

Item Number: 9
Application No: 21/00284/FUL
Parish: Lillings Ambo Parish Council
Appn. Type: Full Application
Applicant: Mr and Mrs Try
Proposal: Erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights
Location: The Lodge Goose Track Lane West Lilling YO60 6RR
Registration Date: 12 March 2021
8/13 Wk Expiry Date: 7 May 2021
Overall Expiry Date: 30 March 2022
Case Officer: Niamh Bonner **Ext:** 43325

CONSULTATIONS:

Lillings Ambo Parish Council Support
Highways North Yorkshire Recommend condition

Representations: Mr Paul Wreglesworth, Professor Yvonne Birks, Evelyn Peterson, Diane Morse, Elizabeth Hudson, Stuart Smith, Andrew Morse, Peter Burnett, Claire Wesley, Mr And Mrs McBurney, Donna Evans, Graham Evans, Richard Birks, Dr Tom Milligan, Mrs Elaine Magee, David Sked, Lloyd Parsons, Nigel Verity, Parry Rex, Paul Hurley, Mr Alan Plews, Mrs Michelle Plews, Phillip Marsden, Valerie Marsden, Karina Milligan, Mr Nick Edwards,

SITE:

The Lodge is a two and a half storey dwelling, set in expansive grounds, to the north of the village of West Lilling, accessed via Goose Track Lane. The site falls within outside of the village development limits, therefore in land which would be considered as the ‘Wider Open Countryside’ in the Ryedale Plan, Local Plan Strategy. The site is considered to be highly visible within the street scene.

The dwelling is of a significant scale, with the original main dwelling incorporating an attractive traditional form. Ordinate Survey Maps indicate the date of this dwelling to be from the latter part of the 19th Century, not shown as present on the 1851 maps but present on the 1891 map.

This dwelling, whilst attractive has however been unsympathetically extended over time, with a flat roof dormer to the principle southern roofslope. The two storey side extension is set down and set back from the host dwelling to appear subservient and relates well in scale and form, however the first floor level has been completed with hanging tiles which does not assimilate well with the traditional property. There is also a flat roof extension running almost the full length of the rear of the property, which whilst significant in span is modest in depth and does not appear highly visible from public views.

The main original dwelling spanned c11.30 metres from east to west and c9.6 metres in depth. The two storey addition to the east spanned c7.25 metres from east to west and c7.5 metres in depth, set back from the principle elevation by c2 metres, with the ridge height set down by c1.4 metres with a pitched roof mirroring the main roof form. The single storey element to rear spans c17.3 metres along the rear of

the dwelling c2 metres in depth from the rear elevation.

Functional amenity space is located to the rear of the property where parking is undertaken and garaging is present. The existing garage spans c6.5 metres x 11.9 metres in footprint, with a maximum height of 3.84 metres to the ridge and c2.25 metres to the eaves. More formal garden space is present to the west and south including a high status approach to the dwelling via an avenue style driveway and a tennis court. A traditional former stable building is also present to the north west of the dwelling within the garden space. Agricultural land also falls within the ownership of the site to the north and west.

West Lilling is characterised by traditional residential development, with a strong pattern of traditional roadside cottages. The Lodge, sited to the north of the village represents in architectural terms a higher status dwelling within the village.

PROPOSAL:

This proposal seeks planning permission for the erection of detached 3 bay garage building with first floor accommodation to form 1no. two bedroom annexe following demolition of existing building and change of use of stable to allow use as home office to include the installation of dormer window and 2no. rooflights

A significant level of negotiation has been undertaken with the Planning Agent on the concurrently pending scheme (21-00925-FUL) and amendments have been submitted for both applications.

This has been subject to formal consultation with the Parish Council. In advance of formal neighbour consultation a number of letters of correspondence were received. All neighbours who had not made comments by that stage on the revised plans were then formally consulted on the scheme in March of 2022 and this period has concluded.

