

SIDMOUTH RURAL
(Sidmouth)

07/2905/FUL

Target Date: 12.12.07

Applicant:

Mr P Cairns

Location:

Hare and Hounds Inn, Sidbury

Proposal:

Retention of marquee

CONSULTATIONS

County Highway Authority

No objection on the ground that the retention of the marquee would not result in a material increase in traffic generated by the Inn.

South West Water

Not received

Environment Agency

Not received

TOWN/PARISH COUNCIL

Refuse

WARD MEMBER(S)

The initial comments of the Ward Member (Councillor T Reed) are:-

“In the interests of simplifying the matter of the above marquee I would have no problem with a temporary permission being granted, for its retention, for a maximum period of three years.”

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

Objections

No letters have been received

Support

No letters have been received

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
07/1409/FUL	Retention of marquee	Refused	11.07.07
07/0944/MOUT	Part demolition of existing public house and erection of extensions (part single storey, part two	Withdrawn	05.06.07

storey) to create additional restaurant areas, function rooms, overnight accommodation and other ancillary facilities. Stop up the two existing accesses, create one new access point onto the B3174 and rearrange parking. Erect a detached managers dwelling.

02/P2825	Single storey kitchen extension	Approved	04.0203
01/P0535	Marquee in beer garden	Approved	03.05.01

PLANNING POLICIES

Government Guidance

PPS 1 – Delivering Sustainable Development
PPS 7 – Sustainable Development in Rural Areas

Devon Country Structure Plan (2001-2016)

Policy ST5 - Development Priority 2001 to 2016
Policy CO3 – Areas of Outstanding Natural Beauty
Policy CO6 - Quality of New Development

East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection
Policy D1 – Design and Local Distinctiveness
Policy EN1 – Development in Areas of Outstanding Natural Beauty

SITE LOCATION AND DESCRIPTION

The Hare and Hounds is a large public house located on the south west corner of the junction of the A375 Honiton to Sidmouth Road with the B3174 Ottery St Mary Road.

The property is located in the open countryside and the Area of Outstanding Natural Beauty (AONB) and consists of the main two storey pub building to the front of the site with a single storey extension to the rear and a range of ancillary single storey buildings in a rear yard area enclosed by a fence. The site has two existing accesses and car parks off both roads and there is a marquee in the pub garden which has the benefit of a seasonal permission. The remainder of the defined site is the beer garden and there is an adjoining field to the west in the same ownership.

PROPOSED DEVELOPMENT

The year round retention of the marquee for a temporary period of three years.

CONSIDERATIONS AND ASSESSMENT

Background

The existing marquee which measures approximately 12 metres by 15 metres was given permission in 2001 (01/P0535) and Condition 2 of this consent restricted the marquee as follows:

“The marquee hereby permitted shall be installed only between 1 April and 30 September in any year. After 30 September the marquee shall be removed and the land restored to its former condition.
(Reason - The structure would not be suitable as a permanent structure in this location)”

An application made earlier this year sought to remove this condition to allow the marquee to be permanently erected on site all year round to support the existing business while proposals for the provision of more permanent facilities was under consideration. However it was not considered that the unlimited retention of this inappropriate and visually intrusive structure in an open countryside location within a designated AONB was appropriate particularly in the winter months and the application was refused.

The current application again seeks to remove this condition but now proposes a temporary consent of three years to allow for expanded facilities to be developed. There are no issues of highway or residential impact and so the only matter for consideration is whether this is an appropriate form of development and whether it is justified in the particular circumstances.

Members should be aware that, at the time of writing the report, the formal consultation period had not ended but it will have ended by the time of the Committee meeting (the consultation periods ends on 29 November 2007) and any further representations or consultation responses received will be verbally communicated to Members at the meeting.

Appropriateness and Justification

The supporting statement submitted with the application refers to the growth of the pub business over the last 18 years, particularly in food sales, and that the year round need for additional space has led to the marquee being left in place beyond the period allowed by the 2001 permission. The supporting statement refers to the applicant's wish to expand the business by providing permanent facilities and that the marquee is only intended to be retained until these facilities are provided. In recognition of the previous refusal, temporary three year permission is now sought to enable the marquee to be retained all year round while more permanent facilities are brought forward.

In terms of how appropriate it is to permanently retain the marquee, this structure is by its very nature and materials only meant to be a temporary structure erected for a short time to serve a particular function or erected during the summer months to compliment a seasonal entertainment function and it is not considered that it is a suitable or appropriate structure to be permanently retained in this prominent open countryside location which is within a designated AONB. The previous approval, by limiting the erection of the marquee to the summer months, specifically recognised that this type of structure was not suitable for permanent year round retention and it is considered that this type of structure is more harmful and visually intrusive in the winter months when it will be much more incongruous and out of character feature.

Against this however it must also be recognised that the Hare and Hounds is a very popular business which has grown substantially and that the owner has identified a need for expanded facilities. An application for expanded facilities was previously submitted but this was withdrawn following a number of strong officer concerns and while at the time of writing no further application has been submitted, the intention of the applicant to provide properly designed permanent facilities to replace the marquee is not in doubt and it is anticipated that a new planning application will be submitted shortly. Therefore it is considered reasonable to consider the retention of the marquee on a temporary basis, which will allow the existing business to continue functioning while further proposals are considered and the three year period seems a reasonable and realistic time period for expanded facilities to be brought online. Although it is considered that this structure is not an appropriate form of development in this location the need to support the existing business while a better solution is delivered does provide a justification for

a temporary permission and balances the environmental and economic aims of relevant AONB policies.

Approval is therefore recommended with a condition requiring the removal of marquee within three years of the date of the permission or the first coming into use of any expanded pub facilities. If at the end of the three years proposals for the expansion of the pub have not moved forward then it would not be considered appropriate to extend permission to retain the marquee.

CONCLUSIONS

Although it is not considered that the marquee is the type of structure which is suitable for permanent unlimited retention in this type of location the future plans of the business and existing function justify a temporary three permission to enable more appropriate and permanent facilities to be brought forward.

RECOMMENDATION

APPROVE subject to the following condition:

1. The marquee hereby permitted shall be removed and the site restored to its former condition within three years of the date of this permission or on the first coming into use of any expanded facilities, which ever is the earliest.
(Reason – The marquee is not considered to be an appropriate form of development in this location but is justified for a temporary period to allow proposals for expanded properly built pub facilities to be brought forward.)

Reasons for approval

1. The retention of the marquee for a temporary period is justified to allow proposals for expanded properly built pub facilities to be brought forward.

Note to Applicant

The Committee would not be in favour of any further extension of this permission and would expect to see an application for the re-development of the site.

Approved plans

Site Location and Layout Plan

List of Background Papers

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