

Item Number: 14
Application No: 22/00933/HOUSE
Parish: Wombledon Parish Council
Appn. Type: Householder Application
Applicant: Mr Alex Dodson
Proposal: Erection of detached open sided car port to the front of the dwelling
Location: Cherry Garth Page Lane Wombledon Kirkbymoorside North Yorkshire YO62 7SE

Registration Date: 1 September 2022
8/13 Wk Expiry Date: 27 October 2022
Overall Expiry Date: 25 October 2022
Case Officer: Ellie Thompson **Ext:** 43326

CONSULTATIONS:

Wombledon Parish Council
Highways North Yorkshire
Building Conservation Officer

Representations: Mrs Claire Chew, Mr David Richardson, Rufus Dickman, Clare And Tim Brennan, David Collier, James And Fiona Ward, Russ Dickinson, Mr Wombledon Parish Council, Bernie O'connor,

SITE:

The property is a 1 ½ storey dwelling, located on Page Lane in Wombledon. The property is located within the Wombledon Conservation Area and within the village Development Limits.

The property is situated towards the back of a long plot, behind a deep front garden space. There is a Grade II listed Building (the Village Hall, former National School) situated immediately adjacent to the public highway, to the north of the application site.

The property was originally a single-storey, 20th century bungalow dwelling, but has recently been significantly remodelled following the granting the planning permission in 2021.

PROPOSAL:

This application seeks permission for the erection of a detached open sided car port.

Permission for the proposed development was originally sought for under the previous full planning application (21/01335/FUL). However, Officer's advised the applicants at the time that this part of the proposal was unlikely to receive support due to its impact on the character and appearance of the Wombledon Conservation Area and the setting of the Grade II listed building; and subsequently the proposed development was removed from the previous proposal.

The new car port is proposed to be sited forward of the dwelling, within the front garden space. It is proposed to be situated against the northern boundary of the site, approximately 4.9 metres away from the front (eastern) boundary.

The car port is proposed to have a hipped roof form, with an additional hipped roof projection to provide additional storage space. The structure is proposed to be constructed from an oak frame on a brick plinth, and will feature timber cladding under a rosemary tile roof. The overall ridge height of

the structure is proposed to be approximately 3.4 metres in height, with an eaves height of 2.1 metres. The overall footprint of the whole structure is 37.2 square metres.

Due to the siting of the proposed carport and its proximity to the Grade II listed building, the application has also been advertised as affecting the setting of a listed building.

PLANNING HISTORY:

21/01335/FUL: Planning permission was granted for the erection of a 4no. bedroom detached replacement dwelling incorporating parts of the existing dwelling.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies for the determination of this application are:

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy – Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework

National Planning Practice Guidance

Legislation

Planning (Listed Building and Conservation Areas) Act 1990, Sections 66 and 72

REPRESENTATIONS:

A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view in full on the public access webpage, and referred to in the report accordingly.

The Building Conservation Officer has been consulted on this application, and has objected to the proposed development. She has confirmed that in her opinion the proposed development would affect the setting of the Grade II listed building. She has also confirmed that the proposed development, by virtue of its positioning forward of the dwelling, in the front garden within the plot is contrary to the established pattern of development within the Wombleton Conservation Area. The Building Conservation Officer has confirmed that, in their view, the proposed development would cause less than substantial harm to the character and appearance of the Conservation Area, and less than substantial harm to the setting of the Grade II listed building. These comments will be included in full and addressed in the Heritage section below.

