

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

COMMITTEE DATE: 8 February 2017

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<b>APPLICATION REF. NO:</b>	<b>16/01155/LBC</b>
<b>STATUTORY DECISION DATE:</b>	<b>5 January 2017</b>
<b>WARD/PARISH:</b>	<b>HEIGHINGTON AND CONISCLIFFE</b>
<b>LOCATION:</b>	<b>Raby Hunt Inn, Summerhouse</b>
<b>DESCRIPTION:</b>	<b>Listed building consent for single storey extensions to side and rear, removal of window from side elevation, addition of window to rear, demolition of existing staircase and internal alterations including removal of stairs, construction of new staircase and creation of new openings and partitions</b>
<b>APPLICANT:</b>	<b>MR JAMES CLOSE</b>

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**APPLICATION AND SITE DESCRIPTION**

Listed building consent is sought for the erection of single storey extensions to the side and rear, the removal of a window from the side elevation, the addition of a window to the rear elevation and the demolition of an external staircase. A number of associated internal alterations are also proposed to create a pre-dining and preparation area looking into the kitchen at the ground floor and the creation of a third letting bedroom at first floor. An associated planning application (16/01154/LBC) is also on the agenda for consideration.

The proposed rear extension is to provide a kitchen extension and is to measure approximately 6 metres wide by 3 metres deep under a parapet roof, 3.5 metres in height. It is to be clad with zinc seam cladding with a green/growing roof above. A timber bin store, measuring 2.2 metres wide by 3 metres deep, is also proposed to the south side of the proposed extension. An existing stone clad external staircase will be removed to accommodate the bin store and an existing door at the top of the staircase will be replaced by a timber sliding sash window. The existing portacabin is also to be removed to make way for the proposed kitchen extension.

The proposed side extension will replace an existing porch extension to the side and is to measure approximately 2.3 metres wide by a maximum depth of 6.3 metres. It is to be splayed at its eastern end to take account of the position of the external stone boundary wall which is to be incorporated as part of the proposals. Once again the extension will be clad with zinc seamed cladding under a parapet roof 3.5 metres in height. The extension is to provide an entrance/meet and great area and will also accommodate part of a pre-dining area to be created as part of the internal alterations. An existing window in the side elevation will be repositioned to take account of the proposed extension.

The following alterations and removal of sections of the listed structure are also proposed:

- Demolition of an external staircase featuring a stone external guarding wall on the rear elevation;
- Alteration of existing fire escape door at first floor to form a window opening;
- Removal of a section of the south elevation some of which is internal (within the entrance lobby) and some of which is external;
- Demolition of an existing lean-to entrance lobby;
- Form openings through existing internal wall;
- Removal/blocking up of existing staircase window and insertion of new timber sash window at first floor;
- Removal of internal studwork walls to first floor staff kitchen/preparation area and bathroom;
- Removal of rear kitchen wall to allow access through to remodelled kitchen and kitchen extension;
- Removal of internal staircase and construction of new internal staircase.

The Raby Hunt is a Grade II listed, 2 Michelin Star restaurant located at the southern end of Summerhouse, within the village conservation area. The property faces the southern end of the village green and is adjoined on its northern side by a dwelling, Hunters End, and is surrounded by residential properties to the rear (west) which border the car park. Hunters End and the properties to the rear were formerly part of the Raby Hunt Public House but were converted to residential use as part of a proposal to subdivide the public house back in 2003 (03/00537/FUL). The property is bounded by the B6279 to the south.

A Heritage Statement has been submitted with the application to detail the significance of the heritage assets and the level of harm to this Grade II listed building.

### **PLANNING HISTORY**

The site has a lengthy planning history, the most relevant and recent of which is set out below:

03/00536/LBC – Listed building consent for the alteration of existing public house to form public house and dwelling, the erection of a new dwelling and the conversion of outbuildings to two dwellings. GRANTED 5.12.2003

03/00537/FUL – Modifications of existing premises to form public house and dwelling. The erection of a new dwelling and the conversion of outbuildings to two dwellings. GRANTED SUBJECT TO S106 AGREEMENT 5.12.2003

09/00317/FUL – Infilling of rear cellar entrance. GRANTED 13.7.2009

09/00318/FUL – Listed building consent for infilling of rear cellar entrance and internal alterations in the form of construction of a partition in existing first floor bedroom to form 2 no. bathrooms; alterations to ground floor WC and kitchen layout and boarding up of fireplaces in first floor bedrooms. GRANTED 13.7.2009

09/00604/FUL – Installation of extract flue on west elevation roof. GRANTED 28.10.2009

09/00605/LBC – Listed building consent for installation of kitchen extract flue (ducted internally) terminating on west elevation roof. GRANTED 28.10.2009

13/00995/LBC- Listed building consent for erection of a single storey extension to rear.  
GRANTED 12.2.2014