The amendments to this application include the repositioning of the proposed garage/annex building and limited amendments to its appearance. The proposed garage annex building would span 7.988 metres x 13.5 metres in footprint, with a pitched roof design with an overall roof height of 6.665m. This would be completed with brick and slate roof tiles. The building would now be positioned so that the principle front elevation is orientated south eastwards, at a distance of c3.8 metres and c13.35 metres from the northern and eastern boundaries of the domestic curtilage respectively. The plans indicate the proposed garage/annex in the context of the scheme for the replacement dwelling proposed for the separate application (21/00925/FUL.)

The proposed stable building to be converted would no longer include a proposed dormer window at first floor level and the shower room has been omitted, but mezzanine storage would remain above and a WC would be present. This would incorporate the installation of new rooflights.

On the 4th April 2022, a request for a minor amendment to the description has been made to the Planning Agent/Architect, to better reflect the amendments made to the proposed office building, omitting the dormer and including 4no. rooflights on the proposed home office building. No response has been received in advance of the agenda being published and Members will be updated on this point. This relates to only a very minor amendment to tally with the submitted plans and would not require any readvertisement.

HISTORY:

21/00925/FUL: An application for the erection of 1no. detached six bedroom dwelling following the removal of 1no. detached six bedroom dwelling is currently under consideration.

21/00561/FUL: Erection of steel framed building for storage of garden equipment following demolition of existing timber shed. Approved.

3/78/18/PA Extension to dwelling to form additional study and utility room areas, toilet and breakfast room at The Lodge, Gilling. Approved.

3/119/54/PA Alterations and demolition of existing outbuildings, construction of 2 garages and the erection of a brick wall at, The Lodge, Lilling, York. Approved

POLICIES

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

National Planning Policy Framework

National Planning Practice Guidance

REPRESENTATIONS:

The Parish Council did not respond to the original consultation request dated 17th March 2021.

The Parish Council confirmed they recommend approval of the scheme in a consultation response dated 23rd March 2022 in which they noted “The Parish Council supports this planning application.”

26 Letters of support have been received in relation to the scheme between 17th February 2022 and 7th March 2022. These are available for Members to review in full on the planning file on the Public Access. These incorporate the following summarised points and each of the 26 responses specifically referenced both this application and 21-00925-FUL. Therefore some of these responses relate more specifically to the application for the replacement dwelling.

- Support the demolition of the existing house and replacement with the proposed scheme, including new garage and home office
- House requires updating to modern standards in an economic way, was built at a time where no thought to sustainability was given. This will provide a sustainable family home.
- I have been in the home and seen the extent of the deterioration especially the damp throughout the property and in my opinion starting again is the only option....Such is the state of the property, I cannot understand how you expect a family with young children to continue to live in.
- Current extension is poorly executed and not in keeping with the main house. The interior has no redeeming features. No other family would buy that house on that plot without having the wish to write again. The mismatch between the quality of the house and the setting unusual.
- The property is not in a Conservation Area, nor listed.
- The proposal due to its form, design and scale would not change the character of the village nor look out of place, but would result in an enhancement of the immediate setting, whilst respecting the past.
- The design would be visually unobtrusive, unpretentious and appropriate to the nature of the village, as well as respectful and characteristic. It would also fit with the local architecture of Sheriff Hutton.
- Continued use of distinctive white colour commended.
- The proposal will result in more energy efficient design.
- The village has suffered from planning agreeing to other structures not in keeping for the village.
- The plans would ensure that a similar buildings of stature would continue the landmark at that very important corner of the village known as the ‘Lodge, the big White House.’
- Request outside lighting is not intrusive due to dark sky location.
- Request large trees are preserved as much as possible.
- Would provide a long term home for a member of the community and local business man.
- Cannot understand the delay
- Strongly opposed to the property been replaced with contemporary, modern design....something out of keeping with the village like the unit referenced on application 20/01120/MFUL (Cornborough Road) which I understand you are pushing as an example of what you wish to see any replacement dwelling for the Lodge to take reference from... Struggle

to see why the Council is advocating for ultra modern architecture...(These) plans suggest an extremely modern building that looks more like industrial units than a dwelling. Whilst it might be possible to get away with that at Cornborough - where almost all of the houses are remote and screened from the road - but in Lilling this would be a totally inappropriate eyesore and completely at odds with the rest of the village.

