

PROPOSED MINERAL EXTRACTION SITE
MIDDLETON LODGE, MIDDLETON TYAS

HISTORIC LANDSCAPE ASSESSMENT

1.0 INTRODUCTION

1.1 General

1.1.1 The proposed extraction site is within the historic parkland at Middleton Lodge which is located approximately 1 km north of the village of Middleton Tyas and 8km north east of the market town of Richmond. The application site at Middleton Lodge is approximately 600m east of the A1 trunk road with the site reach from the county road known as Kneeton Lane (Grid Ref. NZ 222 072: see Figures 1). Mr James Allison, in conjunction with Sherburn Stone Co. Ltd, has submitted a planning application to North Yorkshire County Council for new mineral extraction which would act as enabling development to provide income for the renovation of the Middleton Lodge Estate.

1.1.2 In accordance with the Town and Country Planning (Environmental Impact Assessment - England and Wales) Regulations 1999, an Environmental Impact Assessment was submitted to the Planning Authority, following a scoping exercise by the applicants advisers, Wardell Armstrong. This ES seeks to address a number of issues including: planning context; socio-economic; air quality; noise; vibration; transport; landscape and visual effects; geology, hydrology and hydrogeology; archaeology and cultural heritage; soils and land use; and ecology and biodiversity¹. Following submission of the ES, planning consultants England and Lyle were commissioned to co-ordinate an objection to the planning application which includes a number of separately commissioned studies into issues highlighted in the ES. Historic Landscape Management Ltd have been instructed to carry out the historic landscape assessment which:

- considers the historic development of the proposed development site and its wider landscape, and
- considers the impact that the proposed development would have on the historic significance of Middleton Lodge, its historic parkland, gardens and pleasure grounds.

1.1.4 It concentrates solely on the historic landscape context of the site and refers to landscape/visual impact and archaeology only in terms of how they affect the historic environment. The report also draws on the factual information provided in the ES and other reports and is based on data contained in the ES regarding location of the extraction site, working phases and restoration and mitigation proposals.

¹ Wardell Armstrong Engineering and Environmental Solutions (2006) *Environmental Statement*

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1.2 The Proposal

- 1.2.1 The planning application as submitted by Mr James Allison in conjunction with Sherburn Stone Co. Ltd is for the proposed extraction of limestone from land to the north of Middleton Lodge, North Yorkshire. This would form enabling development to provide an income for the renovation of the estate into a tourist attraction. The application boundary for the site extends to approximately 16.9 hectares, of which 13 hectares would be subject to extraction. The remaining land would either retain existing landscape and historic features, though change of use is proposed for buildings at the walled garden and the stables. Additional landscaping works are also proposed within the park.
- 1.2.2 The proposal anticipates that the mineral excavation and processing would be phased using blasting and a conveyor belt. Aggregate would be conveyed to an existing plant site located to the west of Kneeton Lane, known as Barton Quarry but at the time of writing it is not clear how quarry vehicles will access the site. The proposal expects to extract around 2.07 million tonnes of carboniferous limestone and after the proposed restoration is completed, long term visitor access to the site would be from Kneeton Lane near The Gatehouse (unlisted) and the North Gateway (listed Grade II) with an exit again on to Kneeton Lane south east of the walled garden (listed grade II). The site would be worked for approximately 15 years with phased restoration and a 5 year aftercare period.

1.3 Methodology

- 1.3.1 The historic landscape assessment provides an historical appraisal of the landscape and its development over time. The report does not aim to record in detail the history of Middleton Lodge, but refers, in broad terms, to the development of the designed historic landscape and its historic features. Using archival research and fieldwork the assessment considers the development of the site and its wider landscape over time and looks at any interrelationship between the parkland and its wider estate setting. The surviving landscape features are recorded and where possible dated. The report also considers the existing land use in relation to its historic development. The potential affects of the proposed mineral extraction and works to the listed historic structures are considered and comment is given on the proposed restoration proposals as they affect Middleton Lodge, the historic landscape and the relationship of the main house to the wider landscape.
- 1.3.2 The historic landscape assessment was undertaken in February 2007 by means of a site visit and desktop studies which included research in the North Yorkshire Record Office. A visit was made to the site and its surrounding area on the 15 February 2007 by Historic Landscape Management at which time general landscape character was assessed, landscape features noted and views into and out of the site mapped and photographed as far as possible since access was only possible along public rights of way, neighbouring roads and non estate land. Direct access to the site and vicinity of Middleton Lodge was requested from the estate but was denied. The limitations on access to the historic landscape naturally affect the assessment as it is not possible to verify views, consider historic planting or establish condition. The assessment has therefore taken a considered approach to existing and historic views based on the limited information in the ES², analysis of current and historic maps and assessment of modern aerial photographs.
- 1.3.3 Before and after the site visit information about the landscape was obtained from a number of sources including: published articles; unpublished reports; archive material at the North Yorkshire Record

² The ES lacks photographs from the north-east elevation of Middleton Lodge towards the development site, no cross sections are provided from Middleton Lodge through the development.

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Office and local studies library and aerial photographs. Contact was also made with Richmondshire District Council.

- 1.3.4 In carrying out the assessment, work has been completed in general accordance with the guidance given in the publications: *Researching a Garden's History* by David Lambert; the general guidance given for historic landscape characterisation as well as guidance given in English Heritage's *Informed Conservation*, and other publications. Reference has also been made to *Guidelines for Landscape and Visual Impact Assessment 2nd Edition* (The Landscape Institute and the Institute of Environmental Management and Assessment, 2002) and the Countryside Agency's publications CCP423 *Landscape Assessment Guidance* and *Landscape Character Assessment – Guidance for England and Scotland*.

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2.0 DESIGNATIONS AND THE PLANNING FRAMEWORK

- 2.1.1 The site is located in North Yorkshire in the county district of Richmondshire. Middleton Lodge is a listed grade II* building, while a number of ancillary buildings or structures, including the stables, kitchen garden walls, entrance gateways to north and south are listed grade II (see Appendix II). Other historically associated buildings, including the Farmhouse and The Gatehouse which acts as a lodge are not listed. Middleton Lodge is included on the UK Database of Historic Parks and Gardens but is not currently on the English Heritage *Register of Parks and Gardens of Special Historic Interest in England*, although it appears on a list of sites put forward to English Heritage in 1995 as part of a register review programme³. To the south of the park Five Hills Round Barrows is a Scheduled Ancient Monument site and the majority of Middleton Tyas is covered by a Conservation Area.
- 2.1.2 Published national character assessments cover the site and these are discussed in detail elsewhere,⁴ but in summary they are primarily the Tees Lowlands Joint Character Area, though the proximity of the site to the Vale of Mowbray Joint Character Area means that there is a transitional effect in the landscape character (summaries are provided on Appendix III). The Tees Lowlands character area notes in its section on the changing countryside that "*Loss of historic parkland through lack of management of existing features and through the implementation of mixed development within parkland areas.....*" is an issue for the character area⁵.
- 2.1.3 North Yorkshire County Council have recently embarked on the production of a historic landscape character assessment, but this is a 4 year programme of work and no results are currently available for the survey area. However, an acceptable overview character assessment has been provided in the ES as Figure 11.1.
- 2.1.4 It is understood that the draft development plan and local development framework documents are in the process of being prepared by the county and local planning authorities. In this report brief reference is made to the historic environment elements of the draft regional spatial strategy and existing county structure plan and local plan policies which remain valid documents for the time being. The national planning context of the historic environment is also noted.
- 2.1.5 The **Planning (Listed Buildings and Conservation Areas) Act 1990** sets out the requirements for the protection of listed buildings. The Act stresses that there should be special regard for the preservation of the setting of listed buildings. Further guidance on the Act is given in Planning Policy Guidance Note 15 which is discussed below.
- 2.1.6 A number of government planning policy statements and guidance notes seek to protect and enhance the historic environment and local distinctive character. The most relevant to the historic environment is **Planning Policy Guidance: Planning and the Historic Environment (PPG15)**⁶ which sets out government policies for environmental stewardship and states that there should be effective protection for all aspects of the historic environment. Paragraph 2.16 of PPG 15 states that authorities must have:

