place. Its associations with the Queens Jubilee (including interpretive board) adds to its value and importance.

LOCAL GREEN SPACE 3- WEST END GREEN, BACK LANE NORTH, KIRKBY MALZEARD



Owners	North Yorkshire Council
Owners consulted	Yes – no objection.
Public Access	Yes.

Maintained by	Parish Council. In recent years the area has been managed as a wild-flower meadow area.
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes
Capable of enduring beyond the Plan term	Yes (no plans for any of the area to be lost to road-widening).
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Not especially.
Does it have historic significance?	No.
Is it of recreational value?	No.
Is it tranquil?	Not especially.
Does it have richness of wildlife?	The area has been used a community project to create a wild-flower meadow in order to improve biodiversity and enhance the appearance of the village.
Is the site local in character?	Yes.
Extensive tract of land?	No.
Summary	An area of grass, with some trees, in front of houses and separated by driveways on a bend on Ringbeck Road. It is important to the character and sense of space of the area. That it provides a green pedestrian link adds to its value.

LOCAL GREEN SPACE 4 - WEST END ISLAND, MAIN STREET, KIRKBY MALZEARD



Owners	North Yorkshire Council
Owners consulted	Yes – no objection.
Public Access	Yes
Maintained by	North Yorkshire Council
Current Planning Permission/allocation	No
Compliance with NPPF para 106 requirements	Yes
Capable of enduring beyond the Plan term	Yes
Compliance with NPPF para 107 criteria:	
Is it beautiful?	The area is well maintained by local residents, through the Kirkby in Bloom project. Flower tubs have been provided and add colour to the West End of the village.
Does it have historic significance?	Not especially
Is it of recreational value?	No
Is it tranquil?	Not especially
Does it have richness of wildlife?	The plants attract pollinators and assist local biodiversity.
Is the site local in character?	Yes
Extensive tract of land	No
Summary	This is a small island of amenity space at the western end of the village which creates a focal point at the junction of Back Lane, Ringbeck Road and Main Street. Its slightly elevated position adds to its value and importance.

LOCAL GREEN SPACE 5 - CHURCHYARD SURROUNDING ST. ANDREW'S CHURCH, CHURCH STREET, KIRKBY MALZEARD



Owners	Church of England
Owners consulted	Yes – no objections.
Public Access	Yes.
Maintained by	North Yorkshire Council (closed churchyard)
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes
Capable of enduring beyond end of Plan period	Yes
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Yes. Important to the character and amenity of the area.
Does it have historic significance?	Yes, as reflected that Church and churchyard are Listed.
Is it of recreational value?	Not especially. Mainly of amenity value.
Is it tranquil?	Yes.
Does it have richness of wildlife?	It is of some value.
Is the site local in character?	Yes.
Extensive tract of land	No
Summary	Churchyard which surrounds St Andrew's Church in the historic centre of the village of Kirkby Malzeard. It is an attractive and tranquil area that it is important to the village's character and identity.

LOCAL GREEN SPACE 6- HIGH WALK VERGES, MAIN STREET, KIRKBY MALZEARD



Owners	North Yorkshire Council
Owners consulted	Yes – no objection.
Public Access	Yes.
Maintained by	Parish Council
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes
Capable of enduring beyond period of Plan	Yes
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Yes. The grass is regularly maintained during the growing season by the Parish Council and when in flower, the trees and bulbs help to make the verge areas a colourful attractive feature.
Does it have historic significance?	No.
Is it of recreational value?	No- mainly of amenity value.
Is it tranquil?	No.
Does it have richness of wildlife?	It is of some value.
Is the site local in character?	Yes.
Extensive tract of land	No
Summary	Area of sloping grass verge between Main Street and High Walk, incorporating ornamental trees and spring bulbs. It makes an important contribution to the street scene in this area.

LOCAL GREEN SPACE 7- LAMBERTS QUARRY, RINGBECK ROAD/KIRKBY MOOR ROAD, KIRKBY MALZEARD



Owners	Parish Council (Common Land)
Owners consulted	Yes – no objection.
Public Access	Yes – there is a bridleway from Ringbeck Road across the site onto Kirkby Moor Road.
Maintained by	Parish Council
Current Planning Permission/allocation on site	No.
Compliance with NPPF para 106 requirements	Yes
Capable of enduring beyond period of Plan	Yes
Compliance with NPPF para 107 criteria:	
Is it beautiful?	Yes. This is a wooded area with some wildflowers providing habitat for various types of wildlife.
Does it have historic significance?	No.
Is it of recreational value?	Yes – it is regularly used by villagers as part of a circular walk to and from Kirkby Malzeard being approx. 0.5 miles west of the village. There is a bench present with open views to the East.
Is it tranquil?	Yes.
Does it have richness of wildlife?	Yes. The trees are mainly deciduous including birch, oak and hazel.
Is the site local in character?	Yes.
Extensive tract of land	No.
Summary	Area of woodland extending to approx. 1.4 acres situated within walking distance of Kirkby Malzeard village. It is Common Land, being the site of an abandoned quarry which was planted with trees some years ago.

