

**Item Number:** 11  
**Application No:** 21/00925/FUL  
**Parish:** Lillings Ambo Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr and Mrs P Try  
**Proposal:** Erection of 1no. detached six bedroom replacement dwelling  
**Location:** The Lodge Goose Track Lane West Lilling YO60 6RR

**Registration Date:** 26 July 2021  
**8/13 Wk Expiry Date:** 20 September 2021  
**Overall Expiry Date:** 30 March 2022  
**Case Officer:** Niamh Bonner **Ext:** 43325

#### CONSULTATIONS:

<b>Foss Internal Drainage Board</b>	Recommend conditions
<b>Lillings Ambo Parish Council</b>	Supports

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

---

#### 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 majority of the dwelling is completed with white painted bricks and slate roof tiles.

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.

A functional amenity space is located to the rear of the property where parking is undertaken and garaging is present. 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. 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 1no. detached six bedroom replacement dwelling

A significant level of negotiation has been undertaken with the Planning Agent and a scheme with a limited range of amended design details has been submitted received by the Local Planning Authority on the 25th November 2021.

This has been subject to formal reconsultation with the Parish Council. In advance of formal neighbour reconsultation 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 reconsulted on the scheme in March of 2022 and this period has concluded.

This scheme would incorporate a replacement 2.5 storey building. This would incorporate one central 2.5 storey section that would span c19m from east to west with a depth of 12 metres from north to south. A further single storey element is proposed to the west with a pitched roof design resulting in the property incorporating a maximum span of c24 metres. This main 2.5 storey section would include an overall maximum height of c9.1 metres, with an eaves height of c5.15 metres and would incorporate a hipped roof form, with a central flat roof section on which solar panels would be positioned. The northern elevation is indicated as the front elevation on the proposed plans, with a centrally placed set of French doors, covered by a timber framed canopy present to form the main access. The southern rear elevation incorporates a centrally placed feature window, spanning from ground to first floor within a pitched roof section. This relates to a reversal of the current principle and rear elevations.

As part of revised plans, the fenestration has been altered to appear more consistently positioned, with an originally proposed Georgian style porch omitted along the northern elevation, a pitched roof element to the northern elevation at first floor level omitted and a band of blue engineering brick between ground and first floor level removed.

This replacement dwelling would be located in the existing footprint of the existing dwelling which as noted, incorporates a main original section, with subservient extensions added over time.

The dwelling would be constructed with natural slate roof tiles and white render, on a brick base, with 'blue engineering brick' or similar indicated on the proposed plans. The dwelling would be completed with Anthracite Grey aluminium framed doors and windows.

## **HISTORY:**

21/00284/FUL: Erection 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. Pending 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**

The Ryedale Plan - Local Plan Strategy (2013)

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 (NPPF)

National Planning Practice Guidance (NPG)

## **REPRESENTATIONS:**

The Parish Council did not respond to the original consultation request dated 30th July 2021.

The Parish Council confirmed they recommend approval of the scheme in a further consultation response dated 11th March 2022 in which they noted: *“The proposed house is to be of similar size, height and colour of the original. It will be well insulated and include modern technology such as solar panels and possibly air or ground source heating. It will be a large property set in a substantially large plot, surrounded by fields and adjacent to Goose Track Lane. The neighbours have no objection to the proposed plans. Lillings Ambo Parish Council will, therefore, support this 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 relates to both this application and 21-00284-FUL.

- 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. Design, Form and Character
- iii. Impact upon neighbouring amenity
- iv. Other matters, including consultation responses.

- i. Principle

The Ryedale Local Plan Strategy is the Development Plan and includes a settlements hierarchy. Policy SP1 (General Location of Development and Settlement Hierarchy) states that development in the non-service villages will be restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities.

Policy SP2 (Delivery and Distribution of new housing) supports the principle of replacement dwellings in the Wider Open Countryside.