³ English Heritage - Stella Jackson pers. comm.. 2007. It is probable that this review list has not been assessed for inclusion, but remains a list of potential candidates

⁴ Wardell Armstrong ES

⁵ Countryside Agency (1998) *Countryside Character Volume 3: Yorkshire and Humberside*, pp26 – 36

⁶ DoE/DNH (1994) *Planning Policy Guidance: Planning and the Historic Environment (PPG15)*, pp5, 6 and 7

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- *'..special regard to certain matters, including the desirability of preserving the setting of the [listed] building. The setting is often an essential part of the buildings character, especially if its garden or grounds have been laid out to complement its design and function'.*
- In paragraph 2.26 there is a strong indication that the wider historic landscape should be protected, as the PPG states *'..authorities should take account of the historical dimension of the landscape as a whole rather than concentrate on selected areas..... plans should protect its most important components and encourage development that is consistent with maintaining its overall historic character'.*

- 2.1.7 The draft **Yorkshire and Humber Plan – Regional Spatial Strategy** places Middleton Lodge in the Vales and Tees sub region. This draft plan envisages housing and economic development in this area being focussed on the regeneration of its towns. As far as the environment is concern its aims seek to *"..safeguard and enhance biodiversity, geological heritage, the historic environment and distinctive landscapes."*⁷
- 2.1.8 The **North Yorkshire County Structure Plan** is the current statutory planning policy document guiding and controlling development in North Yorkshire. In its environment section Policy E2 states *"Development in the open countryside outside the National Parks, Areas of Outstanding Natural Beauty, areas of Heritage Coasts and green belts will normally be permitted only where it relates to: i) small scale proposals requiring an open countryside location for operational reasons and ii) small scale proposals for individual sites or for re-use or adaption of existing rural buildings to secure employment uses which benefit the rural economy; and provided it would not harm the character and appearance, general amenity or nature conservation interest of the surrounding area"*. Furthermore, Policy E4 states *" Buildings and areas of special townscape, architectural or historic interest will be afforded the strictest protection."*
- 2.1.9 Middleton Lodge falls within Richmondshire District Council where the local plan⁸ (1999 – 2006) includes policies 43 – 45 which allow for the protection of listed buildings, their sensitive alteration or extension and for appropriate reuse. **Policy 46 – Protecting the Setting of Listed Buildings** is particularly pertinent. It states *" Development will be unacceptable if it intrudes upon and harms the setting of a listed building. This term includes as wide a surrounding area as necessary to ensure that open space, trees, and/or other buildings, to each of which the listed building may clearly relate, are fully protected. Where improved design detailing would help to minimise any harmful impact, modifications will be requested, but if the impact of new development results from fundamental issues of scale, character, and siting which cannot be resolved in this way, proposals will be rejected."* Equally important is **Policy 47 – Listed Buildings: 'Enabling Development'** which states *" If, despite the opportunities available under Policy 45, clear evidence is brought forward to show that the economic cost of preserving a listed building cannot be sustained, sympathetic consideration may be given to proposals for associated new development to enable the building to be saved. Such development must have the effect of preserving both the building and its setting. Any permission granted under these circumstances will be strictly exceptional, and will link the timing of new development to remedial work on the listed building, by the use of either conditions or a planning agreement."* Policy 47 is justified in the plan as being for very rare situations where the cost of restoring a listed building is so great it cannot be reasonably financed by other means and where the enabling development will not have a damaging impact on the building or its setting.

⁷ The Yorkshire and Humber Plan – Regional Spatial Strategy, Draft December 2005 – executive summary pp iii – iv.

⁸ Richmondshire District Council Local Plan 1999-2006

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2.1.10 Since 1995 English Heritage has produced a number of documents which have looked at development and sustainability in the historic environment, culminating in its policy statement on enabling development. These documents are briefly referred to here as they set out the conservation approach to management of the historic environment. In *Development in the Historic Environment* (1995) English Heritage clearly indicated that enabling development should be subject to assessment: *"Permission should not be granted for otherwise undesirable enabling development just to secure the repair of an important listed building, even one which is seriously at risk."*⁹ In a discussion document on sustaining the historic environment English Heritage recognised that conservation involves understanding, protection of significance and sensitive development. One of its key principles of sustainability was *"keeping our activities to levels which do not permanently damage the historic environment."*¹⁰ Finally, in its policy statement on enabling development published in 2001, English Heritage noted that it had become *"increasingly concerned by the damage caused by developments contrary to established planning policy, put forward primarily as a way of benefiting heritage assets, but which destroy more than they save."* As the policy statement¹¹ is particularly relevant in this case it is repeated in this report as follows:

"English Heritage believes that there should be a general presumption against 'enabling development' which does not meet all of the following criteria:

- The enabling development will not materially detract from the archaeological, architectural, historic, landscape or biodiversity interest of the asset, or materially harm its setting
- The proposal avoids detrimental fragmentation of management of the heritage asset
- The enabling development will secure the long term future of the heritage asset, and where applicable, its continued use for a sympathetic purpose
- The problem arises from the inherent needs of the heritage asset, rather than the circumstances of the present owner or the purchase price paid
- Sufficient financial assistance is not available from any other source
- It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset, and that its form minimises disbenefits
- The value or benefit of the survival or enhancement of the heritage asset outweighs the long-term cost to the community (i.e. the disbenefits) of providing the enabling development."

⁹ English Heritage (1995) *Development in the historic environment : An English Heritage guide to policy, procedure and good practice*, pp5.

¹⁰ English Heritage (1997) *Sustaining the historic environment: An English Heritage Discussion Document*, pp3

¹¹ English Heritage (2001) *Enabling development and the conservation of heritage assets : Policy Statement Practical Guide to Assessment*, pp7.

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3.0 HISTORY

3.1 This section provides an outline of the development of the landscape over time. Where pertinent, historic maps have been included (see Appendix IV for a series of historic maps with the development boundary overlaid).

3.2 The Early History

3.2.1 The Hartley family, who were responsible for building Middleton Lodge, had a long association with the Middleton Tyas area. The family are recorded as holding land in the parish from the sixteenth century (Kurdi 1988) and at this time appear to have been yeoman farmers who initially prospered from the wool trade.

3.2.2 By the early seventeenth century the Hartley family are recorded as having held several closes and properties in and around Middleton Tyas, including West Hall. When George Hartley died in 1648 he left a reasonable amount of land and property including two houses, arable land, pasture on the East Moor and six closes. The death of George Hartley was far from a major disruption to the development of the family holdings as a few years later in 1658 the family seem to have been involved in piecemeal enclosure on the East Moor (ZKU VII MIC 1597).

3.2.3 In 1697 the rise of the Hartley family appears to have been cemented in the acquisition of the manor and lordship of Middleton Tyas. This purchase could have been an astute business act as the acquisition came with all the appurtenances including the mining and quarrying rights. The area around Middleton had long been known to have copper deposits and mineral potential which had been exploited since prehistory. It would only be later in the next century that the true value of the mineral rights were to be fully revealed. So it is not surprising to see the historic records indicate that the family continued to develop their agricultural land holdings. Plans of 1709 and 1726 held at the North Yorkshire Record Office (ZKU VII MIC 1597) show further enclosure on Gatherley Moor to the north west of Middleton Tyas.

3.2.4 As the eighteenth century progressed the Hartley's seem to have further developed, whether directly or indirectly through leases, the potential of the mineral reserves in the area. Thus in 1743 a quarryman employed by Leonard Hartley of East Hall, stated in an affidavit that finds of copper ore had been made on the families land holdings since the 1730s. It seems therefore that by or during the 1730s at least the family was taking advantage of both stone and copper mining interests.