13/00996/FUL – Erection of single storey extension to rear. GRANTED 12.2.2014

15/00138/FUL – Conversion of adjoining Hunters End Cottage to form extension to restaurant incorporating erection of single storey rear kitchen extension and alterations to doors, windows and decking to rear. WITHDRAWN

15/00139/LBC – Listed building consent for alterations associated with conversion of adjoining Hunters End Cottage to form extension to restaurant incorporating erection of single storey rear kitchen extension and alterations to doors, windows and decking to rear. WITHDRAWN

## **PLANNING POLICY BACKGROUND**

The following policies are relevant to consideration of the application:

### **Darlington Core Strategy Development Plan Document 2011**

- CS2 – Achieving High Quality, Sustainable Design
- CS6 – Vibrant Cultural and Tourism Offer
- CS14 – Promoting Local Character and Distinctiveness.

National Planning Policy Framework

## **RESULTS OF CONSULTATION AND PUBLICITY**

**Conservation Officer** – Considers the proposal to be in accordance with the NPPF and Policy CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document 2011 and recommends approval subject to a number of conditions.

**Summerhouse Parish Meeting** – Object to the application on the following grounds:

1. Impact on privacy and potential change of use;
2. Noise
3. Parking
4. Grade 2 listed building stipulations
5. Comparison to previous building application.

Received complaints regarding the proposed extension to the Raby Hunt (4 no. which have been appended to the Parish Meeting's objection). The majority of these have been with regard to the possibility/probability of exacerbating the negative impact currently being experienced by the village with regard to the Raby Hunt's excessive and obtrusive parking of vehicles and the noise emanating from the car park i.e. deliveries, bottles thrown into bins etc. There have also been many complaints with the noise coming from cars connected to the Raby Hunt all around the village i.e. revving up in the early hours of the morning.

A total of 4 no. letters of objection have also been received which raise the following issues:

- *The height of the extension would deprive nearby properties of privacy as it would overlook patios/gardens and kitchens. The proposal states that staff would be on the roof*

tending plants and would have access by an upstairs window/door. It could also be used for staff breaks or extra covers. It will also block out light to properties in close proximity. We are totally against the Raby Hunt having any means of using the roof for any circumstances. A condition should be attached;

- Understand that planning permission was previously granted for a conservatory on the same plot. This is a completely different application with a different proposed change of use. This particular application doubles the size of the kitchen;
- Life consists of kitchen noise coming from staff, the smell of cooking all day long, delivery vans at 5am – 10am, parking on the bus stop which hinders any view of oncoming traffic when leaving the village road. The sound of bottles being thrown into the bin in the early hours of the morning (1am) is not unusual;
- The water board has been called out to unblock the drainage/sewerage system on numerous occasions for properties connected to the Raby Hunt due to excessive fat deposits. An increase in the size of the kitchen will escalate these factors;
- The Raby Hunt has a total of 6 car parking places at the rear and one space at the front. This is completely inadequate for the number of covers. On a daily basis there is usually 6 staff cars parked in the village. On preparation days the members of staff do not use the car park as there are numerous deliveries arriving. Adding restaurant customers into the equation the problem is exacerbated to the extent where residents cannot park near their homes. It is possible for a large party to turn up for a meal, each in their own car. This will be further exacerbated if permission is granted for the extension;
- The noise of customers leaving very late at night, disturbs the sleeping residents. Staff always avoid the car park and part around the village green, and add to the nuisance value by leaving via a U turn between 12.00 and 2.00am;
- A business enterprise such as this will want to see a return for their outlay. Believe it will eventually lead to more customers and inevitably more nuisance for the residents. It is not simply a case of using the existing planning permission for a kitchen extension to replace the metal storage container, it is a whole new concept with a new usage;
- Existing cellars could be used for kitchen storage. The new pre-drinks area appears to have tables of some kind which might eventually turn into more covers for the restaurant;
- Noise is a large problem for residents. Deliveries and waste disposal wagons arrive as early as 5am in the morning. Due to the change internally to the property and the probability of opening more often, it will definitely result in more covers, which would be an unbearable burden on the village regarding parking and noise;
- There is a number of Grade II listed buildings within the village and several have recently been renovated to a high standard, whilst conforming rigidly to the stipulations imposed by the Planning Department. Will the 'temporary' ugly container be removed;
- The contemporary and modern materials proposed do not conform to the requirements of a Grade II listed building and has no place in the village. Also grave concerns with regard to the size and character of the proposed extension windows. All existing windows should be maintained exactly as original and that any further development should not deviate from the guidelines imposed;

## PLANNING ISSUES

Paragraph 131 of the National Planning Policy Framework (NPPF) states that 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that the conservation of heritage

assets can make to sustainable communities including their economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 134 of the NPPF states that 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 securing its optimum viable use.

Core Strategy Policy CS14 (Promoting Local Character and Distinctiveness) requires that the distinctive character of the Borough's townscapes, landscapes and strong sense of place will be protected and enhanced by protecting, enhancing and promoting the quality and integrity of the Borough's nationally significant built heritage (listed buildings) and buildings and their settings within Conservation Areas.