- (Case Officer Note: The referenced Paragraph 80 application Cornborough application was discussed with the Architect and Planning Agent as a design that was reflective of high quality contemporary architecture, responsive to its surroundings. This was not recommended as a design to be simply reproduced in this location. Alternative traditional rural vernacular design was also discussed and detailed advice was provided on this also.)
- Would not support an ultra modern property within our village of older more traditional homes as it would appear out of character.
- Mr Try canvassed me prior to submitting any proposal to planning and in the proposals he has submitted has captured everything we discussed.

APPRAISAL:

The main considerations within the determination of this application are:

- i. Principle of the development
- ii. Form and Character
- iii. Impact upon neighbouring amenity
- iv. Other matters, including consultation responses.

- i. Principle

The Design and Access Statement confirms “The owner’s intentions are to renovate the garage and create living accommodation for the duration of the build. The gate and access closest to the property is not currently used, and will not be used in the future, with no intention of the annexe being separated from the house. “

Policy SP21 of the Ryedale Plan, Local Plan Strategy notes: “Where further residential accommodation within the curtilage of an existing dwelling is proposed to complement the existing living arrangements, such as to provide a ‘granny annexe’ the proposed development shall remain ancillary to the existing house and shall not be separately occupied. Accommodation that has a separate access and the ability to be fully self-contained is discouraged.”

The proposed annex would incorporate approximately 86.6 square metres of usable domestic accommodation floor space at first floor level and could be entirely self-contained. It is however noted that the garage/annex would incorporate a close relationship with the host dwelling, both the current existing dwelling and that proposed (under 21-00925-FUL) would utilise this as the main area of garaging. There are two accesses to the site however due to their positioning, it is not considered likely that formal subdivision would occur. It is Officer’s view that that subject to the standard annex conditions, a proposed annex use in this location could in principle align with the spirit and requirements of Policy SP21 of the Ryedale Plan, Local Plan Strategy. However this would be subject to full assessment of the character and form of the proposed design which will be undertaken below.

The proposed home office is also considered acceptable in principle, as this would make use and retain a traditional building associated with this property. The self limiting floor space and omission of the shower room will aid in ensuring that this remains ancillary to the host dwelling.

ii. Form and Character

Policy SP16 (Design) of the Ryedale Plan Local Plan Strategy notes:

Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- *The type, texture, and colour of materials, quality and type of building techniques and elements of architectural detail*
- *Topography and landforms*
- *The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

Policy SP20 also requires that *"New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses"*.

Paragraph 126 of the NPPF notes: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

Paragraph 130 of the NPPF notes. *"Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 39 c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)"*

Concern was originally raised with the Planning Agent on the 4th May 2021 with the proposed scheme, most critically, the overall scale, form, massing and design of the proposed garage/annex building.

Concern was also raised that this may be of a scale that could reasonably function as a separate dwelling particularly should the ground level garage be converted. However on balance, Officers are now satisfied that this would be unlikely to be the case for the reasons outlined in Section i above. The concern over the overall scale, form and massing of the development in terms of design and the form and character of the site remain.

It was advised by the Case Officer within this email that (prior to the formal submission of 21-00925-FUL) *"If you were considering a new replacement dwelling ...it may be logical to consider potentially including any necessary annexed accommodation within the footprint. You could possibly alternatively consider converting the stable to an annex and accommodating office provision within the dwelling?"*

It was also highlighted that the proportions of the proposed two storey building, including a substantial footprint and overall roof height of c6.6m would result in resulting in significant massing of development that would appear disproportionate and not subservient in comparison to the scale of the

overall original dwelling. It was also noted that this continues to remain a concern to Officer's whether in relation to the existing or proposed dwelling.