The proposed replacement dwelling will involve the demolition of the existing dwelling and its replacement with a new house. The Design and Access Statement indicated that the existing dwelling “does not retain heat, it requires care and renovation and does not suit modern day family living.” The Design and Access Statement also notes the property was “*Rated on a recent EPC as Grade F, the property is not holding heat. In fact, according to current usage estimates the property required over 2000 litres of oil a week...this energy usage is not sustainable and demonstrates a property in need of renovation.*” The proposed scheme would be proposed due to the poor design and energy efficiency of the existing dwelling. The Design and Access Statement continues to note “*The new house is to be well insulated, with an emphasis on energy efficiency to all elements. The proposed scheme will look to integrate a renewable energy system, which is yet to be determined.*”

The current state of repair of the dwelling is acknowledged and the Case Officer has been able to appreciate this during an internal site visit.

The principle of a replacement dwelling in this location is considered to be acceptable subject to consideration of the following matters. As a replacement dwelling, if approved, this would not be subject to a Local Needs Occupancy Condition.

## ii. Design , 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 this scheme on the 15th September 2021 when the Case Officer noted the following in an email to the Planning Agent:

*"Following detailed review, whilst we are accepting in principle of a replacement dwelling in this location, we have very strong concerns in terms of the proposed design. The original building is a highly attractive and high status building in West Lilling and if it was not unsympathetically extended, it is likely that this would have been considered a non-designated heritage asset. However following a visit inside the house with the Applicant, I do appreciate and accept the rationale behind seeking a new build.*

*However, whilst a new build may be acceptable in principle, this must still accord with the Council's Local Plan Policies in relation to design and character, Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy (copied below.) Following detailed review, the LPA conclude that the proposed dwelling is at odds with traditional vernacular design in Ryedale, as detailed in the Council's Rural Design Guide. This document is available to review at the following link: [https://www.ryedale.gov.uk/content/uploads/2021/07/Ryedale\\_Rural\\_Design\\_Guide\\_Consultation\\_Draft-1.pdf](https://www.ryedale.gov.uk/content/uploads/2021/07/Ryedale_Rural_Design_Guide_Consultation_Draft-1.pdf) Nor in our view does the proposal achieve a high standard of contemporary architecture which could also potentially be supported.*

*In its current form we could not support the design. The proposed form and proportions of the building, with a significant monolithic two storey element and sizeable flat apex to the hipped roof, fenestration which appears nondescript in terms of its design and disproportionate, together with certain aspects of the materials, including the significant use of blue engineering brick in our view does not 'reinforce local distinctiveness' as required by Policy SP16 of the Ryedale Plan, Local Plan Strategy. It is very much a mix of architectural styles, including nods of Georgian detailing which ultimately in our view results in a design of poor quality. There would no longer be the 'sense of arrival' or clear demonstration of the principle elevation with the grand feature entrance which the current property incorporates. The site is also in a very prominent position in the village and therefore in our view, an inappropriate design would have a harmful streetscene impact.*

*At present, in its current form, we would have no option but to refuse this application due to its discordance with Policies SP16 (Design) and SP20 (Generic Development Management Issues) of the adopted Ryedale Plan, Local Plan Strategy due to design, form and character, including the resultant impact upon the streetscene. I would urge you to reconsider a high quality traditional design in this location, that is reflective of the traditional village vernacular as I think this would be a more appropriate design response in this location."*

Further advice was given in a further email dated 29th September 2021 and the offer made to informally review any sketches should that be of assistance to the Agent.

Revised plans were received on the 25th November 2021 which incorporated limited amendments to the overall scheme. These included:

- The porch on northern elevation no longer incorporating a Georgian style design on the dwelling which is not of an overall Georgian Style. This has been replaced with a oak framed canopy. The previous unusual window above this has regularised.
- An oak frame element to the single storey section to the southern elevation has been introduced.
- The brick course of blue engineering brick between the ground and first floor level has been omitted, this remains on the base of the property.
- The windows to the east were enlarged, providing a better solid to void ratio.

