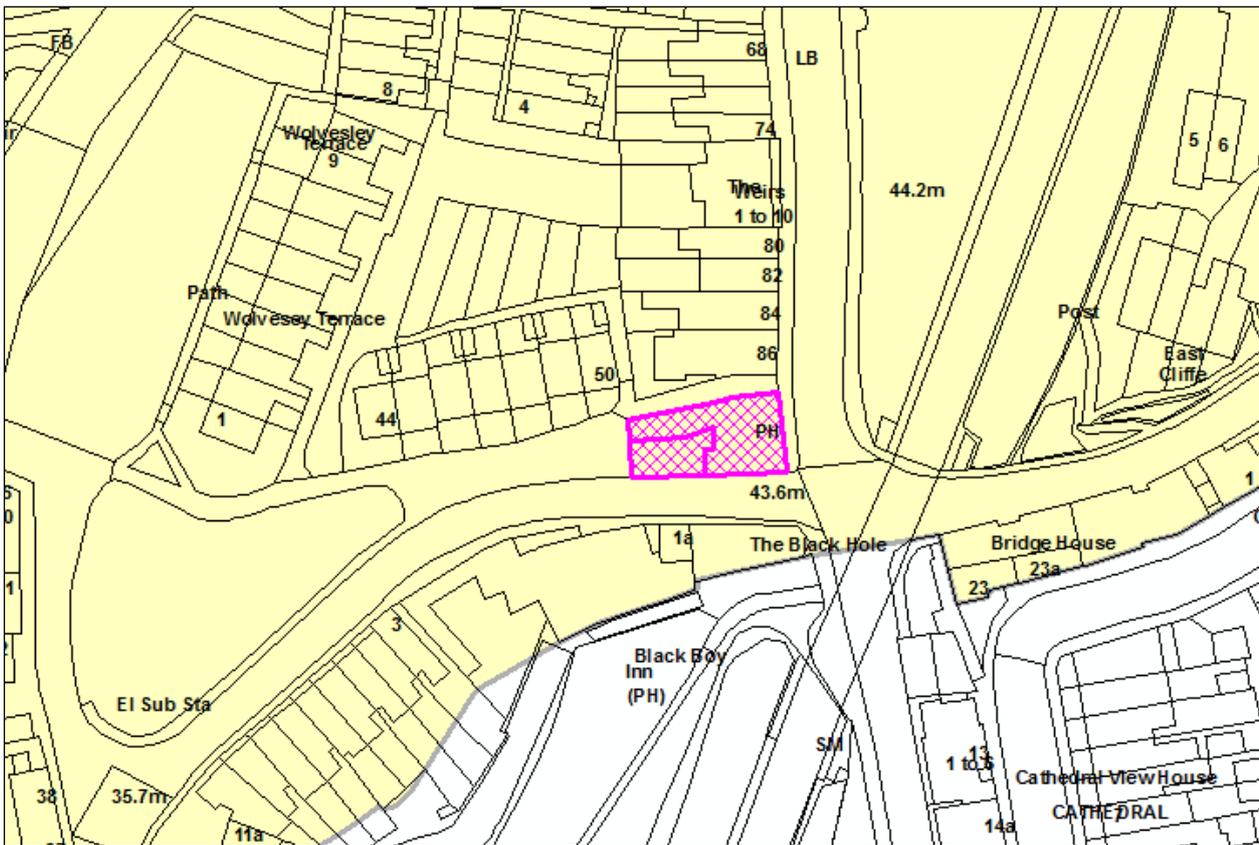


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 19/01073/LIS
Proposal Description: Two storey rear extension.
Address: Black Rat 88 Chesil Street Winchester SO23 0HX
Parish, or Ward if within Winchester City: St Michael
Applicants Name: Mr David Nicholson
Case Officer: Liz Marsden
Date Valid: 14 May 2019
Recommendation: Refuse

Pre-application advice: No



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General Comments

Councillor Gottlieb, request for application to be determined by Planning Committee, see Appendix 1.

Amended plans received 15.10.19. The principle alterations are:

- Change to the design of the section of the extension that links the tower to the existing building with the introduction of a gable end and bay window.

Amended plans received 27.11.19 which regularised some discrepancies in the revised plans.

Site Description

The Black Rat is a restaurant which occupies a small site (around 222 square metres) and is a grade II listed building. The site is bounded to the east by Chesil Street, to the south by Wharf Hill and to the north by an alley that separates the site from the adjacent property, No.86. To the west there is an area of hard surfacing which extends down from the frontage of a terrace of houses to the edge of Wharf Hill, from which it is blocked by a row of bollards. As the land in the vicinity slopes down from both the north to south and east to west, there is a considerable difference in level between the front and the rear of the site, resulting in the rear section being substantially higher than the road and supported on a platform.