3.3 Eighteenth Century Developments and Middleton Lodge

3.3.1 No doubt the increased profits gained from exploitation of mineral reserves significantly increased the coffers of the Hartley family and promoted a desire for more tangible expressions of their wealth, taste and local influence. The family's aspirations in this area were realised by Leonard Hartley's son George (1726 – 1780) who had trained as a barrister.

3.3.2 George Hartley commissioned Middleton Lodge (Listed grade II*) in the late 1770s. It was designed by the nationally important architect John Carr of York with John Foss of Richmond acting as mason and probably as a clerk of works or surveyor on the project (see Appendix V). The choice of John Carr as the architect, together with the involvement of John Foss, indicate that George Hartley was looking to improve his social standing and had the financial resources to bring in a busy, high profile architect.

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- 3.3.3 Middleton Lodge was built between 1777 and 1780¹² partly using stone brought from Hartley's own quarry at Gatherley Moor. The North Yorkshire Record Office contains the building agreement which is dated the 14 April 1777 and this states the intention was "*to erect and build a Capital Messuage or Mansion House with kitchen and other offices upon his [Hartley's] lands at Low-Fields according to the plans and under the direction of Mr John Carr of the City of York, architect for the purpose of the aforesaid.*"¹³
- 3.3.4 The reference in the agreement to 'Low – Fields' indicates that a new site had been chosen for Middleton Lodge, outside the immediate environment of the village at Middleton Tyas. This would be consistent with the philosophy of making a statement and probably indicates that much of the landscape around the house was created as a contemporary design. The suggestion that Middleton Lodge was built in agricultural land is further supported by the archaeological evidence from the site which shows extant and ploughed out ridge and furrow cultivation over much of the park and surrounding land.
- 3.3.5 The work of Hartley, Carr and Foss at Middleton Lodge also included the construction of the stables, the entrance walls and gates to the south west and north west of the house, gates on the ha-ha and the construction of the 'sunk fence'.¹⁴ A walled kitchen garden was also built around the same time (late C18) but there is no evidence linking Carr or Foss to this feature. What this group of contemporary buildings and their arrangement over the site, clearly indicates is that Hartley, Carr and Foss were laying out an intimate, linked set of buildings placed in a composed landscape which contemporaries of the family would have seen, understood the significance of and been impressed by. It was therefore unfortunate that Hartley was not the reap the benefits of his endeavours, as he died in 1780, and the project was concluded by his sister and the family agent at Richmond, Mr. Ayers.¹⁵

3.4 Middleton Lodge and Eighteenth Century Landscape

- 3.4.1 Middleton Lodge has been called "a particularly fine example of Carr's smaller house manner.....sited on a slight ridge to take advantage of the views east and west."¹⁶ The house consists of the main residence with attached service wing. The main block has a symmetrical arrangement, typical of Carr, though the service range gives the whole composition an asymmetrical layout. The main block is a compact design which in scale and arrangement is somewhere between a typical C18 country house and a villa. The design is axially arranged around the elliptical stair hall (see Figure 2) with one axis formed by the entrance hall, stairs and dining room and a cross axis to the drawing room. The main 5 bay entrance front has slightly projected central bays under a pediment with the door framed by Carr's typical design conceit of a Porch with classical columns, while the south east and north east elevations have central canted bays. These bays are typical of a villa design but also had several other functions which included: architectural relief of the elevations; increased light into the drawing and dining rooms; and angled views from the canted sides out across the gardens and park.
- 3.4.2 The eighteenth century landscape setting of Middleton Lodge can be tolerably well established in skeleton form though no contemporary plans have been discovered as part of this or any other research. Though John Carr worked on a number of country houses in the eighteenth century which

¹² Listed Building Description

¹³ ZKU III 4/1-22 MIC1398

¹⁴ ZKU III 4/1-22 MIC1398 and Listed Building Descriptions

¹⁵ ZKU III 4/1-22 MIC1398

¹⁶ Wragg, B *The Life and Works of John Carr*, pp179

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have contemporary associations with leading national landscape designers¹⁷, no landscape gardener or designer is recorded as working on the grounds of Middleton Lodge. It is therefore possible that the triumvirate of Hartley, Carr and Foss were responsible for the structure of the landscape. What is absolutely certain is that the landscape would have been laid out around Middleton Lodge to ensure that the building was displayed to its full potential and that it was seen to be the main focus of the park.

- 3.4.3 The house was approached by two sinuous drives through the park, one from the south west crossing a ha-ha which defined the gardens and pleasure grounds around Middleton Hall, and another, longer drive from the north, both coming off Kneeton Lane.
- 3.4.4 The first map to illustrate the landscape in any detail is a plan of 1838¹⁸ which is significant in that it shows the landscape only 58 years after Middleton Lodge was completed and therefore illustrates the matured, almost contemporary, landscape (see Figure 3), and one which was almost certainly reflects the initial layout and design intentions for the landscape as a setting for the main house. Stylistically, this plan shows a landscape characteristic of the 'English Landscape Style' which was so pervasive in the late C18.
- 3.4.5 The south west drive entered the park through a narrow shelter belt of trees before emerging into open parkland with views to the walled garden and across estate land to the south east. In front Middleton Lodge appears to have been screened by a belt of trees, but the gates on the ha-ha would have acted as an eye-catching element. Such a screening belt is not uncommon and was used at other sites including Harewood House and Everingham Park. Once through these gates and into the pleasure grounds and gardens the drive curved round to the north to eventually meet the front forecourt. The south east elevation of the stables are given a considered architectural treatment, which may imply that originally they were visible from the entrance court, however, by 1838, planting seems to have enclosed this view.
- 3.4.6 No map exists for Barton Parish, so the north end of the drive is not shown, however, it is known the gates and walls were in place by 1838 and later C19 maps appear to confirm the layout. The north drive provided a different approach to the Lodge, though not necessarily of any lesser status. Entering through curved walls and wrought iron gates the first section of the drive is set below the ridge to the right and a view is naturally presented across the landscape to the south east. This drive sweeps through ornamented farm land (later becoming parkland) with a contrived view at the corner north of the farmstead. This kind of approach is seen in many late C18 and early C19 properties, such as Burton Constable, East Yorkshire and Peover Hall, Cheshire¹⁹ and was designed to show the 'improving gentleman's' fully rounded nature, good husbandry and the extent of the estate. The drive then runs past the stables, which may have acted as an eye-catcher and sweeps round to the south west entrance front of the hall.
- 3.4.7 While the south west side of Middleton Lodge was confined by planting, the south east and north east sides provided a marked contrast. On these elevations the main house had an open prospect with a ha-ha allowing the landscape to sweep up the building, thus offering views over parkland framed by

¹⁷ Carr worked at Ripley Castle which was landscaped by Lancelot Brown; at Workington Hall in the 1780s where Thomas White was involved and at Harewood where Francis Richmond was active.

¹⁸ ZKU x 12 MIC 2062

¹⁹ Burton Constable reference comes from Phibbs, J (2006) Projective Geometry, an article in the Journal of Garden History, Summer 2006, pp 9. It states, 'The principal approach there comes off the Sproatley road, past the farm, across open pasture with ridge and furrow...to make its way to the Triumphal Arch..'

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plantations and shelterbelts. The Lodge almost certainly had reasonably unrestricted views out over all of the gardens to the south and east contained within the ha-ha and had a similar visual command over park. This managed park grassland no doubt formed a visual foil to the wider landscape, when seen from the Lodge.

- 3.4.8 Analysis of the 1838 plan combined with a visit to the surrounding landscape strongly suggests that there were contrived views from Middleton Lodge out into the wider landscape, and conversely, the house formed an eyecatching feature from the surrounding roads and paths. The views from the house to the south east appear to be well structured and use the plantations, especially a half moon shaped plantation to define particular views out into the landscape. Similarly, the notable gap in the boundary plantations between what was to be called Rye Hill Plantation and Acre Howden Spring Plantation seems to have provided views out from the house and the gardens.