8 responses have been received from the occupiers of neighbouring properties and third parties, expressing support for the proposed development. These comments are summarised below:

- Occupiers of neighbouring property to the south (Fauconberg) have confirmed that the refurbishment of the property has been sympathetic to the village, and that the new carport has no impact on their views or blending in to the village.
- Occupiers of the neighbouring property Wellgarth responded and confirmed that the work which has already been carried out and the proposed carport will enhance the street view of Page Lane. The applicants have gone above and beyond the spec of materials to enhance and fit in with the surrounding area and the position well within building lines.
- Nothing but praise for the renovation of the old bungalow, and the design of the carport will complement the new home in style and materials, and will be sympathetic to the style of architecture in the village.
- Carport adds further to the character of Cherry Garth; traditional cart-shed design being in keeping with the rural characteristics and ambience of Wombleton, and its historical context.
- The positioning of the proposed carport respects the existing neighbouring properties, their spacing and the established building lines on Page Lane. It would not affect the setting of Page Lane.
- The new carport will provide needed outdoor storage space and off-road parking, which will help to remove the potential additional on-road parking burden in this location.
- The carport will fit into the characteristics of the existing buildings in the area. It is subservient to the main building and complements the form, design and materials of the main property. The design of the carport is reflected in other properties throughout Wombleton and so offers a continuity of design throughout the village.
- The way the current garden is laid out reflects the development style that existing when the property was first constructed; construction of a carport in this area would better reflect the existing buildings in the locality.

Wombleton Parish Council has been consulted, and have raised no objections to the proposed development. The Local Highway Authority have also been consulted and have raised no objections.

APPRAISAL:

The main issues in relation to this application are:

- Heritage: Impact on the Wombleton Conservation Area and the Grade II Listed Building
- Design
- Impact on Neighbouring Amenity
- Other issues: Highway Safety

Heritage: Impact on the Wombleton Conservation Area and the Grade II Listed Building

The application site is located within the Wombleton Conservation Area and as such, Ryedale District Council has a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, the site is located in close proximity to a Grade II listed building (Village Hall), and the proposed development is considered to affect the setting of the listed building. Members are aware that under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for a development which affects a Listed Building or its setting, the District Council shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Wombleton is constructed around a 2-row medieval street pattern made up of the central Main Street, with Back Lane to the west and Page Lane to the east. Page Lane was relatively undeveloped until the late nineteenth century, and would have traditionally marked the end of the rear plots and provided rear access for properties located on Main Street. As such, this area would historically have

predominantly featured grassed areas and trees. It is likely that the Grade II listed building (former National School, now Village Hall, built 1844) was the first building constructed in this area.

The majority of the properties located along Page Lane are large, detached dwellings dating from the twentieth century, however they have been constructed in a way which reflects the historic use of the plots, with the main dwellings situated towards the back of their plots in closer proximity to the built-up form of the village. As a result the majority of properties along Page Lane benefit from larger, deep front garden spaces, which help to retain the tranquil, open and rural sense of place along this thoroughfare and in this part of the Conservation Area. Additionally, due to the relatively uniform, set-back positioning of these properties within their plots, there is a strong, clear building line along Page Lane. The only building which disrupts this clear pattern of development is the historic Grade II listed Village Hall, which is the only building in this vicinity which is situated hard-up against the public highway.

The proposed development seeks permission for a new, permanent carport structure to be located in the front garden of the application site; approximately 10 metres forward of the principal elevation of the main dwelling, and 4.9 metres away from the front garden boundary of the site. As outlined above, the Building Conservation Officer has been consulted on this application and has objected to the proposed development. Their full consultation response is as follows:

“Cherry Garth is located within the Wombleton conservation area and as such, Ryedale District Council has a statutory duty to have special regard to the preservation or enhancement of the conservation area. In addition, the Grade II listed former National School, now Village Hall dating from 1844 lies c. 15m to the north of the development site. In my opinion due to proximity, the proposed development will affect the setting of the listed building.

The character of the conservation area at this point is generally detached houses dating from the 20th century set back from the road in reasonably generous plots with front gardens and driveways. Gardens make an important contribution to the rural qualities of the conservation area. Due to the set back nature of the houses, there is little development located towards the road. Untypically, the Grade II listed building is located hard up to the edge of the pavement giving it presence and definition within the streetscape.

The application proposes the erection of a detached garage. The position of the garage is within the existing front garden.