The existing built form covers the majority of the site in a rough 'L' shape, with two-storey sections along the Chesil Road and Wharf Hill frontages. To the rear of the building, along the northern boundary, there is a single storey building which extends to the westernmost end of the site. Although there is only one floor of accommodation in this section, the mono-pitch design of the building results in a high wall along the alley side. The remaining part of the site is predominantly open, with a number of circular seating areas and tables, covered by thatched roofs, along its southern side.

The site is located within the Winchester Conservation area which, in this part, is characterised by a mixture of residential and commercial properties, the latter being the Black Boy pub and Black Hole hotel to the south of the site. The houses are primarily terraced, with a relatively modern block to the northwest and older properties along the southern side of Wharf Hill. The property immediately to the north (86, Chesil Street) has recently been extended and converted to 4 flats.

There is no existing vehicular access to the site and none is being proposed.

Proposal

The proposal is for a two storey extension to the rear of the building, which will provide additional seating area for the restaurant, increasing its capacity. In addition it is proposed to excavate down through the raised platform area to create a larger kitchen in the basement. The existing kitchen, which is located in the single storey section of the building, will provide additional space for storage.

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Relevant Planning History

06/03638/FUL - Change of use of first and second floors from staff accommodation to additional public rooms, bar and stores; relocation of kitchen to ground floor outbuilding. – permitted 12.03.2007

06/03639/LIS - Internal alterations to form new kitchen and restaurant – permitted 20.03.2007

Consultations

WCC Historic Environment:

Objection. The extension would be visually complex in their built form in contrast to the simple form of the listed building and would be visually dominant, particularly from Wharf Hill, as it fails to follow both the natural ground levels in the area and the established hierarchy of the component parts of the listed building. As such it would appear alien and incongruous resulting in harm to the significance and historic appearance of the Black Rat and the character and appearance of the surrounding conservation area. It should be noted that whilst the harm to the historic asset is 'less than substantial' this does not infer that there is no harm, or that the harm caused is acceptable. Discrepancies were noted in the plans.

Representations:

City of Winchester Trust:

Support - approve of the way that the extension reflects the style of the Black Hole and the Black Boy and consider that the design is appropriate in this context. However, careful consideration should be given to the following:

- The bin storage should be included within the site
- Concern about lack of disabled access, which given the increased size of the restaurant should be provided. A related issue is that of fire safety.

1 letter of support received for the following material planning reason.

- Adds capacity to a successful business that is a national draw for tourists.
- The business support many other local businesses
- Offers employment to a broad spectrum of people

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
CP19 and CP20 – Heritage and Landscape Character.

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM29 – Heritage Assets

National Planning Policy Guidance/Statements:
National Planning Policy Framework – Section 12

Supplementary Planning Guidance
The High Quality Places SPD March 2015

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Planning Considerations

Principle of development

The alteration and extension of listed buildings is acceptable in principle, subject to its impact on the historic integrity of the building and compliance with relevant planning policy.

Key Issues

The preservation of the special architectural / historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policies DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policies CP19 & CP20 Winchester District Joint Core Strategy; NPPF (2018) Section 16).

Design/layout

The site is effectively an island, surrounded on all sides by roads and an alley that are tight to the boundary. The existing building covers most of the site, with a small garden, which is also used for seating and it is proposed to put a two-storey building on the garden and to take advantage of the varying land levels by excavating down into the retaining platform/plinth.

The building has been designed to reflect the characteristics, both in form and materials to be used, of the Black Hole and Black Boy, located opposite the site. The strongest feature is a square 'tower' with a pyramid roof form, located at the furthest point of the site and effectively 3 storeys high from road level. This is linked to the existing building by a narrower section. The originally submitted scheme showed the link building and the tower becoming progressively higher than the part of the listed building to which they were attached. Following discussions between officers and the applicant, this has been amended to provide a narrow gable end roof form, which has the effect of slightly reducing the apparent height in relation to the existing building.

The discrepancies in the submitted information as set out in the Historic Environment officer comments have been addressed, with the submission of amended plans and the agents confirmation that the plinth (lower ground floor) is to be painted black along its length and the windows are to have painted timber frames.

Impact on the listed building

The Black Rat is comprised of a number of sections with the main building, fronting Chesil Street, being a two-storey, brick built structure with gable ends and accommodation in the roof space served by small dormer windows in the front and rear elevations. This part of the building, together with a lower two-storey extension to the rear, facing Wharf Hill, and a single storey extension currently housing the kitchen are Grade II listed.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to 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*' in considering whether to grant listed building consent.

The proposed extension has limited impact on the historic fabric of the building, other than its connection to the rear of the existing two-storey extension and the insertion of a small opening at first floor level in that elevation to create a serving hatch between the bar and

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the new seating area.