3.5 The Nineteenth Century

- 3.5.1 The Hartley family continued to live at Middleton Lodge during the first half of the C19. Their ownership is confirmed on county maps (see Figure 4) and on the Tithe Award²⁰ (here given as 1845, though the 1838 map may also have been related to the Tithe Commissioners). Though there were not doubt subtle changes in the landscape between the completion of Middleton Lodge in c.1780 and the mid C19, these do not appear to be highly significant, when the 1838 and 1845 are compared (see Figure 5).
- 3.5.2 The plan of 1845 shows the essential layout of drives, virtually unaltered, the south west of the Lodge planted while the south and north east were open parkland surrounded by plantations defining the views. This plan also shows a path from the entrance leading into Lodge Gill Plantation, on this map the route extends to the parkland on the east side of the wood and would have allowed views across the park and back to the house. However, in 1838, the path is shown terminating in the woodland opposite the house and there may have been a contrived view from here to the house or park. The 1845 plan also seem to show some changes in management as the apportionment lists a number of the park fields as being tenanted. The Tithe also listed the fields to the east of the north drive as being arable, the rest of the landscape park being under grassland.
- 3.5.3 By the middle of the nineteenth century it is known that Middleton Lodge was no longer occupied directly by the Hartley family and, like many other country houses was let. The first tenant was Edmund Backhouse²¹ and it seems likely that with the leasing of the house further changes were made to the landscape. The OS map of 1857 (see Figure 6) shows a number of minor developments in the landscape. This map provides the first visual evidence for a lodge at the north entrance and stylistically the building (today referred to as The Gatehouse) seems to date from the mid C19. The map also indicates that a series of trees have been established along the north drive forming an 'avenue' style approach. As access to the site was not permitted it is not possible to date any of the existing trees, though quick inspection from the footpath suggests the extant avenue trees are largely of the mid C19, though some may be earlier.
- 3.5.4 In a similar fashion to the north drive, the south west drive acquired a scatter of trees between Kneeton Lane and the ha-ha which may partially have obscured views from the drive towards the walled garden. Between the ha-ha and the main entrance front of the house, the OS map illustrates a

²⁰ ZKU MIC1797/319-324

²¹ Kundi A (1988) *A North Yorkshire Village, Middleton Tyas*, Casdec Ltd

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convoluted series of paths and additional planting which probably indicates a diversification of the gardens structure, while to the south of the house a new boundary has been inserted creating a distinct division between a garden area and a park style enclosure further south. Interestingly, the shelterbelt between the house and Kneeton Lane seems to have been thinned out and glimpsed views to and from Middleton Lodge would probably have been possible.

- 3.5.5 On the north eastern side of the house a curved tree and shrub belt is shown for the first time screening the service wing of the house from the wider park. Additional tree planting is also shown to the north east between this curved belt and the ha-ha. The rest of the park to the north east is still shown as largely devoid of trees, apart from the enclosing shelterbelts. It is probable that views from the house were still possible over the park to the south, south east and north east. The 1857 OS map also depicts parkland as running up to the half moon plantation south east of the house and wrapping around Lodge Gill Plantation.
- 3.5.6 As the nineteenth century progressed later map²² evidence suggests that there was a large increase in the extent of planting and a notable development of the wooded pleasure grounds. This coincides with the tenancy of the Backhouse family who were known to be interested in horticulture, indeed one member of the family ran a nursery in York in the C19. This probable development of the pleasure grounds is of potential regional/local interest and would benefit from further investigation, however, no access was permitted for this survey so no comment can be made on surviving planting or features.
- 3.5.7 The last addition to the landscape at Middleton Lodge in the C19 appears to be the introduction of the cricket ground south west of the house which is shown on the 1895 OS map.

3.6 The Twentieth Century

- 3.6.1 The first C20 map evidence of the landscape at Middleton Lodge is provided by the OS edition of 1915 (see Figure 7).²³ This map shows a landscape which has only limited alterations and amendments from that shown on the C19 maps. Notably the area shaded as 'park' is extensive, stretching from the north lodge through the fields below Lodge Gill Wood (although the area around the half moon plantation is un-shaded, suggesting this had been become arable). The shading would indicate that the fields bounding the north drive were pasture. The other change in this area is the loss of a field boundary between the farmhouse and Acre Howden Plantation.
- 3.6.2 In the gardens there may have been alterations to the network of paths and drives especially on the south west front of the house. To the south of the house, the garden boundary shown on the 1857 OS map has been formalised into a straight line. The planting to the north east of the house appears more open with views to the park. In the wider parkland the largest changes has been the planting of the park north east of Acre Howden Plantation to create Lodge Covert. The boundary between the Rookery and Rye Hill Plantation has thinned to a loose scatter of trees.
- 3.6.3 During the first half of the twentieth century the tenants at Middleton Lodge are known to have changed on a number of occasions. The property was held on lease by the Pease family until the 1920s and Sir John Baird was resident in the 1930s. The property was eventually sold in 1946/47

²² First revision to the OS edition of 1857 of 1888 or 1895

²³ NYCC RO MIC1831/202 The map is listed as 1915/1919, but Middleton falls on a panel of 1915 date.

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apparently to pay off death duties and was purchased by the Ropner family. The house was bought by the Allison family in the 1980s.

- 3.6.4 Progressive changes have occurred in the landscape since the middle of the twentieth century, though providing an exact date for change has not been possible. It appears that in the 1950s balustrading, which was salvaged from Halnaby Hall, was erected on the south front of Middleton Lodge. Formal hedging to the south of the house also appears to have been planted. West of Lodge Gill Wood a plantation was established forming a defined boundary to the park at this point for the first time. To the north of the house and east of the stables a plantation has been established on a semicircular area of pasture which had been open since the creation of the park. Also in this location an avenue with a central clearing was established. Vegetation in the immediate vicinity of the house appears to have increase since the mid C20, while in the wider park the planting south west of Acre Howden Plantation has gone.

3.7 Summary

- 3.7.1 Middleton Lodge and its surrounding parkland were created as a single entity in the late 1770s for George Hartley. The landscape seems to have been a characteristic example of the English Landscape Style of gardening which was so popular in the late C18. Though the site has undergone limited change and development during the C19 and more especially the C20, the structure of the original, mature C18 landscape is easily detectable in the park and grounds of Middleton Lodge today.

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4.0 SUMMARY OF SIGNIFICANCE

4.1 Conservation based work requires the understanding a site and its features, establishing its significance and seeking to conserve and respect that significance in any future management²⁴. Having set out a general understanding of the historic landscape, this assessment considers the significance of that landscape and its relationship to Middleton Lodge.

4.2 Architectural and Historic Significance

4.2.1 As a grade II* listed building Middleton Lodge is of national significance. The c1780 house was designed by a noted architect of national importance, even though John Carr's work is substantially of a provincial nature, and still retains the essential architectural layout and design of that time. The architectural design employed, the decoration used and the craftsmanship are all of national architectural interest. Others have noted that Middleton Lodge is a particularly fine example of Carr's smaller house manner and potentially a landmark building in Carr's development.²⁵

4.2.2 It has been stated in paragraph 3.4.1 (above) and in the ES²⁶ that Middleton Lodge was specifically sited to take advantage of the views to the south east and north east. The gardens and parkland are therefore essential to the setting of the building and its proper understanding.

4.2.3 The estate contains five other grade II listed buildings which by default are of national interest, With the exception of the walled garden, which is contemporary but cannot be assigned to an individual, the other buildings are the work of either John Carr or John Foss. These buildings therefore provide examples of the working styles and practices of significant architects as they all have classical references and are not in the vernacular tradition. Almost more importantly these buildings, including the walled garden, are a clear demonstration of the approach to laying out an estate in the late 1770s as adopted by influential architects and a wealthy landowner. The spatial distribution of the buildings across a virgin site, the way the ancillary buildings respect the setting of the main house and the connected network between the functional aspects of the buildings are of national significance, not least because this is tied to a distinct time period.

4.3 Social Significance

4.3.1 The Middleton Lodge Estate has historic interest in being the tangible expression of a wealthy Georgian landowner's ambitions. It therefore reflects aspects of the social, economic and cultural history of the time as well as being a symbol of status and power. The Hartley family's importance, especially locally, is reflected in the choice of John Carr as their architect, while their taste and culture is reflected in the layout of the park and wider estate.