It was also highlighted that the proposed design failed to appear sensitive to the traditional character and form of the host dwelling, it was noted that this proposed scheme would appear very prominent in and out of character with the streetscene. It was highlighted that this is considered to be in discordance with Policy SP16 of the Ryedale Plan which notes that *"to reinforce local distinctiveness, the location, siting, form, layout, scale, and detailed design of new development should respect the context provided by its surroundings including... the density, size and scale of buildings...and elements of architectural detail."*

It was advised that the principle of annexed accommodation in this location could potentially be supported if it were of a more appropriate scale, footprint and design and the Agent was asked to reconsider this proposal.

Following these concerns amended garage/annex and home office plans were submitted on the 28th June 2021) with additional site photographs as the Agent's view was that this was *"screened significantly by the mature trees visible from Goose Track Lane."* This included the garage/annex building being reduced by c0.55 metres in width and c0.19 metres in height.

It was confirmed by the Case Officer that this had not overcome the identified issues in a response on the 5th August 2021. It was noted *"In my view the photos you have provided serve to emphasize the prominence the proposal (if enlarged in height by 2.5 metres and further increased in width as proposed) will have, particularly when considering how it would affect the setting of the original building. I appreciate there is another separate application relating to that at the moment, however whether it is this building or another, this would not represent a subservient ancillary building. I have attached a couple of my own photos from the end of April which in my view clearly illustrate its prominence within the street scene."*

My advice in the previous email dated 4th May still remains, you may wish to consider including annexed living accommodation within the existing/proposed main dwelling or by considering a more appropriate scale, footprint and design."

It was confirmed that the LPA would be obliged to proceed to a decision of a part refusal/part refusal.

The most recent revised plans (submitted on the 25th November 2021) on which the application is currently being considered relate to the dimensions as laid out in the proposal section, with a maximum height of 6.665 metres and a footprint of 7.988 metres x 13.5 metres. This has increased marginally in footprint and height beyond the previously submitted schemes and would now be completed in brickwork. The positioning of this proposed building has now been amended to a positioned at a greater distance from Goose Track Lane and it has been reorientated so that the principle elevation faces south east.

The positioning away from Goose Track Lane and reorientation of the dwelling would allow for a more open remaining view of the existing dwelling, which is an improvement, as is the use of brick instead of the originally proposed render.

However notwithstanding these improvements, the scale of this building and its design detailing does not relate to the traditional character, form and design of the host dwelling, or reinforce local distinctiveness, nor does it relate to contemporary high quality architecture. The scale of the building remains in design terms at odds with the host dwelling as it does not reflect the proportions of what would be expected as an ancillary building. The repositioning, whilst further away from the streetscene would not sufficiently reduce the prominence of the building so as to overcome the issues with the scale, form and design. The proposed building appears functional in form and design, with little architectural merit beyond the appropriate materials.

It is not considered that this relates to high quality design. It is also considered that this would fail to be subservient to or respect the character of the original property, in conflict with Policies SP16 (Design)

and SP20 (Generic Development Management Issues) of the Ryedale Plan, Local Plan Strategy.

In an email dated 14th January 2022, the Case Officer wrote to the Agent to confirm *“I would also note that in relation to the proposal for the annex, I had sought confirmation on whether you could reconsider the height of the proposed building as had been indicated before. I note that the submitted plans incorporate its repositioning, an update to confirm brickwork and the amendment to the roof pitch. I appreciate this may make the roof appear more proportionate, but it actually has again slightly increased its overall height. Was lowering the overall height of the building – which is only a garage/plant room/lobby at ground floor level not possible?”* No specific response was received on this point.

Officers provided detailed advice on the two concurrent schemes and following this, a virtual meeting was undertaken on the 8th February 2022 with Ryedale District Council’s Planning and Design Manager, the Case Officer, the Architect and the Planning Agent. The advice relating to the main dwelling (application 21-00915-FUL) was given and this is important context for this separate application under consideration.