There is no objection in principle to some form of additional building on the site and it is acknowledged that there is scope to improve the rear aspect of the site through the removal of the structures in the garden area. Following the concerns that were raised to the original submission, amendments were submitted in an attempt to overcome them.

However, there remain concerns with the following elements of the development in relation to its impact on the heritage asset that amounts to harm:

- The tower element of the extension is alien to the host building in terms of its built form and the extent, type and pattern of the fenestration.
- The link element does not provide a degree of visual and physical separation between the tower and the host building and has an awkward relationship with the building due to differing floor levels which is visually apparent externally and in the roof form, with the parapet of the extension projecting forward of the pitched roof of the existing building.
- The extension does not follow the established hierarchy of building, with the link section being higher than the existing addition, which is subservient to the main range fronting Chesil Street. The tower is then taller still.
- The built form of the extension is more complex than the simple form of the host building and would contrast unsympathetically with it.
- The proposed materials would amplify the poor relationship between the listed building and the extension by emphasising their separateness. The Black Rat is brick with a clay tile roof, whilst the extension would be cement render with a white finish. It is noted that the roof of the extension is to be clay tiles, but the pyramid form of the tower roof is at odds with the simple gable ends of the host building.

Impact on conservation area

The site is located within the Winchester conservation area where, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area. Policies DM27 and DM28 of the LPP2 require development to preserve or enhance the character, appearance or special architectural or historic interest of the area.

In this case the incongruity of the works to the listed building, together with its prominent location would adversely affect the conservation area as set out below:

- The extension would fail to follow the established hierarchy of building, with the extension increasing in height. This would result in the proposal being unduly intrusive in the streetscene, and its perceived height would be exacerbated by its failure to follow the natural gradient of Wharf Hill.
- The dominance of the new building would be further increased by the large areas of glass, resulting in horizontal 'bands' which are at odds with the verticality of the tower.
- Whilst the materials to be used in the building reflect those of the Black Hole and the Black Boy, (cream rendered and white painted brick) this is the exception to the red brick that is the predominant material on both the Black Rat and the other buildings in the vicinity. The use of render will increase the overall prominence of the building within the street to the detriment of its character and appearance.

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Based upon the above assessment it considered that, whilst the proposed development would result in less than substantial harm to the significance and setting of the listed building, the harm caused by the inappropriate scale, design and materials of the extension would be unacceptable and detrimental to the character and appearance of the building and that of the conservation area. The proposal would therefore fail to comply with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, DM27 and DM28 of the LPP2 or guidance in section 16 of the NPPF.

Economic benefits

It is recognised that there is an existing successful business at the premises, which the applicant states that, in order to ensure its continued viability, requires upgraded kitchen facilities and additional customer seating and this will improve its function and appeal. Whilst there is no dispute as to the need for an improved kitchen, limited information has been provided to justify the overall assertion that the business is not capable of surviving without these works or that the improvements could not be achieved with an alternative, less ambitious, extension.

Paragraph 196 of the NPPF states: *“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 this case the public benefits attributed to the proposed improvement to the facility have not been convincing in terms of whether alternative, less harmful, development could achieve the improvements required and on this basis the harm caused to the heritage assets is unacceptable in policy terms.

Conclusion

Whilst the economic benefits to be derived from improved kitchen and seating facilities are recognised it is not considered that this would be sufficient to outweigh the harm caused to the listed building and conservation area due to the inappropriate scale, design and prominent location of the proposed extension.

Recommendation

Refuse for the following reason:

01. The proposed development is considered to be contrary to Policy DM29, DM27 and DM28 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Local Plan Part 1 and NPPF Section 12 in that the scale and design of the proposed extension would constitute an incongruous and awkward development out of keeping with the character and appearance of the surrounding conservation area and detrimental to the listed building.

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Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case there have been a number of meetings and discussions with the applicant and his agent to try and resolve the concerns that have been raised.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Winchester District Local Plan Part 1: DS1, CP13, CP20

Winchester District Local Plan Part 2: DM15, DM16, DM27, DM29

High Quality Places Supplementary Planning Document

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Appendix 1

City Councillor's request that a Planning Application be considered by the Planning Committee

Request from Councillor: Kim Gottlieb
Case Number: 19/01073/LIS
Site Address: The Black Rat, 88 Chesil Street, Winchester, SO23 0HX
Proposal Description: Rear extension to existing restaurant
Requests that the item be considered by the Planning Committee for the following material planning reasons: I take a differing view as regards the impact on the host (listed) building. I believe that it is complementary and makes the future use of the building more sustainable. I also believe that the potential adverse impacts, as perceived by others, are outweighed by the benefits to the local economy and vibrancy of the city's commercial offering.