4.3.2 The owners and tenants of Middleton Lodge have been a series of locally important families and people including the Hartleys', Backhouses' and Sir John Baird.

4.4 Designed Landscape Significance

4.4.1 There are no known national landscape figures associated with Middleton Lodge, but the estate entrances, the main house and other features were considered and laid out by the Hartley, Carr, Foss triumvirate and this in itself is significant in the field of designed historic landscapes. The use of the park and the landscape setting significantly enhances the status of the main house.

²⁴ Clark K (2001) *Informed Conservation*, English Heritage.

²⁵ Wardell Armstrong Environmental Statement, page 2.2

²⁶ Environmental Statement, Appraisal of the Designed Landscape, section 2

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- 4.4.2 The designed landscape is of at least regional and local interest for a number of reasons. The park is a characteristic example of the English Landscape Style; it is a good example of an C18 landscape in North Yorkshire which was consciously set out to enhance the setting of an important building; the main phases of the landscapes development are of historic interest.
- 4.4.3 Middleton Lodge meets several criteria which raise its significance. The age of the main design layout falls between 1750 and 1820, more precisely between 1777 and the 1780s. A significance proportion of this original layout survives and is readily discernable on the ground. As far as can be assessed from a desk top study, the quality of what remains is good and the design reflects the influences of John Carr and John Foss.

5.0 HISTORIC LANDSCAPE CHARACTER – BASELINE

5.1 This section records and analyses the existing historic landscape character, quality and sensitivity of the landscape relevant to the development site.

5.2 Existing Landscape Character - General

5.2.1 The existing landscape character is a product of landform, landuse, landcover and a variety of landscape elements. The general character and more specific nature of the proposed development site is described briefly below.

5.2.2 The site is located between the villages of Middleton Tyas and Barton in a rural location to the east of the A1. The landform of the area comprises gently sloping land with some undulation. The general land fall pattern is north east across the site from higher ground (around 110m AOD) on the western side of the estate towards the shallow valley occupied by the Five Hills Beck (at around 80m AOD). The Five Hills Beck flows southwards and is ultimately a small tributary of the river Swale.

5.2.3 The surrounding landscape is agricultural land which appears to be predominantly used for arable or cultivated crops with grazed grassland restricted to some valley bottoms and other areas. Where they exist field boundaries tend to be of thorn hedges, the predominant species being hawthorn and blackthorn, though elder and field maple are also present. Post and wire fencing is also a common field boundary treatment. In the immediate vicinity (c.1km radius) woodland cover is very limited and Middleton Lodge forms a distinct landscape element due to the presents of historic plantations and shelterbelts.

5.3 The Landscape of the Site and its Features

5.3.1 The site at Middleton Lodge, as included in the planning application, covers the historic parkland, a small section of shelterbelt, the north drive with its entrance gates, the stables and the walled garden. The main house is surrounded by gardens and pleasure grounds, placed within a historic parkland setting. All of the open areas of the park appear to be under managed park grassland and in contrast to the immediate surrounding area, has a significant area of associated woodland and shelterbelts. The ES states that the trees within the woodland areas include beech, horse chestnut, sycamore, oak and Scots pine.²⁷ The parkland landscape associated with Middleton Lodge is, therefore, quite distinct from the surrounding agricultural land.

5.3.2 The site for the proposed mineral extraction at Middleton Lodge consists of gently sloping, open C18 park grassland, which along the north drive also contains a scatter of mature trees and a derelict agricultural building. Until the mid to late C19 the park bordering the north drive appears to have been treated as ornamented farmland with historic maps showing a subdivision of the area by a field boundary. The remaining parkland trees in the area were formerly associated with this field boundary which was removed prior to 1915.

5.3.3 The southern section of the proposed quarry area has an uninterrupted history as historic parkland since the estate was laid out in the 1770s. This southern area was historically divided from that to the north by a narrow belt of woodland, this division only being lost in the C20 (post 1919). The effect of this would have been to historically enclose the southern section of the site in a parkland 'bowl' formed by boundary woodland and shelterbelts to create the north east setting of Middleton Lodge.

²⁷ Wardell Armstrong (2006) Environmental Statement page 11.7

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The remaining area of the park in the application, was and remains, open park grassland with few or no freestanding parkland trees.

- 5.3.4 Between the stables and the open park to the north east of the main house is an area of historic woodland, C20 garden areas and a C20 plantation. No further detailed description can be provided since no access was permitted to the site. However, part of the woodland included within the application area appears to have been planted as part of the original late C18 design layout surrounding Middleton Lodge.
- 5.3.5 The application area also includes the Stables (listed grade II), the 'turning out ground' immediately to the north west and an associated paddock to the south of the farmstead. The stables are listed as 'stables with coach house and hayloft' and are thought to be by John Carr (dated 1770s). Built of coursed sandstone with ashlar dressings under Westmorland slate roofs, the stables form a U shaped plan enclosing a yard to the north west. The paddocks, where car parking is proposed, also appear to be part of the original late C18 design layout. The paddocks are divided by a narrow shelterbelt, the makeup of which cannot be determined and is not mentioned in the ES.
- 5.3.6 To the south west of the stables is the walled garden (listed grade II), a rectangular walled enclosure, the construction of which appears to date from the late C18, the south east wall being noticeably lower than the other walls. The walls are built of red/brown brick laid in stretcher bond with a slab coping. Segmental and round arched doorways are present. On the north west wall are single storey lean-tos of uncertain date, though some definitely post date the mid C19. Historically these buildings would have formed the bothy, boiler house and potting sheds. The internal garden space appears, from photographs in the ES, to be largely overgrown with ruderal vegetation.
- 5.3.7 A summary of the origins of existing landscape features is provided on Figure 8.

5.4 Historic Landscape Receptors

- 5.4.1 The physical landscape receptors affected by the proposed development are:
- The setting of Middleton Lodge
 - Eighteenth century parkland north east of Middleton Lodge
 - Historically ornamented farmland which in the later C19 became parkland along the north drive
 - C18 stables, paddocks and shelterbelts
 - C19 walled garden with C19 ancillary buildings
 - C20 plantations and garden features.

6.0 HISTORIC VIEWS - BASELINE

6.1 General Views

- 6.1.1 A full assessment of the visual impact of the proposed development on the historic landscape is not possible due to the restriction placed on site access. This section therefore assesses the extraction site using historic maps and aerial photographs, supplemented by information in the ES and other documents. The assessment concentrates on the main historic receptors and historic views and does not cover a visibility assessment.
- 6.1.2 Historically important views concerning Middleton Lodge park are shown on Figure 9. Illustrative photographs of the site and certain views are contained in Appendix I.

6.2 Visual Envelope

- 6.2.1 The possible extent of the views into the site, defined in the ES as the 'areas *from which the [extraction] site is visible*' extends up to the north east elevation of Middleton Lodge.
- 6.2.2 The extent of views within the visual envelope in the submitted ES probably reflects the fact that survey work was carried out when vegetation was in leaf. It is suggested that minor variations in the area from which the site can be seen would be made if winter views are considered, notably this would be towards the footpath to the south of the site (see photograph 20).

6.3 Sensitive Visual Receptors – Historic Landscape Assessment

- 6.3.1 The main visual impacts on the historic landscape from the proposed development are created by the quarrying and mineral extraction in the park. Due to the nature of the site it seems reasonable to conclude that many of the historic visual receptors do not have views into the proposed quarry or that these views would be largely imperceptible. It is suggested that this would be the case for the walled garden, stables and historic parkland and features on the south west side of Middleton Lodge. However, it is anticipated that there **will be visual issues** on other historic features including Middleton Lodge (listed grade II*), the gardens including the boundary of the ha-ha, the north drive, The Gatehouse and the north entrance gates (listed grade II). Outside the estate boundary it is anticipated that there will be visual impact issues from Woodhouse Farm.
- 6.3.2 Views from these historic features and locations surrounding the site would be affected by the development to a greater or lesser extent.