The principle of an extension to the rear of the property has already been established by way of the previously approved planning permission and listed building consent (13/00996/FUL and 13/00995/LBC) which remain extant. The extension is to be of the same footprint and of similar height to that approved, albeit that the extension as approved was of stone construction. The main issue is whether the proposed rear extension, in terms of its revised design and use of modern materials, and the proposed side extension would harm the significance of this Grade II listed building.

The proposed extensions to the side and rear are to be of a modern design using a palette of contemporary materials, zinc and glazing, with a parapet roof detail to screen services from the kitchen below. Screening would also be provided by planting boxes to enable the restaurant to grow some of its own herbs and produce. The side extension follows the same contemporary approach using the same palette of materials but with a lower overall height and a deep construction to accommodate a green (growing) roof. It would be constructed behind the original boundary wall, which would be unaltered, which would minimise the visual impact on this prominent south side elevation which faces the road.

The Conservation Officer has considered the proposals and advises that this is a contemporary solution acknowledging that it is a new addition to this historic building whilst allowing customers to see the workings of the kitchen through the large opening in the south elevation of the kitchen extension (a similar feature was incorporated in the approved kitchen extension). The proposed side extension would also replace the existing lobby, which is an unattractive pastiche addition to the listed building, with an honest contemporary style extension in keeping with the rear kitchen extension. The proposals would also facilitate the removal of the existing external staircase and portacabin.

In terms of the proposed internal alterations, including the demolition of various elements of the listed structure, both internal and external, the Heritage Statement submitted with the application provides justification for this work and assesses the impact of the proposals on the significance of this Grade II listed building and on the Summerhouse Conservation Area, which has been considered as part of the associated planning application.

Regarding the impact of the proposals on the heritage asset, the Heritage Statement concludes that the *proposed works are important to help sustain the business through addressing and meeting their ongoing needs, which in turn ensures the longevity of the listed building. The experience of visiting the restaurant has to continue to improve, resulting in increased numbers of visitors coming to the restaurant and area to sample the fine dining experience.*

*The extensions/alterations and improvements have been carefully considered to have a positive impact to the main Raby Hunt building, concentrating the main works to the rear sections which are 'of no special interest'. The proposal looks to impose a positive impact on the existing building and its setting, through the removal of very low quality lean-to lobby to the south elevation, removal of an external storage container and replacement with high quality, well detailed honest extensions, which give a coherent feel to the rear of the property'.*

The Heritage Statement states that the works would result in 'less than substantial' harm to the heritage asset. Paragraph 134 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a heritage asset then this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The Conservation Officer has considered the proposals and the Heritage Statement and advises that in view of the significance of the elements of the building it is proposed to alter/remove and the level of harm (less than substantial) and the overall public benefit, she considers the proposal to comply with paragraph 131 of the NPPF and Policy CS14 (Promoting Local Character and Distinctiveness) as it would sustain the overall significance of this Grade II listed building and make a positive contribution to local character and distinctiveness. Furthermore the works proposed would retain the existing restaurant use at this site which would in turn keep a listed building commercially occupied .

#### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The proposed development has 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. The proposed development does not give rise to crime and disorder issues.

#### **CONCLUSION**

In view of the significance of the elements of the building it is proposed to alter/remove, the level of harm to the heritage asset (less than substantial) and the overall public benefit, the proposal is considered to comply with paragraph 131 of the NPPF and Policy CS14 (Promoting Local Character and Distinctiveness) of the Darlington Core Strategy Development Plan Document 2011.

#### **RECOMMENDATION**

**THAT LISTED BUILDING CONSENT BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. A5 (Standard 3 year time limit)
2. B4 (Details of external materials to be submitted)
3. B11 (Details of windows)
4. Prior to the commencement of development hereby permitted a method statement for the making good of the side and rear elevations following the removal of the existing window and door from the respective elevations shall be submitted to and approved in writing by the Local Planning Authority. The method statement should also include large scale

details of the proposed replacement windows including details of the stonework reveal. The alterations shall thereafter be carried out in accordance with the details as approved.

REASON – In the interest of visual amenity.

5. Prior to the commencement of development hereby permitted, an internal wall plan showing a nib to be retained in the internal wall to be partially removed to form the new opening between the prep-area and kitchen, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the details as approved and thereafter be so maintained.

REASON – In order that the Local Planning Authority may be satisfied as to the details of the development, in the interest of sustaining the significance of this Grade II listed building.

6. B7 (Development in accordance with the approved plans)

**THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT IN CONSIDERATION OF THE APPLICATION:**

**Darlington Core Strategy Development Plan Document 2011**

- CS2 – Achieving High Quality, Sustainable Design
- CS6 – Vibrant Cultural and Tourism Offer
- CS14 – Promoting Local Character and Distinctiveness.

National Planning Policy Framework