

SIDMOUTH TOWN  
(Sidmouth)

08/1408/LBC  
08/1629/FUL

Target Date: 18 July 2008  
Target Date: 08 August 2008

Applicant: East Devon District Council  
Location: Connaught Gardens, Peak Hill Road, Sidmouth  
Proposal: Remove 1.8m high flint stone wall and excavate new strip footing, rebuild to match existing[/original] remove and rebuild brick pier at end of stone wall

## **CONSULTATIONS**

### **TOWN COUNCIL**

Approve

### **ENGLISH HERITAGE**

Observations awaited

### **CONSERVATION**

Observations awaited

### **WARD MEMBER(S)**

No comments received.

## **PLANNING POLICIES**

### **Government Guidance**

PPG 15 – Planning and The Historic Environment

### **Devon County Structure Plan (2001-2016)**

Policy CO3 - Areas of Outstanding Natural Beauty

Policy CO6 - Quality of New Development

Policy CO7 – Historic Settlements and Buildings

### **East Devon Local Plan (1995-2011)**

Policy D1 – Design and Local Distinctiveness

Policy EN9 – Buildings of Special Architectural or Historic Interest

Policy S4 - Development Within Built-up Area Boundaries

Policy EN1 - Developments Affecting Areas of Outstanding Natural Beauty

Policy EN5 - Protection of Local Nature Reserves, County Wildlife Sites and County Geological Sites

Policy EN13 - Development Affecting Parks and Gardens of Special Historic Interest

Policy RE2 - Open Space, Sports Facilities and Parks

## **SITE LOCATION AND DESCRIPTION**

The Connaught Gardens are a renowned feature of Sidmouth's attractiveness as a place to live or visit. They lie secluded between Peak Hill Road and the cliff top walk which overlooks the sea. The Gardens' various walls, pergolas and other features are vital components in the character, enclosure, sheltered nature and attractiveness of the gardens. The walls are Grade II listed.

A length of flint wall which separates the cliff walk from the gardens themselves has developed such a lean as to be dangerous. The cobbled superstructure of the wall has already fallen or been taken down, and the lower wall has been shored from the south or seaward side.

## **PROPOSED DEVELOPMENT**

The plan is to take down the existing 1.8m high flint stone wall, with materials removed for reuse. Excavation of the new footings would be followed by reinforced concrete foundations from which a slender reinforced concrete 'spine' wall would rise. The outer faces of the wall would then be rebuilt with flint, for the lower part, and beach cobbles for the upper part, including castellations.

The works would include rebuilding a damaged brick pier which terminates this stretch of wall and is also the end pier of the pergola.

The finished job is intended to match the existing appearance throughout.

## **CONSIDERATIONS AND ASSESSMENT**

These works require consideration by the committee because EDDC is the applicant.

### **Background**

There has been prior consultation with the conservation Officer by the applicants and their structural engineering consultant.

### **Highway Issues**

None (apart from working movements needed during the works).

### **Impact on Listed Buildings and Conservation Area**

The aim of the finished job is to achieve a stable and enduring wall with a finished appearance virtually identical to the existing – but perpendicular!

## **CONCLUSIONS**

The proposed re-building (and incidental works) are thoroughly presented and are appropriate works. The application is therefore recommended for approval.

## **RECOMMENDATION**

APPROVE 08/1408/LBC subject to the following conditions:

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.  
(Reason – To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and compulsory Purchase Act 2004.)

2. If there is a shortfall in salvaged materials then these must be made up with stones or bricks to match existing, with sample(s) to be submitted to the Local Planning Authority for its written approval.  
(Reason – To ensure that the materials are sympathetic to the character and appearance of the wall.)
3. Prior to the commencement of development, a 3 – 5 square metre sample panel of stone walling to be used shall be constructed on site for inspection by an officer of the Local Planning Authority. Any such sample provided shall be agreed in writing with the Authority and any variations as to coursing, pointing and the type of stone to be used.  
(Reason – In the interests of the appearance and character of the area/Listed Building.)

APPROVE 08/1629/FUL subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.  
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
3. If there is a shortfall in salvaged materials then these must be made up with stones or bricks to match existing, with sample(s) to be submitted to the Local Planning Authority for its written approval.  
(Reason – To ensure that the materials are sympathetic to the character and appearance of the wall.)
3. Prior to the commencement of development, a 3 – 5 square metre sample panel of stone walling to be used shall be constructed on site for inspection by an officer of the Local Planning Authority. Any such sample provided shall be agreed in writing with the Authority and any variations as to coursing, pointing and the type of stone to be used.  
(Reason – In the interests of the appearance and character of the area/Listed Building.)

#### Reasons for approval 08/1408/LBC

The proposal complies with the Devon Structure Plan 2001 – 2016 Policy CO7 (Historic Settlements and Buildings).

The proposal complies with the adopted East Devon Local Plan 1995 – 2011 Policy EN9 (Extension, Alteration or Change of use of Buildings of Special Architectural and Historic Interest)

The proposal does not harm the character or appearance of the listed building.

#### Reasons for approval 08/1629/FUL

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO3 (Areas of Outstanding Natural Beauty), CO6 (Quality of New Development) and CO7 (Historic Settlements and Buildings).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S4 (Development Within Built-up Area Boundaries), EN1 (Developments Affecting Areas of Outstanding Natural Beauty), EN5 (Protection of Local Nature Reserves, County Wildlife Sites and County Geological Sites), EN9 (Extension, Alteration or Change of use of Buildings of Special Architectural and Historic Interest), EN13 (Development Affecting Parks and Gardens of Special Historic Interest), RE2 (Open Space, Sports Facilities and Parks) and D1 (Design and Local Distinctiveness).

The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.

The proposal does not harm the conservation objectives of an SSSI, County Wildlife Site or Local Nature Reserve.

The proposal does not harm the character and appearance of the listed building.

#### Approved Plans

XEDD1964 101  
XEDD1964 201

#### List of Background Papers

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