6.4 Existing Views - Baseline

- 6.4.1 **Middleton Lodge** is the main focus of the landscape. This building is nationally important and highly listed, and thus should have been highlighted in the ES as a visual receptor of high sensitivity. It is disappointing that there are no panoramic photographs from the north east elevation of Middleton Lodge in the ES to properly assess visual impact. As a listed building, where the entire structure and historic use patterns are important, it is also strongly suggested that the views from the second floor of the property should have been assessed. Existing views to the site from Middleton Lodge are difficult to assess objectively in the ES as the document seems to contain some anomalies:

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- Both the landscape and visual impact and the cultural heritage assessments state that Middleton Lodge does not have views of the proposed extraction area due to mature woodland planting.²⁸ However, no upper storey views were assessed.
 - The ES and indeed the submission to North Yorkshire County Council as part of the mineral DPD review state that “There are also open views towards Middleton Lodge from the south-eastern section of the site”.²⁹
 - The appraisal of the designed landscape included in the ES as an appendix includes photograph 1: *View north from Middleton Lodge* which clearly shows filtered views from ground level into the park and site.
 - No assessment has been made of the proposed 50m high fountain on the setting and visual amenity of Middleton Lodge.
- 6.4.2 Inspection of the setting of Middleton Lodge from public footpaths and surrounding roads carried out for this report in February suggest that there are views from Middleton Lodge towards the park. These views are filtered through vegetation in the garden but are at least filtered, winter views from the main house into the southern section of the proposed quarry. It is subjectively judged that there are likely to be existing filtered views from the upper storeys of the house into the southern section of the proposed quarry. Visual assessment photographs in the ES (see Figures 11.17 and 11.19) also suggest the visual proximity of the southern section of the proposed quarry impinging on the visual setting of Middleton Lodge.
- 6.4.3 Historical research has indicated that a ha-ha was constructed around the **gardens and pleasure** grounds at Middleton in the late C18. It is often found that historic walks and paths follow the ha-ha giving views out into the site. It is assessed that there would be open, unrestricted views of the proposed quarry from the gardens and ha-ha along the north eastern side of Middleton Lodge.
- 6.4.4 The **north drive** appears to have been laid out as an original feature of the late C18 design. From access provided by the public footpath along the drive it is possible to assess views from this historic approach with more certainty. Immediately north of the farmhouse, the north drive has a distinct bend and from this location there appear to be contrived views over the park landscape. This site has been picked up in the ES and is included in that report as Figure 11.10. From this location the views across the site, which consists of open park grassland and a few scattered trees are open and largely unrestricted.
- 6.4.5 The **Gatehouse** has been assessed in the ES in Figure 11.9. This is a later addition to the original C18 design but is of historic value to the site. Views are between large avenue trees and across open park grassland. These views are filtered by vegetation.
- 6.4.6 From the **north entrance gates** (listed grade II) there is a contrived view down the length of the park. Originally these views may have been completely open from the avenue, but historic planting, at least from the C19 means that these views are now partially filtered through the lower branches.
- 6.4.7 In the immediate wider landscape around the proposed development at Middleton Lodge, there is only one built feature of historic note and this is Woodhouse Farm. No photographs were taken from the farm in the ES, though nearby views were assessed. A visit was made to Woodhouse Farm as part of

²⁸ Wardell Armstrong (2006) Environmental Statement pp 11.13 and 12.11

²⁹ North Yorkshire County Council (2006) *Minerals and Waste Development Framework: Site Allocation Issues and Options Consultation. Environmental Statement p11.1*

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this assessment. The farmhouse is set in a small copse so views from the house are filtered. Views from the forecourt and drive in front of the house are open and filtered. No assessment has been made in the ES of the impact of the proposed fountain on the wider setting and views of the estate.

- 6.4.8 There are other historic features in the local landscape, such as historic tracks but the visual impact from these are not judged to be significantly different from the general views assessed in the ES or the report by Leeming Associates.³⁰

³⁰ Leeming Associates (2007) Objections to Planning Application for Mineral Working Middleton Lodge for England and Lyle – Chartered Town Planners.

7.0 PREDICTED IMPACTS - HISTORIC LANDSCAPE & HISTORIC VIEWS

7.1 The purpose of this section is to identify the potential impacts of the proposed development on the historic landscape and historically important views. The predicted impacts will also bear in mind the various stages of the development.

7.2 Historic Landscape Impacts

7.2.1 These include the direct and indirect impacts of the development on historic landscape elements or features as well as on the general historic landscape character of the area.

7.2.2 The proposed scheme at Middleton Lodge should be assessed in the light of good conservation practice (as defined in section 4.1 above). The scheme as proposed by the applicant breaks down into three main sections: conversion of buildings to holiday accommodation and development at the walled garden; conversion of the stables to restaurant, shop and function rooms with car parking; mineral extraction with proposed restoration.

7.2.3 In considering the historic landscape impacts of the walled garden proposals it seems that this is a broadly beneficial approach. The sensitive reuse of historic buildings has long been established and there are numerous examples of historic building reuse in the country. The scheme as presented in the ES requires more detail to assess whether historically significant fabric is to be retained but the principle of reuse and conversion is accepted. There are, however, two concerns and these relate to the supposed economic viability of the development here and also the operational management of the walled garden. Not enough information on the economic context is provided in the ES and this is outside the focus of this study, but the walled garden development would reuse the existing potting sheds for holiday accommodation, which means that a need will be created for machinery storage and gardening equipment elsewhere. There is no indication in the ES proposals as to where these will be located, thus more information on this is required before an impact assessment can be made in full. The provision of garden maintenance equipment will be essential and should not result in the need for additional structures in the vicinity of the listed walled garden.

7.2.4 In a similar light the outline proposals for the conversion and adaptive reuse of the stables to other uses is appropriate if carried out sensitively and important historic fabric is retained. The main concerns of this proposal are the affects on the setting of the stables as a listed building and impact of the car parking and planting on the historic approach from the north gates. As stated in the history the north drive provides an alternative approach to the main house and is not of any significantly lower status than the drive from the south west. The stables probably formed an eye-catching element on the approach and the proposed landscape design should respect this historic character. The interrelationship between the stables and the drive must be handled carefully. Similar comments apply to the provision and landscaping of the car park.

7.2.5 The proposed restoration scheme following completion of the mineral extraction envisages a linking avenue from the stables to the proposed new quarry garden. There is a concern that this proposal would result in the importance of Middleton Lodge in relation to its landscape being severely diminished. This link should not form a major visual feature in the historic landscape and should not detract attention away from the main focus of the site which is Middleton Lodge, otherwise the setting and status of the Lodge in its landscape will be adversely affected.

