

SIDMOUTH SIDFORD
(Sidmouth)

08/0860/FUL

Target Date: 26 May 2008

Applicant: Mr M Chapman

Location: Blue Ball Inn, Stevens Cross, Trow Hill, Sidford

Proposal: Retention and re-siting of freestanding timber framed pergola

TOWN/PARISH COUNCIL

Approve retention but not re-siting. The Town Council cannot understand why the pergola needs re-siting and would not wish it to be moved closer than 3 metres to the neighbouring property as the noise which emanates may create a loss of amenity. Can this not remain in its present position but removed from the plinth to lower the height and therefore the unacceptable visibility?

WARD MEMBER(S)

No comments received at the time of preparing the report.

REPRESENTATIONS

1 letter has been received from 28 Harcombe Fields stating no objection to the re-siting as long as it is not near or up against the boundary fence of this property as this could encourage noise and loud voices.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
06/1858/FUL	Re-building of public house, including extension for conference room.	Approved	24.08.2006

PLANNING POLICIES

Devon County Structure Plan (2001-2016)

Policy CO6 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy D1 – Design and Local Distinctiveness

Policy S2 – Built-up Area Boundaries for Area Centres and Local Centres

Policy S4 – Development Within Built-up Area Boundaries

SITE LOCATION AND DESCRIPTION

The property comprises the newly re-built Blue Ball Inn located adjacent to the A3052 just to the east of Sidford. The pub was previously listed, but burnt down and has been re-built to closely reflect the previous pub.

PROPOSED DEVELOPMENT

Full planning permission is sought to retain and re-site an existing timber pergola structure used as a smoking shelter. The existing shelter is located close to the road frontage of the public house and is situated on a timber plinth. The pergola structure is constructed in timber with open sides, some of which are infilled with trellis work and simple glazed weather screens. The roof is pitched and clad in hexagonal shaped felt tiles.

The proposal is to re-site the pergola a short distance towards the side of the public house building and remove the timber plinth.

CONSIDERATIONS AND ASSESSMENT

Background

The planning permission for the re-building of the public house provided for a smoking canopy close to the rear of the building on the east part of the site. This approved smoking canopy was to be joined to the building and accessed via a door indicated as "Old Kitchen No. 2". This smoking canopy has not been constructed and the door would appear to be an emergency exit now and located close to dining tables which would result in conflict between diners and smokers going to and from the smoking canopy area.

It was observed by the Enforcement Officer that a pergola smoking shelter had been erected close to the front of the pub and adjacent to an area used for outdoor seating. The pergola requires planning permission and the owners of the site chose to consult with planning officers as to whether the structure would be likely to receive planning permission. It was considered by the planning officer that the current position would be excessively prominent, exacerbated by its location on a timber plinth. A new position was suggested closer to the side of the public house, but still located close to the outdoor seating area and removed from the timber plinth, which increases its height. On this basis, a planning application was submitted to retain and re-site the pergola structure, however, the matter is being referred to the Development Control Committee as the Town Council consider that the pergola should not be re-sited.

PLANNING ASSESSMENT

The previous public house was a listed building which, since it was destroyed by fire, has been removed from the list. However, the new building closely resembles the previous and is of a high quality which enhances the appearance of the area. The advantage of a new build is the ability to incorporate all the modern requirements of the public house at the design stage and therefore avoid unnecessary additions and clutter which can affect the general appearance of the building. It is unfortunate that the approved smoking canopy has not been constructed, however, the current planning application still needs to be considered on its own merits. The current position is near the front of the site and is prominent to view. It is considered therefore that the re-siting to a less prominent position is essential and the current position was carefully chosen to reduce its prominence, but also to respect the amenity of surrounding residents and still relate to the outdoor seating area. The proposed position was carefully chosen as the optimum position and is located 6.4 metres away from the boundary of the nearest residential property located to the west of the site. The one letter of representation received relates to a house at the rear of the site and well away from the proposed siting.

CONCLUSIONS

The current position of the pergola is excessively prominent and out of keeping with the setting of the Blue Ball Inn. Its re-siting, together with the removal of the timber plinth, has been carefully negotiated to reduce its prominence whilst protecting the amenity of adjoining residents. It should be noted that in terms of noise the re-siting of the pergola is still adjacent to an outdoor seating area where people will congregate whether the pergola is re-sited or not.

RECOMMENDATION

APPROVE subject to the following condition:

1. Within 2 months from the date of this decision, the pergola shall be re-sited to the position shown on the approved drawing no. 240, received on 31 March 2008. The pergola shall not be sited on a timber plinth.
Reason – To ensure that the pergola is re-sited within a reasonable time period to protect the visual amenity of the site.

Reasons for Approval

The proposal complies with the Devon Structure Plan 2001 – 2016 Policy CO6 (Quality of New Development).

The proposal complies with the adopted East Devon Local Plan 1995 – 2011 Policies S2 (Built-up Area Boundaries for Area Centres and Local Centres) and S4 (Development Within Built-up Area Boundaries).

The proposal does not affect the privacy or amenity of neighbouring properties.

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

List of Background Papers

Application file, consultations and policy documents referred to in the report.