In my opinion the proposed location of the garage forward of the house is contrary to the established pattern of development within the conservation area. In addition, it will create a permanent change from open green space to built development. Its position towards the roadside will also challenge the dominance of the Grade II listed building and be harmful to its setting by way of distraction.

In my opinion harm will be caused to the conservation area by introducing a permanent built element that is contrary to the established pattern of development within the conservation area. It will also result in the loss of open green space which makes an important contribution to the qualities of the conservation area. In addition, it will harm the setting of the listed building by challenging the visual dominance of the listed building and creating a visual distraction. The design of the garage includes a hipped roof which is alien to the built form of the conservation area.

In my opinion the level of harm to the conservation area is on the mid range of less than substantial. In my opinion the level of harm to the setting of the listed building is on the mid range of less than substantial. According to the NPPF at paragraph 199 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than

substantial harm to its significance. Any harm should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In my opinion, there are no identified heritage benefits."

The NPPF (2021) states at paragraph 199 that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 200 of the NPPF (2021) states that:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

Policy SP12 (Heritage) of the Ryedale Local Plan - Local Plan Strategy states that:

"Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced."

And -

"Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset"

Due to its position hard up on the roadside, the Grade II listed building has a very strong, prominent presence within the street-scene. The existing buildings which are in close proximity to the listed building are sited to the north and west, behind or set back from the listed building. To the south there is currently only green, soft garden spaces, which allows for uninterrupted, clear views of the listed building from the public realm; particularly from the Page Lane junction and when rounding the corner of Flatts Lane. The proposed siting of the car-port is within the setting of the Listed Building. Its position within the plot and within the setting of the listed building would be such that it would challenge the dominance of the Listed Building in the street scene. As proposed, the development would not preserve the setting of the Listed Building but would be harmful to it. The proposed car-port would distract and detract from the historic value and significance of the designated heritage asset. As outlined above, the Building Conservation Officer has identified the level of harm to be less than substantial harm to the setting of the listed building.

Furthermore, as outlined above gardens and green spaces are an important part of the historic rural form, character and appearance of the Wombleton Conservation Area, and the pattern of development in this part of Wombleton is as such that the built structures are set back towards the rear of the plots behind deep front garden spaces. The proposed development would disrupt this strong pattern and grain of development within the Conservation Area, by introducing a new, permanent built structure within the front garden space of the application site, towards the roadside. Additionally, the proposed hipped roof form of the carport structure is not a common roof form within the Wombleton Conservation Area, and does not reflect the form of the host dwelling on the site. Hipped roof forms were historically used on buildings of a higher status, and as a result it is considered that the use of a hipped roof form on an ancillary outbuilding would disrupt the traditional form and hierarchy of buildings within the site itself.

In her objection, the Building Conservation Officer has identified that the proposed development, by virtue of the disruption to the established pattern of development and the loss of open, green garden space, would cause less than substantial harm to the character and appearance of the Wombledon Conservation Area.

Several letters of support have been received, which state that the proposed development respects the pattern of development and the building line within the area, and that it will not affect the setting of Page Lane. However, the proposed structure would be positioned outside of the established building line, forward of the dwelling in contrary to the established pattern of development in this area. Furthermore, none of the letters of support directly address the level of harm that has been identified to the two heritage assets.

Furthermore, it has been suggested by the applicant's agent that the less than substantial harm that has been identified in this instance should be weighed against the public benefit of the application site being brought back into full-time residential use, whereas the Listed Building is only used intermittently. However this is not considered to be a public benefit, as it is understood that the application site is already in full time residential, private use, and a new car-port structure is not required to ensure that the application site and principal dwelling remain occupied. On this basis, it is considered that no public benefits which outweigh the identified level of harm to the heritage assets have been identified through the supporting information, or the consultation responses.

On this basis, it is considered that the proposal would result in harm to the Conservation Area and the setting and significance of the Grade II listed building. It is considered that the level of harm is not outweighed by public benefit of the proposals. The scheme is therefore considered to conflict with Policy SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy.