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- 7.2.6 The most significant impacts of the development come from the quarrying operations in the historic parkland and these are considered in detail. The existing ES contains a number of statements regarding the assessment of impact and the nature of change of the proposed quarry on the historic landscape. In a number of cases statements made in the ES appear to be factually incorrect, for example, Table 5.3 on page 5.5 of the ES states in relation to conservation issues that "*The landscape and buildings will be restored not destroyed*". As far as the historic landscape is concerned this is clearly incorrect as the proposal will result in fundamental landscape change and the existing land levels will not be reinstated. In the same section the ES also states "*The proposals do not involve development of the historic parkland areas, therefore nothing will be lost*". As the planning application indicates that 13 ha of the park will be subject to mineral extraction and will result in a void with new proposals for landscaping this is also not the case.
- 7.2.7 Similarly the ES sets out assessment criteria in the Archaeology and Cultural Heritage section (pages 12.8 through to 12.11) which this assessment would not agree with. Firstly the listed buildings on the site are only assessed as of regional significance, but they are nationally listed and have significant group, historical and cultural value. It is strongly suggested that they should be assessed as nationally significant. Furthermore, table 12.3 sets out criteria for assessing impacts which does not appear to have been followed in the subsequent assessment. The table states that proposals which would be in conflict with local policies to protect the local character of the heritage; have a detrimental impact on the context or significant assets; and not fit well with the form, scale, pattern and character of a historic landscape, show be judged as **adverse (negative)**. With the listings, local policies, and predicted landscape changes put forward in the ES, **adverse (negative) impacts** should have been reached for the intrusion onto the setting of a number of listed buildings, especially Middleton Lodge. The assessment should not have been limited to visual impact alone. The predicted impacts upon the historic landscape of the quarry should result in **moderate or even large adverse impacts**, not neutral effects as stated. This assessment would also suggest that the long term landscape impacts should also be assessed as adverse and not moderate beneficial.
- 7.2.8 The proposals set out in the ES will result in fundamental landscape change which this report believe have an lasting, adverse impact on the historic landscape character. The existing landscape is one of gently sloping grassland in a historic park bounded by strategically located woods and plantations. The proposed scheme will impose a new landscape character which will result in the permanently loss of the C18 parkland along the drive and north east of the main house. The landscape change is so great that the historic landscape character of the park immediately south of the quarry will also be adversely affected. The setting of Middleton Lodge will therefore be permanently affected by the proposal. Although all of the parkland subject the proposal will be fundamentally affected, the landscape change with the largest adverse impact will be the Phase 2 proposals as these affect the core of the park and the essential setting of Middleton Lodge.
- 7.2.9 The void created by the quarry and the proposed after uses of agricultural grazing land, a habitat area and quarry garden with 50m fountain will change the landscape from the existing park grassland. The insertion of these various elements into the historic park will also result in fragmentation of the historic landscape which should be avoided.
- 7.2.10 The scheme at Middleton Lodge is put forward on the basis that the removal of the existing C18 parkland with the resulting creation of a new mixed land use in a quarry with retained, exposed rock

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faces, will be beneficial and “enhance the landscape character of the area”³¹ Clearly, this will NOT enhance the historic landscape character since the proposal is for fundamental and permanent change. It would be informative to have some guidance in the ES as to how a beneficial assessment of the change in landscape character has been arrived at. Complete replacement of the existing landscape cannot be assumed to be positive. This report considers the impact on the historic landscape of the proposed change to be adverse due to the reasons mentioned above.

- 7.2.11 Due to the scale of the proposed mineral extraction, the change in landscape texture (from smooth park grassland to variable land uses, expose rock faces etc) and the alteration on the historic land use pattern this assessment considers the proposal to have an adverse landscape impact.

7.3 Wider Setting

- 7.3.1 The ES states that the proposal will create a 50m high fountain but fails to take account of the impact of this feature on the wider historic landscape. Assessing the proposal from the information in the ES suggests that the fountain will be approximately 30m above ground level and therefore be a significant new element in the landscape, resulting in landscape change. Some assessment of whether this is a positive or negative change should be made.

7.4 PREDICTED VISUAL IMPACTS ON THE HISTORIC LANDSCAPE

- 7.4.1 The visual impact assessment is broadly speaking a result of the sensitivity of a receptor and the magnitude of the impact. Predicted visual impacts on the historic landscape will apply during the operational phases and after the final 'restoration'. The effects are briefly summarised below using the historic landscape features identified in section 6 above.
- 7.4.2 Critical views from Middleton Lodge cannot be verified on the ground as site access was denied. However, assessment from the surrounding area, the photograph from the north elevation in the ES and other references suggest that filtered winter views to the quarry would be possible from ground level. Filtered, but more open views are likely to be available from the upper storeys. This would mean that the quarrying would have an adverse impact on views from the main house, the magnitude of which cannot be assigned. However, this would indicate that the setting of Middleton Lodge is compromised and affected by the development. Negative impacts are likely to occur all through excavation of the quarry, especially at breaking the ground and when restoration is completed through the impact of the fountain on the historic parkland.
- 7.4.3 Potential historic views from the boundary of the garden would be open and unrestricted. The proposed scheme is considered to have an adverse impact on views from the garden boundary.
- 7.4.4 We disagree with the assessment of visual impact from two positions on the **north drive** as contained in the ES. From the distinct bend in the drive (location 2 in the ES) we believe that during quarry operations there will be a negative/adverse impact on historic views from this position and that after proposed restoration the exposed rock faces and visual subdivision of the site will also result in an adverse impact on the historic landscape views. All along the drive views into the site are possible and it is assessed that both during and after restoration there will be a negative/adverse impact on these.

³¹ Wardell Armstrong Environmental Statement pp11.16

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- 7.4.5 The ES (Figure 11.9) concluded that during quarrying views from the **Gatehouse** would be adversely affected but following restoration views would be beneficial. The ES goes not take account of the proposed screen planting indicated on the restoration proposals and so its conclusions are problematic as views in the direction indicated would be drastically curtailed. We believe that not only will the impact on historic views during quarrying to be adverse but that following the proposed restoration the exposed rock faces will retain the visual character of a worked out quarry and so the impact on restored views will also be adverse. The Restoration proposals in the ES also indicate that new woodland planting would enclose the western end of the worked out quarry. This would mean that most views from the Gatehouse would be screened just beyond the existing avenue trees. The affect on historic landscape views of the proposed screening is to obscure them and so the impact would be adverse.
- 7.4.6 From the **north entrance gates** (listed grade II) there are historically contrived view down the length of the park. During quarrying these views would be significantly adversely affected. The restoration proposals indicate screen planting at the western end of the worked out quarry. This would foreshorten views and change the historic landscape orientation so the impact is assessed as adverse.
- 7.4.7 Woodhouse Farm and its immediate environs have views into the site. Screen planting is proposed along the boundary of the site as mitigation, and this planting is in part supported by historic evidence. While the development will result in a change of views from Woodhouse Farm it is felt that the impact will be initially adverse, until the planting has reached a sufficient height to screen the quarry – this situation may persist for a number of years. Following restoration and full establishment of the boundary screen planting views from Woodhouse Farm are likely to be neutral/beneficial towards the quarry, but adverse when the fountain is in operation.

7.5 Summary

- 7.5.1 The landscape and visual impact of the proposed quarrying on the historic environment results in adverse impacts and change. The greatest impacts are on the setting of Middleton Lodge and these are considered to be adverse and contradictory to national and local planning policies. The quarrying proposals, especially the southern section, do not preserve or enhance the setting of Middleton Lodge. The applicants own ES makes reference to the context of the historic parkland which “makes a significant contribution to the setting of the mansion”³², however, this is not taken into account in the development or extent of the quarry area. The applicants proposals to create significant new landscape features cannot be seen to be an ‘enhancement’ of the historic landscape, but rather a significant alteration of its character.

³² Wardell Armstrong Environmental Statement, p423 Appendix 2.1

8.0 MITIGATION, ALTERNATIVES AND SCHEME PROPOSALS

Mitigation

- 8.1 Mitigation measures for the proposed development have been included in the Environmental Statement submitted to the planning authority. This historic landscape assessment makes three comments specifically on these mitigation proposals as they affect the historic landscape and remaining historic features.
- 8.2 In working the site there is a proposal for screen bunding along the eastern side of the north drive. This bunding would affect the setting of the north drive, one of the main entrances to the house and the Gatehouse. This will have an adverse impact on the historic character of the approach to the house for as long as the bund remains. Much of the section of the drive is a public right of way and the general public view will also be adversely affected.
- 8.3.1 Screen planting is proposed along the park boundary adjacent to Acre Howden Spring Plantation. This is presumably proposed as an essential mitigation measure but has a detrimental impact on historic views from the site, from the house and other key areas of the designed landscape.
- 8.4 If the quarry operations do go ahead, there should be a presumption in favour of restoring the mineral workings to existing or near existing landforms so that the historic character and visual integrity of the landscape surrounding Middleton Lodge is recreated.

Scheme Proposals

- 8.5 Published guidance on enabling development continually stresses that the enabling element, in this case quarrying for minerals, should be of the **minimum extent possible**. The existing ES and planning application make no reference to the current proposals being the minimum necessary to provide financial assistance to maintain the heritage assets.
- 8.6 The ES should be as much of an objective assessment of the project as possible. There are therefore a number of comments made in the ES which are of concern with respect to the historic environment. An example, which is related to the schemes proposals is provided in Section 4, page 4.16 where the ES states "*Without the proposed Quarry it will not be possible to restore the Grade II Listed Stable Block and the Grade II Kitchen Garden Walls (for which a separate listed building application will be submitted to North Yorkshire County Council)*". However, there are numerous examples over the country where listed and historic buildings are restored and adapted for new used without the need for enabling development, examples in the local vicinity include buildings at Aske Hall and Sedbury Hall. It is unclear why a similar position should not apply in this instance. Furthermore the ES does not set out what other options to finance the proposed development have been considered at Middleton Lodge to allow the statement in the ES to be valid. Brief discussion with the Planning Department of Richmondshire District Council would indicate that while there have been planning and listed building consent applications for Middleton Lodge made since the 1980s there have been no applications for similar consents to the other listed buildings.³³ There has certainly not been a past history of the estate applying for listed building consents for maintenance of the buildings in question or for positive adaptive reuse until the current major application.

³³ Richmondshire District Council planning officer pers. comm. An application in the 1980s for conversion of the coach house into dwellings may relate to the stables but was made a long time ago.

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Alternative Considerations

- 8.7 The ES puts forward a number of schemes which were considered as alternatives but there is a lack of analysis which means that statements cannot be logically followed. For example, pages 5.7 and 5.8 state that the "*main aims of the proposed development are to restore the stables and gardens and to provide long term sustainable support for the Estate...*", though the ES also indicates that "*The quarry void itself is central to the regeneration of the Estate*" (page 2.6). More confusion is added in a letter from the applicant dated 20.01.06 which states that the quarry garden is seen as secondary to the main business of restaurant and conference facilities.
- 8.8 The section then discusses a Quarry Only option, which is rejected as it would not deliver on the principal aim of the project. The Visitor Attraction Only option is also rejected as it would not bring in enough initial investment to fund the creation of the visitor attraction and would not create the dramatic landform than would result from quarrying. It is not clear what the 'visitor attraction' in this statement is, more importantly it is far from clear why a dramatic landform is required and why it would make so much difference to the project compared with retention of the historic landform. Is there an option to create a dramatic landform, without mineral extraction, in another, less sensitive location? Similar logic is applied when rejecting the option of continuing to quarry at Barton as this would not create the dramatic landform for the proposed quarry garden. Yet there is still mineral reserve at Barton quarry and no justification of the need for a dramatic landform. There is a 'do-nothing' option which is dismissed as it would not meet the aims of restoring the historic parkland, yet:
- The existing scheme does not seek **restoration** of the historic parkland, but alteration, new landscape works and detrimental impact to the setting of Middleton Lodge.
 - No account is taken of other financial and grant aid support mechanisms for conservation of the listed buildings.
 - Landscape restoration at Middleton Lodge could be achieved at a reasonable cost as the landscape fabric appears to be well preserved.

8.0 ASSESSMENT OF THE PROPOSED RESTORATION PROPOSALS

- 8.1 As part of the submitted Environmental Statement a proposed restoration scheme has been put forward by the developer. This scheme, shown as Figure 8 Restoration in the ES, shows proposed restoration of the site to include additional shelterbelt and parkland tree planting; the creation of a quarry garden with screen planting; a habitat area and agricultural grassland as well as a new linking path along an avenue from the northern side of the stables to the proposed quarry garden. In general, these proposals create issues for the historic landscape.
- 8.2 Firstly, the historic research carried out for this report and indeed that provided in the submitted ES shows that the site has been open parkland at its southern end and a mix of either ornamented agricultural land or park to the east of the north drive since its creation in the late C18. The restoration proposals put forward do not take account of this historic land use which has been an essential part of its historic character since the creation of the Middleton Lodge estate. It is established conservation practice that development should not result in fragmentation of the heritage asset³⁴, in this case the park and the setting of Middleton Lodge. The proposed restoration clearly introduces fragmentation to the site, partly as a result of the nature of the development. The insertion of a highly designed garden area (the quarry garden and maze) into what is open parkland disrupts the historic character and historic land use pattern of the site. Similarly the screen planting around this garden and the habitat area affect and change historic views from the north entrance gates and drive.
- 8.3 Secondly, the appraisal of the designed landscape in the ES³⁵, correctly interprets the historic landscape when it says of the nineteenth century landscape "*The mansion overlooked grassland to the north-east which was surrounded by a belt of trees providing a feature of the mid-ground creating an interface to the impressive scenery beyond.*" Currently, this essential designed structure remains, but the extent of the proposed mineral extraction to the south, together with the change in landscape and the proposed restoration planting would all have a significant detrimental/adverse impact of the historic landscape character and indeed on the setting of the main house.
- 8.4 A third issue with the proposed restoration also affects the parkland to the north east where screen planting along the park boundary and parkland tree planting is proposed. The applicants site appraisal notes views into and out of the site over this area, especially from the house, which do not seem to be fully taken into account in the restoration plan. The appraisal of the designed landscape in the ES³⁶ again highlights historically important views by saying "*The mansion was framed by plantations and when viewed from the lane to the south, leading to East Hall, a carefully structured glimpse of the building was visible before blocked by a semicircular clump of trees then reappearing for longer across a larger break in the woodland.*" As proposed the park planting and infill shelterbelts would partially or (overtime) completely obscure these historic views altering the historic character of the site and losing the relationship of the main building to the wider landscape. The planting would also have significant negative/adverse affect on historic views which were, and possibly still are, available from Lodge Gill Wood north over the open parkland.
- 8.5 The assessment of significance for the landscape at Middleton Lodge has shown how this site is regionally important and of value. The historic layout as created in the C18 is reasonably well

³⁴ Askwith, Clare (1999) *Rescued or Ruined? Dealing with Enabling Development*, pp 34 A report for the Garden History Society, Georgian Group, Ancient Monuments Society, Victorian Society and Association of Gardens Trusts.

³⁵ Green, Fiona (2006) *Appraisal of the Designed Landscape at Middleton Lodge, North Yorkshire* on behalf of Wardell Armstrong section 2.1

³⁶ Green Op Cit section 2.1

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preserved in the current park and was a conscious attempt to reflect the aesthetics of the time. The landscape therefore makes a significant contribution to the setting of the mansion. The proposed restoration scheme would have an adverse affect on this designed landscape structure and the historic land use pattern. The main adverse affect is upon Middleton Lodge. Historically, the site was designed to focus on Middleton Lodge and provide it with an appropriate setting to show it off to its best advantage. The applicant's proposals state that the proposed quarry garden is central to the regeneration of the estate and will form the main visitor attraction.³⁷ This strongly suggests a re-orientation of the landscape away from the main house towards the proposed quarry garden and is therefore out of character with the intentions of the original design layout.

- 8.6 The restoration proposals include a new link path from the stables towards the proposed quarry garden. This route would appear to go through land which was historically an open paddock, but near the stables would also affect an area of potential historic planting. As the house was tenanted by the Backhouse family in the mid/late nineteenth century a precautionary approach should be taken to ensure that no historic planting is affected by this proposal.
- 8.7 The ES states in the non technical summary that one of the aims for the proposed scheme of Estate renovation is "*the enhancement of the Estate Parkland and public access to part of the grounds of Middleton Lodge Estate;*"³⁸. It is normal conservation practice to implement restoration of historic parkland as part of development proposals and there are numerous Section 106 agreements in the UK which support this approach. However, at Middleton Lodge this conservation approach cannot be adopted by the applicant as restoration of the historic parkland should involve opening up of the historic views from the main house to the park which were only partially obscured in the late C20. The applicant is unable to do this as it would expose the main house to the mineral extraction area where the quarry garden is proposed.

³⁷ Environmental Statement (2006) page 4.19

³⁸ Environmental Statement (2006) *Non Technical Summary section 1 Introduction.*

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