However, following careful review with colleagues including the Planning and Development Manager and the Council's Building Conservation Officer, it was considered that whilst some limited improvement were made, these did not overcome the fundamental issues with the proposed design outlined above.

It is acknowledged that the site is large, with expansive grounds and has the capacity to absorb a significantly scaled dwelling and in principle, a larger replacement dwelling is not of significant concerns to Officers. However the execution of this needs to be carefully considered and a high quality scheme secured. The proposed form and proportions of the building remained monolithic and this has created a significantly scaled, 19 metre long 2.5 storey uniform central section, which includes a hipped roof form that is forced to incorporate an awkward flat apex.

It is considered that the overall design is more reflective of an anonymous and rather bland modern building in a town location, with a monolithic form, fenestration detailing, materials (including white render and anthracite windows), roof form and feature glazing to the south akin to approach to design which are regularly found in office, apartment or motel buildings in any town/built up locations. Indeed, it is not immediately clear from the proposed aesthetic that the building is indeed a dwelling. It is not considered that the proposed design is reflective of the local distinctiveness referenced in Policy SP16 Design, nor fitting within a highly visible site within the village that presently incorporates a dwelling of a higher design status, albeit with some unsympathetic later extensions. The character of many of Ryedale's rural villages, including West Lilling, is comprised of traditional vernacular architecture. Whilst officers and members have acknowledged that high quality contemporary architecture can add to the visual interest and character of a place, the proposed design, in officers view, the proposed design neither reinforces traditional local vernacular and local distinctiveness nor does it propose a modern building of a high quality of design. In officers view, the proposed design would

detract from and undermine the built character and qualities of West Lilling in clear conflict with SP16 of the Development Plan.

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. As detailed in the Case Officer notes, this was not a recommendation to 'copy' another design recently approved at Cornborough Road, as this would be highly unlikely to receive Officer support in this very different edge of village context. For clarity, this advice related to seeking a high quality contemporary style that could fit the site specific context of The Lodge, should the Applicant not wish to pursue a high quality traditionally styled building.

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 by the LPA following further input from the Council's Building Conservation Officer.

The Case Officer responded on the 17th February 2022 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 replacement dwelling has not been submitted. Therefore, whilst the principle of a replacement dwelling 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 expectations of national policy which requires the planning system to create high quality, beautiful and sustainable buildings.

It is therefore considered as outlined above that this proposed development is inappropriate in terms of design. The building is not visually attractive as a result of good architecture, the proposed design is concluded to be unacceptable in terms of overall cumulative massing, design, positioning and detailing. It is not considered that this scheme is sympathetic to local character or that it reinforces local

distinctiveness nor relates well with the higher status character of The Lodge, resulting in development that will detract from and harm the character and streetscene of the village. It is therefore considered to be in discordance with Policies SP16 and SP20 of the Ryedale Plan, Local Plan Strategy and the National Planning Policy Framework. Members are reminded that the NPPF is very clear that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on 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 were consulted on the other scheme which included garaging and they recommended a construction management plan condition. A view from the North Yorkshire Highways Team as to whether this should be replicated on this permission if Members are minded to recommend approval will be sought.

The Internal Drainage Board recommended a condition in relation to this scheme.

In conclusion, it is acknowledged that this proposal for a replacement dwelling is acceptable in principle and this could be undertaken without undue impacts upon access and highway safety, neighbouring amenity, drainage, etc. it is also acknowledged that this would undoubtedly result in a better standard of accommodation for the current occupiers and would be a more sustainable dwelling. 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: Refusal**

- 1 The proposed development by virtue of its overall design, including cumulatively, the form, mass, positioning, fenestration detailing and materials is not a high quality design and fails to respect the context provided by its surroundings. It does not reinforce local distinctiveness, or relate to the higher status character of The Lodge within the attractive, traditional village setting of West Lilling. As such, the proposed development would result in unacceptable harm to the character and appearance of the village and its streetscene. The proposal is therefore contrary to 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).