



Appeal Decision

Site visit made on 30 November 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2022

Appeal Ref: APP/Y2736/W/22/3302613

The Lodge, Goose Track Lane, West Lilling YO60 6RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs P Try against the decision of Ryedale District Council.
 - The application Ref 21/00925/FUL, dated 16 June 2021, was refused by notice dated 11 May 2022.
 - The development proposed is Demolition of Existing 6 Bedroom detached house and replacement with new 6 bedroom detached house.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been received from Mr and Mrs Try against Ryedale District Council. This is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is The Lodge, a substantial nineteenth century dwelling set within extensive grounds and occupying a prominent position at the entrance to the village of West Lilling from the north. West Lilling is characterised by simple brick and pantile two storey cottages with limited architectural detailing. These typically lie within smaller plots and front the road.
5. The Lodge has a slate roof and its external walls comprise of painted brick. Its deep eaves, tall decorative chimneys, prominent barge boards, central porch and arched sliding sash windows are attractive and distinctive features that are reflective of a higher status property. These set The Lodge apart from other development in the village and provide a contrast to the character of the simple cottages.
6. Nevertheless, the property has been altered over time and the modern box dormer window to the principal roof elevation is at odds with the character of the building. This is located on the prominent principal roof slope and can be seen from the road. The twentieth century side extension with hanging tiles is less visible from the road due to its position on the far gable and its subservient nature. However, the materials do not relate well to the existing

dwelling. The flat roofed extension to the rear of the building is narrow in depth and is not prominent from outside of the site.

7. Whilst the box dormer is not visible on the approach into the village from the north, I agree with the parties that the above alterations have negatively affected the character and appearance of the building. It nonetheless still exhibits a degree of historic character, as a high status dwelling that has been altered over time.
8. The appellants state that the property is inefficient and has a poor EPC rating. It is understood to be poorly insulated, and the more recent additions, in particular, are difficult to heat. Some of the neighbour comments have also stated that the property is suffering from internal damp. Notwithstanding that I have not seen any detailed evidence of the current state of repair such as a professional report or survey, the Council advises that its officers have been able to appreciate the internal state of the dwelling on a site visit. Notwithstanding that the Council has accepted the principle of replacement, there is nothing before me to indicate that the building could not be repaired/renovated to a better standard and as such I give the Council's assessment of the interior limited weight.
9. The proposed replacement dwelling would occupy a slightly larger footprint than the existing dwelling. However, unlike that property, it would lead to an unbroken expanse of roof and wall extending for some 19 metres. This would lead to an unusually proportioned dwelling with the front and rear elevations appearing somewhat elongated. These unbroken elevations would have a relatively bland appearance comprising of render above engineering brick lower walls with a simple brick soldier course above the windows. The blandness of the elevations alongside the two storey bay section to the rear and the proportions of the windows, would, as is stated by the Council, give the building an appearance that is more typical of a commercial or office building than a dwelling.
10. Furthermore, the bulk and massing of the building would be significant and notably greater than the dwelling it would replace. Although the proposal would be of a similar height to The Lodge, its overall bulk arising from the unbroken extent of the front and rear elevations, the width of the side elevations and the squat flat-topped hipped roof would be highly evident on the approach to the village. Overall, the proposal would represent an incongruous form of development that would adversely affect the character and appearance of the streetscene.
11. Render is not typical within West Lilling whilst, the appeal property aside, slate is also rare. My impression on the site visit was that hipped slate roofs are not a feature of the local building style. As such, and having regard to the above, the proposed building would neither reflect the architectural detailing or character of the existing nineteenth century property or that of the brick and pantile cottages that are typical of the village. Owing to its scale, massing, materials and design the proposed dwelling would be poorly related to its setting and would fail to reinforce local distinctiveness.
12. Moreover, the proposal would result in the total loss of a building that, whilst prominent, is well-proportioned and exhibits a high degree of architectural detailing and traditional craftsmanship that makes an important contribution to the character and appearance of the streetscene. Whilst I accept that there are

no statutory heritage designations on or close to the appeal site, this loss would in itself result in significant harm to the character and appearance of the area.

13. For the above reasons, the proposed development would result in significant harm to the character and appearance of the area. The proposal would therefore conflict with Policies SP16 and SP20 of the Ryedale Local Plan (2013) which together, amongst other things, seek to ensure new development comprises high quality design that reinforces local distinctiveness.
14. There would also be conflict with paragraph 130 of the National Planning Policy Framework (the Framework) which sets out that planning decisions should ensure new developments add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and are sympathetic to local character, including the surrounding built environment and landscape setting.

Other Matters

15. I have had regard to the letters of support at the application stage, including from the Parish Council. However, the lack of local objection to a scheme in itself does not mean that it is acceptable in planning terms.
16. There would likely be an improvement in terms of the insulation and energy efficiency of the dwelling at the site as a result of the proposal, although the precise details of such matters are not before me. In this regard I note that solar panels for example would be installed 'in the future' and the proposal would 'possibly' use insulated concrete blocks as part of 'an ICF system'. Nevertheless, whilst I note the support for renewable technologies in the Framework, even if the proposal were to incorporate such measures, this would inevitably only represent a small benefit in sustainability terms given that it relates to just a single dwelling. The minor benefits in that regard would be outweighed by the significant wider public harm arising from the proposal. Furthermore, it has not been demonstrated that such technologies and construction methods are dependent upon the precise nature of the development proposed or the demolition of the existing building.
17. The processing of the application and the time taken to determination relates to the practical administration of the application rather than to the acceptability of the scheme. Whilst I have had regard to the appellants' concerns on this matter, I have nonetheless determined the appeal scheme with regard to its planning merits.

Conclusion

18. For the reasons given above, having considered the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR