

**Item Number:** 7  
**Application No:** 22/00175/FUL  
**Parish:** Sinnington Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Mark Miller (Fox & Hounds (Sinnington) Ltd)  
**Proposal:** Erection of a detached building to form an outside kitchen and installation of patio paving (part retrospective.)  
**Location:** Fox And Hounds Country Hotel Main Street Sinnington Pickering North Yorkshire YO62 6SQ

**Registration Date:** 12 February 2022  
**8/13 Wk Expiry Date:** 9 April 2022  
**Overall Expiry Date:** 20 July 2022  
**Case Officer:** Emma Woodland **Ext:** 43324

#### CONSULTATIONS:

<b>Sinnington Parish Council</b>	Objects
<b>Environmental Health</b>	No Objection
<b>Sinnington Parish Council</b>	Objects
<b>Environmental Health</b>	No Objection

**Representations:** Mr John Buller, Mrs Jane Otter, Mr John Flanagan, Mr Ben Wilson, Mr Fred Nightingale, Mr John Anderson, J C & A M Page, Dr Elizabeth Newbronner, Brian Ambler, Mr R J Preston, Mr Lloyd Jones, Farrell Burnett, A P Burnett, Mr & Mrs R Preston, Elizabeth Somerville, Mrs Clavenny Mudd,

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#### SITE:

The Fox and Hounds pub is a Grade II listed building located within the Sinnington conservation area and as such, Ryedale District Council has a statutory duty to have special regard for the preservation of the listed building and its setting and the preservation or enhancement of the conservation area. The pub is located on the eastern side of the principle thoroughfare at the southern end of the village set within a rural residential setting. Neighbours to the north, south and directly opposite are domestic dwellings. The listed building dates from the late C18 and was extended in 1828 with further alteration in late C19 and 20th centuries. It is a handsome property constructed of stone under a pantile roof and makes a strong positive contribution to the conservation area. The application site falls outside Development Limits within an area identified as 'Wider Open Countryside' within a village defined as 'Other village' within the Ryedale Plan. This application has been amended to include the construction of an outdoor paved terrace in the location of former grassed pub garden area (retrospective).

#### PROPOSAL:

The application proposes the erection of a detached outdoor kitchen for use in connection with the public house. The application has been revised to include the construction of an outdoor paved terrace area which has already been undertaken. Planning Permission is needed for the terrace due to the lack of Permitted Development Rights for Public Houses and this came to light during public consultation. The description of development has thus been amended to include this and the plans re-consulted.

The development is proposed to the rear of the pub between the northern boundary of the property and

the pub car park. It is within and adjacent to an area which has been used as a beer garden. It is understood that the outdoor kitchen is intended for seasonal use and between lunchtime and early/mid evening (7.30-8.00pm). The kitchen will operate primarily as a grill using bottled gas.

### **RELEVANT PLANNING HISTORY:**

19/00326/LBC-Internal and external alterations to allow the change of use and conversion of existing dwelling to form 4no. additional letting rooms for use alongside existing public house-Approved

19/00976/LBC-Internal works to hotel to reconfigure three letting rooms into two letting rooms-Approved

22/00197/FUL- Erection of 2no. one bedroom and 1no. two bedroom treehouse accommodation units with external decking areas for use as holiday lets- Withdrawn

### **POLICIES:**

SP1 - Location of Development- In an 'Other Village', development is restricted to that which is necessary to support a sustainable, vibrant and healthy rural economy and community

SP6- Employment - Small scale sites in and adjacent to Development Limits and the expansion of land/sites for established businesses shall be supported

SP11- Community Facilities- The provision of new facilities will be supported outside Development Limits where the facility is needed to serve the local area and could not be provided within Development Limits.

SP12- Heritage-Distinctive elements of Ryedale's historic environment will be conserved and where appropriate enhanced

SP16- Design- Development proposals will be expected to create high quality durable places

SP20- Generic Development Management Issues-New development will not have a material adverse impact on the amenity of the occupants of neighbouring land

### **REPRESENTATIONS:**

13 Objections

1 Support

There have been a number of objections to the application to include neighbours to the north of the application site and the Parish Council.

Objections raise concerns regarding noise, smells, uncertainty over scale of use and increased activity/traffic movements; setting of the listed building and character of the conservation area; kitchen visible from neighbours property; location outside of Development Limits; development out of scale with the location.

1 letter of support for the kitchen has been received. Matters raised in support include, well run and managed establishment. Kitchen unlikely to result in increase in outside diners. Make it easier for staff to serve. Professional kitchen installation would not result in smells

## **APPRAISAL:**

The principle considerations with the application are the principle of the development, the preservation of the setting of the listed building and conservation area and the impact on the amenity of the occupants of neighbouring properties

### **Principle:**

The Development Limit in Sinnington is drawn tightly in a north-south direction to the rear of the Fox and Hounds to bisect part of the car park at its southern end. At its northern end, the development limit is drawn tight up against the pub buildings. It is understood however, that the paved terrace was constructed in the same location as the former grassed beer garden and together, the terrace and proposed kitchen building are located on land which is functionally and visually well related to the pub and commensurate with the size of the facility and outdoor area. The proposal will add to the offer provided at the pub which is a local community facility and business. Policy SP1 and Policy SP11 together provide support in principle for improvements to community facilities in village locations, including positions outside of development limits. In this respect, the proposal accords with these policies in principle.

### **Heritage:**

It is considered that the application falls within the setting of the Grade II listed building which can be described as the curtilage to a working village pub set within a wider rural backdrop. The pub/listed building has a large setting which can be divided into 2 sections defined by dwarf walls and change in landscape character. The immediate setting consists of the curtilage of the building, the surfaced car parking, service buildings and public outdoor seating giving a high degree of activity and development. The wider setting includes the undeveloped tranquil grassed rural paddock.

It is considered that the paving of the former grassed beer garden area is minor in nature and supports the existing use of the public house. It uses high quality materials which preserve the setting of the listed building and conservation area and formalises an existing service use that is commensurate with the use of the property as a pub.

Additionally, the application proposes a single storey timber outdoor kitchen located to the rear of the pub adjacent to the existing car park within the recently constructed paved terrace area. The proposed structure is located c. 20m from the rear of the listed building to the north eastern corner of the developed area and c. 20m outside the drawn Development Limit line. It is proposed to be sited c. 6m from the northern boundary set within a backdrop of trees. A grassed paddock within the same ownership is located beyond this to the east. Although strictly speaking the proposed location of the kitchen is outside Development Limits on the ground, the application site can be understood to be within the service curtilage of the pub due to the presence of existing walls and features on the ground to include surfaced car parking. The timber kitchen is designed in a rustic idiom with a deep overhanging timber shingle roof. The maximum measurements of the structure therefore are: c. 5.8m x c.4m with a ridge height of c. 3.9m. Due to the larger roof design of the structure, the internal floor area is smaller measuring c.11.9m<sup>2</sup>.

It is considered that the proposed outdoor kitchen is of a scale, design and material that responds to its semi-rural setting within a large village pub service curtilage. The proposed use of the structure is commensurate with the property as a pub with letting rooms. It is considered that the kitchen will preserve the setting of the listed building. The proposed kitchen is not readily visible from public vantage points within the conservation area. For the same reasons given above, it is considered that the proposed kitchen will preserve the conservation area. The proposal is considered to be in accordance with Policy SP 12 of the Local Plan Strategy.

### **Neighbouring Amenity:**

The location of the proposed kitchen is set c. 6m from the nearest neighbouring boundary to the north which gives onto a garden. An approved residential annex is located c. 20m to the north of the proposed kitchen. The boundary to the north is visually well contained with a traditionally constructed timber fence.

It is considered that the occupiers of the neighbouring property will be aware of activity associated with the proposed kitchen. However, the established use of the site is a pub and the area has been an outdoor beer garden in the past and is space in which, for example, barbeques could take place without the need for planning permission. Against this context, the proposal is unlikely to result in a level of activity which is significantly different to that which could occur at the premises.

Environmental Health have commented on the previous and the revised application and have raised no objections. They state *'Following an unannounced combined site visit and Food Hygiene Inspection of the Fox & Hounds on 05/04/2022. Environmental Health would like to make the following comments on the application 22/00175/FUL which involves the erection of an outside kitchen. The application was discussed with the applicant both in terms of food hygiene and any potential issues that may arise and how they could be prevented. The outdoor kitchen would be constructed to a similar high specification as the recently refurbished kitchen and would professionally installed by a commercial kitchen fitting business. The proposed outdoor kitchen would be situated in the existing garden/dining area towards the rear close to the paddock adjacent to the carpark where existing outdoor dining seating for around 40 customers is present with no intention to increase the volume of dining seating outside nor have sales of alcohol from the outdoor kitchen. The Outdoor kitchen would be fully enclosed and therefore this would make the kitchen pest-proof. From a food hygiene perspective, there must be a hot and cold water supplying a washbasin for staff to wash their hands hygienically in the outdoor kitchen and therefore adequate drainage would be necessary, this would be mains drainage the applicant stated. The applicant expressed that the outdoor kitchen would be primarily used as a grill with the applicant indicating that adequate and sufficient extraction, ventilation and odour management would be installed to negate any potential nuisance. It is on this basis that Environmental Health do not object to the application.'*

The applicant has confirmed that the grill will operate using bottled gas. A combination of natural ventilation and mechanical extraction will be utilised. The proposed facility will include refrigerated drawers operated by means of an electricity supply. There will be no external compressor/ compressor noise associated with refrigeration.

It is considered that for the reasons outlined above and with appropriate conditions relating to hours of operation, for example, the proposal would not result in an unacceptable impact on the residential amenities of the occupiers of neighbouring properties and in this respect is acceptable in terms of Policy SP20 of the Local Plan Strategy.

**Summary:**

The application site falls outside Development Limits. On the ground however the proposed location is within the operational area of the pub and sensitively relates to features on the ground. It is considered to preserve the setting of the listed building and conservation area. It is conveniently located in relation to seating and would not reduce car parking. It would support an established rural business and contribute to the rural economy. Given the existing operational use of the land as a pub garden and with appropriate conditions, it is not considered that there would be an additional adverse harmful impact on the amenity of the occupants of neighbouring land. Environmental Health have not objected to the application. With these considerations in mind, the application is considered to fulfil the aims of the NPPF and relevant policies of the Local Plan.

**RECOMMENDATION:**

**Approval subject to the following conditions:**

**PROPOSED CONDITIONS TO FOLLOW IN THE LATE PAGES**