The LPA had previously advised the Agent and Architect that they potentially gain Officer support for this replacement dwelling if they proceeded one of two ways. The first would be approaching this in design terms to achieve a scheme that better reflects the rural village context and the village’s predominant built character with its strong local vernacular. The Case Officer had made reference to the Council’s Rural Design Guide to try and assist in this matter. The discussed alternative to this would be a very high quality contemporary design approach and it was confirmed In our view the current scheme would not accord with either of these two approaches. The LPA Officers then during this meeting noted that whichever way the Applicant chose to proceed, the garage/annex building should take its design cues from that approach. Discussions around attached designs occurred, including stepped down outrigger style elements.

Following this meeting, the Agent and Architect sought input on an alternative Georgian/Victorian Style scheme for the replacement dwelling. This was positively received following further input from the Council’s Building Conservation Officer. It was latterly confirmed that the Agent/Architect wished to proceed with the present scheme for both the dwelling and the garage/annex building.

The Case Officer responded on the 17th February to note the following on this alternative scheme *“I think this indicated design would present a positive potential way forward in terms of design and in principle, subject to final plans, scale, positioning and detailing, we could be broadly supportive of a scheme with this form. It presents a higher status building, which would be commensurate with the plot and it would incorporate Georgian and Victorian style elements, appearing to present a building that has evolved over time, with the benefits of a classic design.*

However, in terms of render, which could be acceptable in principle, I think we would encourage you to move away from a stark white render in this location and opt for a more muted, tonal colour. We can provide advice on this at a later point. Imperatively, as we discussed in the meeting, the detailing will be of critical importance, particularly windows and other openings. Careful consideration will also need to be given to an appropriately designed annex/garage building to accord with this alternative design approach.”

On Friday 11th March the Planning Agent representing the Applicant confirmed that they wished this to proceed to Planning Committee with the current plans.

Consequently, it remains our view that a high quality scheme for the garage/office building has not been submitted. Therefore, whilst the principle of annexed accommodation in this location can be supported, the present scheme is not considered to meet with the design requirements of Policies SP16 or SP20 of the Ryedale Plan, Local Plan Strategy, nor the NPPF.

It is considered that the revised home office plans are acceptable and can be supported in terms of form and design.

iii. Impact upon neighbouring amenity

The proposed development would not result in any harm to neighbouring amenity.

iv. Other matters, including consultation responses.

It is not considered that this proposal would have any impact upon access nor highway safety due to the continued use of the existing accesses and significant parking areas within the site.

It is noted that the North Yorkshire Highways Team commented to confirm no objection subject to the imposition of a construction management plan condition relevant for small sites. However, given this proposal will be recommended for part refusal/part refusal, the Case Officer will check with the Highways Officer if they believe this would be necessary for the limited works associated with the garage conversion.

In conclusion, it is acknowledged that this proposal for a garage/annex building is acceptable in principle. However, fundamentally for the reasons outlined above, this proposal is not considered to accord with the requirements of policies SP16 (Design) and SP20 (Generic Development Management Issues) of the Council's Local Development Framework Development Policies Document and the National Planning Policy Framework (NPPF). For the reason outlined below, Officer's recommend that this proposal is refused.

RECOMMENDATION: Partial Approve/Refuse

1 **CONDITION FOR APPROVAL** - Conversion of existing stable to proposed home office building.

The development hereby permitted shall be begun on or before (insert date)

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 **CONDITION FOR APPROVAL** - Conversion of existing stable to proposed home office building.

The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Existing Site Location Plan and Proposed Block Plan (Drawing no. 200 Rev D) Only insofar as it relates to the Stable Conversion hereby approved.

Stable Conversion Proposed (Drawing no. 221 Rev C)

Reason: For the avoidance of doubt and in the interests of proper planning.

3 **REASON FOR REFUSAL** – Proposed Garage/Annex

The proposed garage/annex development by virtue of its scale, positioning, massing, design and detailing would fail to be subordinate or sympathetic to the traditional character of the host property or commensurate as an appropriately scaled ancillary building, whilst also impacting the character of the streetscene in which it would appear prominently. The proposal is therefore contrary to policies SP16 (Design) and SP20 (Generic Development Management Issues) of Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework (NPPF).

