

**DARLINGTON BOROUGH COUNCIL**  
**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 5 August 2020**

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<b>APPLICATION REF. NO:</b>	19/01138/LBC
<b>STATUTORY DECISION DATE:</b>	12 February 2020
<b>WARD/PARISH:</b>	HURWORTH
<b>LOCATION:</b>	44 The Green, Hurworth
<b>DESCRIPTION:</b>	Listed building consent for alterations to boundary wall to create vehicular access, erection of new timber gates and brick pillars with finials
<b>APPLICANT:</b>	Mr John Fulton

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**RECOMMENDATION: GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

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Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link: <https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2AO3TFP0C800>

**APPLICATION AND SITE DESCRIPTION**

1. Listed building consent is sought for alterations to a curtilage listed boundary wall located to the east of 44 The Green, Hurworth, to create a new vehicular access, to include the erection of new timber gates and brick pillars with finials. A Heritage Statement has been submitted with the application. The proposed access would serve a new dwelling within the grounds of 44 The Green, for which planning permission was granted in October 2019 (19/00155/FUL). An associated application for revisions to the approved dwelling, including the provision of a new access, is also on this agenda for consideration (19/01071/FUL).
2. 44 The Green is a substantial former Manor House, former coach house and stables, which are Grade II listed, set in sizeable grounds located to the north of The Green, Hurworth, within the Hurworth Conservation Area. The property and

its grounds are not visible from The Green, being set behind substantial trees and shrubs to the front of the property. The Bay Horse Public House and a terrace of properties, 39 – 43 The Green, are located to the south of the site, either side of the entrance, and are both Grade II listed. Coach Lane, a single track lane, runs in a north-south direction adjacent to part of the eastern boundary of the application site. Public footpath no. 1 in the Parish of Hurworth runs along Coach Lane and provides vehicular access to a number of properties, including a secondary access to the application property, at its northern end.

3. The development of the new dwelling has commenced following the granting of planning permission in October 2019. A number of alterations, including some the subject of the associated planning application, and the formation of the opening in the boundary wall have already taken place in advance of the applications being considered. The application is therefore partially retrospective.

### **MAIN PLANNING ISSUES**

4. The main issue for consideration is:

- Impact on Heritage Assets

### **PLANNING POLICIES**

5. Relevant planning policies are those seeking to ensure that new development:

- Protects and, where appropriate, enhances the distinctive character of the Borough's built, historic, natural and environmental townscapes (Policy CS14)

### **RESULTS OF TECHNICAL CONSULTATION**

6. None received

### **RESULTS OF PUBLICITY AND NOTIFICATION**

7. A number of objections have been received to both the planning and listed building consent applications where comments overlap between the two applications. While five objections have been received to the listed building consent application, many of these objections relate to the associated impact of the proposed new access in terms of additional traffic on Coach Lane which is a matter to be considered as part of the associated planning application. These comments have therefore been included in associated planning report. Those matters raised in respect of the application for listed building consent are:

- Building will have a negative effect on the conservation area and Bay Horse, a Grade II listed building
- The amended proposals are not sympathetic to the conservation area and listed building

8. One letter of support has been received, raising the following issues:
  - The location, design and proposed materials are appropriate and do not conflict in the context of heritage property
  - There are similar evolutions in residential accommodate in this village

## **PLANNING ISSUES/ANALYSIS**

### **(a) Impact on Heritage Assets**

9. In accordance with the statutory duties set out in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special regard must be paid to the desirability of preserving listed buildings and their settings, or any features of special architectural or historic interest which they may possess.
10. Paragraphs 193 and 196 of the NPPF state that great weight should be given to the conservation of designated heritage assets, and that any harm should be weighed against any public benefits that the development may bring, with a clear and convincing justification for any harm set out. Core Strategy Policy CS14 sets out the need to achieve high quality design that respects and enhances the character and appearance of Darlington's distinctive areas and promote its quality and sense of integrity.
11. The boundary wall in which it is proposed to create the new opening is curtilage listed due to its relationship with 44 The Green and the former coach house and stables, which are Grade II listed. The wall in this location is a mix of brick and random rubble stonework. While alterations to the wall should be kept to a minimum in order to maintain its integrity and significance as an historic boundary wall, the section of wall where the opening is proposed has previously been opened and subsequently infilled with a mix of stonework and brick. As such it is considered that the wall can accommodate the proposed opening in this location without causing harm to the significance of this part of the curtilage listed wall.
12. The brick piers and stone caps have already been constructed of brick to match the wall and a timber gate, to match those fitted in the adjacent opening, are proposed and are considered to be acceptable. The proposal is therefore considered to comply with Policy CS14.

## **CONCLUSION AND RECOMMENDATION**

13. In view of previous alterations to the boundary wall, the proposed formation of a new opening to facilitate a vehicular access to the new dwelling erected within the ground of 44 The Green is not considered to harm the significance of this curtilage listed boundary wall and the proposal complies with Policy CS14. Accordingly, it is recommended that:

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

1. A5 (Standard 3 year time limit – listed buildings)
2. PL00
  - (a) Site plan, drawing number 05A
  - (b) Gates, drawing number 20