# Development Management - Delegated Officer Report

**Application Number: AWDM/2201/21 Recommendation – APPROVE**

**Site: Swiss Cottage, Old Shoreham Road, Shoreham-By-Sea**

**Proposal: Erection of pergola with lighting and 3no. booth huts plus associated garden works**

**Date of site visit: 8th February 2022**

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

The site contains The Swiss Cottage Public House which is a rendered tile hung and brick building with a gabled roof The public house is located on a large site (0.47ha) which also includes a large garden area to the rear with a lake and car park to the north side.

The garden area consists of paraphernalia associated with such a public house garden. There is low level fencing, lighting, seating, decked area and children's play equipment.

Consent is sought for the erection of a pergola with open sides and roof constructed from wood covered with transparent polycarbonate sheeting with heating and lighting provided. The pergola is 8.5 metres x 12 metres and 3 metres high. It will be built over an existing decked area to the rear of the main public house building.

Also proposed are external booth dining areas to the north/side of the building within the existing pub garden. There are 3 shed buildings proposed with fixed seating and heating and lighting in each. Both the proposals are to provide comfortable/covered outside seating options for customers. Other ancillary work is shown on the plans to include new faux plants to the north side of the flat roof to hide the existing roof plant. Some replacement fencing with wall and railings to match existing on the northern boundary. Picket fencing and gates within the garden areas, balustrades to edge of decking and decking repairs with some lighting.

**Consultations**

**Adur and Worthing Councils: Environmental Health: -** The hours of use are to be restricted to that of 10:00-23:20 and no outdoor speakers to be installed in order to prevent a loss of residential amenity.

The pergola is to be open at least 50% in order to be in accordance with the Health Act: The Smoke-Free Regulation 2006.

**Representations**

None received

**Relevant Planning Policies**

Adur Local Plan 2017 Policy 15
National Planning Policy Framework (July 2021)

**Planning Assessment**

**Principle**

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

**Visual and Residential amenity**

The public house exists and functions with a large rear garden area which is as existing well equipped with ample seating space for customers. The additional areas to be provided are covered. Therefore structures will be provided to accommodate these new seating areas which will be lit and heated. It is not considered that the structures provided will be harmful to the character and appearance of the locality. The pergola will be to the rear of the building covering an existing decked seating area. The proposed booths, although to the side of the building, are small wooden shed structures. The structures and their use will be in combination with the existing public house and garden area and associated use and garden furniture, boundary treatment etc. Within this context the structures and their use are not harmful in terms of visual amenity; they are sympathetic to the existing commercial garden environment.

The site is within a residential area with flats and houses surrounding the side on all sides. Due to the scale of the site no residential properties will be directly affected by the proposals in terms of impact of the structures or their use. The overall use of the site will not be changed. A condition is attached to ensure that the use of the garden, including the pergola and booths is not outside the hours of 10:00 - 23:20 to include lighting to limit any disturbance to local residents. Also no external speakers permitted.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. The pergola and booths hereby permitted shall not be used or lit other than between the hours of 10:00 and 23:20 on any day.

Reason: - To protect the residential amenities of the occupiers of the adjacent properties and to accord with Policies 15 and 34 of the Adur Local Plan.

4.No outside speakers shall be installed or used at any time at the premises without prior written consent from the Local Planning Authority.

Reason: - To protect the residential amenities of the occupiers of the adjacent properties and to accord with Policies 15 and 34 of the Adur Local Plan.

**Is recommendation contrary to letter(s) of representation? N**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Hannah Barker Date: 1st March 2022

Authorised by: Peter Barnett Date: 1 March 2022