Expires 20/8/07

Development Control – Committee Report

Application Number: ADC/0046/07 **Recommendation - Application Permitted**

Site: **Swiss Cottage Old Shoreham Road Shoreham-by-Sea West Sussex**

Proposal: **2 replacement fixed 'jumbrellas' and repositioning of one existing 'jumbrella'; replacement children's playground and new paved areas**

The Application

The site contains The Swiss Cottage Public House which is a rendered and bricked building with a gabled roof. The public house is located on a large site (0.47ha) which also includes a large garden area and the West Lake. Access to the public house is from the eastern side of Old Shoreham Road.

The application proposes to install two 'jumbrellas' each measuring 3250mm in height, 4m in width and 4m in length. The jumbrellas are to be located over the paved seating area on the northern side of the pub and will replace an existing 6m x 4m jumbrella currently located in this area. The existing jumbrella will be relocated to the north eastern end of the site to provide additional cover at the rear end of the garden.

The application also proposes to extend the paved area and provide additional pathways to the children's play area which is also to be upgraded with a new soft pour surface.

It is understood that the application is to create more fixed covered areas to provide for smokers once the smoking ban is in place later this year.

Consultations and Representations

Consultations/Comments
The Environmental Health Officer has no objection to the proposal.

Third Parties
Three third party letters have been received, one in support of the proposed application and two with objections against the proposed application.

The two letters of objection raise the following issues: the jumbrella located to the far east of the site will increase the noise that travels to the Homehaven Court units directly to the east of the site; the jumbrellas will encourage further use of the area late into the evenings; the jumbrella will be located so far to the north east of the pub that the area can not easily be supervised; potential

for light pollution if the area is lighted; noise of the jumbrella flapping in the wind when in the closed position.

The letter in support of the application notes that the proposal will add to the existing family environment that is provided at the public house.

Relevant Planning Policies and Guidance

Adur District Local Plan: AG1, AB31
West Sussex Structure Plan: DEV1, LOC1

Planning Assessment

The key planning considerations of this application are the effect of the proposed jumbrellas on the character of the public house and the local area and if there will be any detrimental impact on surrounding residential amenity.

The two 4m x 4m jumbrellas will replace the larger 6m x 4m jumbrella already located over the paved seating area to the north west of the public house. From Old Shoreham Road the replacement jumbrellas will appear very similar to the existing jumbrella and would not have any significant impact on the character of the public house or the character of the local area.

The jumbrella to be located to the east will be surrounded by a large area of garden and the West Lake and therefore will not have a significant visual impact on the site. The alterations to the play area and additional pathways will improve the general character of the public house by in effect tidying the existing play area and reducing the amount of trodden grassed area.

There are residential flats to the north (Aston House) and to the east of the site with Homehaven Court and Buckingham Street units. The two letters of objection are from residents within Homehaven Court. One of the concerns raised was that the relocation of the jumbrella would increase the noise levels travelling to Homehaven Court. The public house is separated from the Homehaven residential development by a large garden and lake area. Given the distance to the jumbrella on the far east of the site, it is more likely that patrons will utilise the existing seated area in close vicinity to the public house and the majority of activity and noise will remain near the public house. Taking into account the relatively large distance that separates the development site from the adjacent residential development and the distance to the jumbrella at the far east of the site, the relocation of the jumbrella is not considered to cause such a detrimental impact to adjacent residential amenity as to warrant refusal.

It is also noted, that the use of the licensed areas of the public house, including the area to the far east of the site, is an issue for management. In any case if future noise from the site causes a disturbance, the issue could be regulated under The Environmental Protection Act 1990.

Recommendation

APPROVE for reason that:-

The proposals would not detract from the character of the public house or the local area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. They ~~proposal would~~ consequently not conflict with the relevant policies of the Adur District Local Plan (AG1) and the adopted West Sussex Structure Plan 2001-2016 (LOC1, DEV1).

Conditions

1. C1Ci

Case Officer:..... 13/3

Date: 14/3/07

Head of Planning and Community Division: Peter Davies

Date: 15 3 07

Chairman of Planning and Regulatory Committee: M. J. Mills

Date: 20/03/07