Design

The new carport is proposed to be of a traditional, timber-framed design with a hipped roof form. It is proposed to be constructed from traditional timber cladding on a brick plinth, under a rosemary tile roof, which are commonly used on rural, ancillary outbuildings. When considered in isolation, there are no significant concerns relating to the style and materials of the proposed car port structure.

However, it is considered that the siting and positioning of the proposed building does not reflect the established grain of the Wombledon settlement, or the pattern of development which is derived from the Medieval 2-row street pattern of the village. Furthermore, the hipped roof form of the proposed building is not a commonly used roof form, and does not reflect the form of buildings within the application site, or the immediate vicinity.

Members are aware that Policy SP16 (Design) of the Ryedale Plan - Local Plan Strategy states 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 structure of towns and villages formed by street patterns, routes, rives and becks. The Medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale.*
- *The grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings.*

In addition, Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy state that:

"New development will respect the character and context of the immediate locality..."

On this basis, it is considered that the proposed carport would result in a permanent built structure in a position which conflicts with established pattern of development within the locality, and would have a roof form which does not reflect the traditional form of ancillary outbuildings in this location. The scheme is therefore considered to conflict with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

Impact on Neighbouring Amenity

The new car-port is proposed to be sited forward of the principal dwelling and established building line, away from the closest neighbouring properties to the north and south. As such, it is not considered that the proposed carport will result in any detrimental impact on neighbouring amenity, in terms of loss of light, loss of privacy or overbearing effects.

Insofar as the proposed development relates to neighbouring amenity, in this respect the proposal is considered to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Local Plan – Local Plan Strategy.

Other Issues – Highway Safety

The Local Highway Authority has been consulted on this application and has confirmed they have no objections to the proposed development. One letter of support also cited the increase in off-road parking spaces within the site as a positive aspect of the proposed development.

There are no concerns with the proposed development, insofar as it relates to highway safety and vehicular movements. The proposed development would increase private off-road parking availability for the occupiers of the application site, however it is noted that the site does already benefit from ample off-street parking. The proposed development is not required to ensure that there is an acceptable level of off-street parking available at the site.

Conclusion

In conclusion, the proposed development is considered to be harmful to designated heritage assets, namely the nearby Grade II listed building, and the Wombleton Conservation Area. Whilst on the spectrum of harm, the level of harm is considered to be less than substantial in scale, there are no public benefits which are considered to outweigh the harm to these designated heritage assets. Having regard to Sections 66 & 72 of the Planning (Listed Building and Conservation Areas) Act 1990; the conflict with Policies SP12 (Heritage) and SP16 (Design) of the Local Plan Strategy and conflict with national policy, the recommendation is one of refusal.

RECOMMENDATION: Refusal

- 1 The proposed car-port, by virtue of its siting and positioning forward of the principal dwelling towards the roadside, within a green garden space, is considered to conflict with the established pattern of development at the village and within the Wombleton Conservation Area. As such, it would not preserve or enhance the character or appearance of the Conservation Area, but would result in harm to the character and appearance of the designated heritage asset. The resulting harm is not considered to be outweighed by public benefits of the proposal. The application is therefore considered to be contrary to the requirements of Policies SP12 (Heritage) and SP16 (Design) of the Ryedale Plan - Local Plan Strategy and contrary to Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

- 2 The proposed car-port building will not preserve the setting of the Listed Building but will, by virtue of its presence and position towards the front of the application site and immediately to the south of the nearby Grade II Listed Building, be harmful to the setting of the Listed Building. The siting of the building in this location will distract from and challenge the historic prominence and dominance of the Listed Building and as such it will result in harm to its historic value and significance as a designated heritage asset. The resulting harm is not considered to be outweighed by public benefits of the proposal and therefore the development proposed is considered to be contrary to the requirements of Policies SP12 (Heritage) of the Ryedale Plan - Local Plan Strategy and contrary to Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.