

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 14 November 2012

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APPLICATION REF. NO:	12/00400/LBC
STATUTORY DECISION DATE:	9 November 2012
WARD/PARISH:	MIDDLETON ST GEORGE
LOCATION:	2 The Hall, Dinsdale Park, Middleton St George, Darlington DL2 1UB
DESCRIPTION:	Listed Building Consent to replace existing wooden gates with wrought iron gates
APPLICANT:	Mr John Paul McQue

APPLICATION AND SITE DESCRIPTION

Listed building consent is sought to replace existing wooden gates with wrought iron gates. The gates would be 3.2m in width and 2m in height. The design of the gates has been amended to simplify the design from the original proposal.

Access to the property is gained via a private road which connects the site to the nearest public highway at Brass Castle. This road runs across part of Dinsdale Spa Golf Course and forms a public right of way.

Dinsdale Park is a Grade II listed former spa hotel, built in 1829 by Ignatius Bonomi. The building was later used as a retreat and residential institution, but has since been converted and subdivided into a residential complex. Surrounding the main Dinsdale Hall is a number of residential dwellings. The significance of this listed building lies predominantly in its front elevation with its architectural details and commanding appearance within its setting.

PLANNING HISTORY

Planning permission and listed building consent were approved in 2000 for the conversion of the building into 16 apartments and 5 dwellings (Ref: 00/00262/LBC and 00/297/FUL).

PLANNING POLICY BACKGROUND

Policy CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy Development Plan Document 2011 is relevant to the proposal.

The National Planning Policy Framework 2012 is also relevant.

RESULTS OF CONSULTATION AND PUBLICITY

Occupiers of neighbouring properties have been consulted by letter and a site notice has been displayed.

An objection has been received from the property manager (**Dinsdale Park Management Company**) and from the occupiers of No's **2, 8, 9, 12** and **14 Dinsdale Hall**.

The relevant points raised are summarised below:

- *The original gates are wooden “estate gates”*
- *The hinges are of an unusual design and are 5 ft long.*
- *It was planned to replace the gates with new wooden gates using the existing hinges.*
- *The original pins will not be used.*
- *The unusual hinges will not be used.*
- *Any replacement of the original “estate gates” is not protecting the remaining heritage of Dinsdale Park.*
- *The original design of wooden gates attached to large brick pillars are more in keeping with the rear of this type of property than wrought iron gates which typically are installed at the entrance of such properties.*
- *Metal gates are not in keeping with this grade II listed building, which would greatly detract from its appearance.*
- *To install the so called wrought iron gates will spoil the overall appearance of the building.*
- *Over the last 50 years the internal structure of the building has been torn out there and there is little left inside let us not make the same mistake with the exterior. We have the ability to stop this proud building loosing any more of its heritage.*
- *I would like to see wooden gates with the original hinge.*

Comments were also received in relation to the ownership certificates / land ownership which have been clarified with the applicant. Comments were also received about the impact of the proposal on privacy, security and where vehicles may park. These issues are not considerations for applications for listed building consent.

Low Dinsdale Parish Council made no comments.

The **Conservation Officer** commented that the application accords with the National Planning Policy Framework and should be approved.

PLANNING ISSUES

Policy CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy Development Plan Document states that the distinctive character of the Borough's built, historic, natural and environmental townscapes, landscapes and strong sense of place will be protected and, where appropriate, enhanced by various means including protecting historic buildings.

Paragraph 132 of the National Planning Policy Framework states 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. The more important the asset, the greater the weight should be.

Paragraph 133 of the National Planning Policy Framework states that where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, local planning authorities should refuse consent.

The application proposes the replacement of an existing wooden gate forming the rear entrance to the yard enclosed by the main hall and its right wing.

The existing timber gate is of little architectural interest, non-original and located to the rear of the property. While the fixings may be original, it would be difficult to argue that removing them would lead to the harm or substantial harm of the significance of the listed building, as considered in Paragraphs 132 and 133 of the National Planning Policy Framework.

The gates will be free standing using a hinge post/plate and would not therefore harm the adjacent pillars. The gates would not harm the significance of the heritage asset. The design has been amended and is now less ornate, appropriate for a rear elevation. The gates proposed are a high quality solution to enclosing the courtyard and the significance of the listed building will not be compromised by the works. There is no argument for insisting upon a solid gate to this entrance in terms of the impact on the significance of the listed building.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposal would replace dilapidated timber gates. The proposed wrought iron gates will be free standing using a hinge post/plate and would not harm the adjacent pillars. It is not considered that the proposal would harm the significance of the Listed Building.

RECOMMENDATION

It is recommended that listed building consent be GRANTED subject to conditions.

CONDITIONS:

1. A5 - LB Applications (Implementation Limit)
2. B5 Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING LISTED BUILDING CONSENT

The decision to grant Listed Building Consent has been taken having regard to Policy CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy Development Plan Document 2011 and Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework 2012 and to all relevant material considerations.

