Development Management - Delegated Officer Report

Application Number: AWDM/100/22 Recommendation – Approve

Site: The Bridge Inn, 87 High Street, Shoreham-by-sea

Proposal: Retrospective consent for retention of stretch tents in outside seating area to the rear. Tents 1 and 2 for seasonal use only between October and March. Additional fixed seating

Date of site visit: 28 April 2022

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The Bridge Inn is located adjacent to the river at the west end of the High Street. Retrospective permission is sought to retain three stretch tents that have been installed in the rear garden in response to the COVID pandemic.

Tent 1 is a larger tent east of the slipway which runs through the middle of the pub garden, Tent 2 is a small tent covering the upper terrace closest to the pub and Tent 3 is a large tent west of the slipway which has a screen of wood and clear plastic installed around it. This was apparently installed to prevent seagulls from getting under the tent.

The application seeks the retention of the western Tent 3 on a permanent basis (along with the screening) and the seasonal use of Tents 1 and 2 (with them being in place between October and March and removed during the summer months).

Relevant Planning History

AWDM/1599/18 - Proposed new pergola in beer garden to South West of site to provide covered outdoor seating, new covered seating in South East corner of site. Removal of roof lantern from roof terrace on buildings western elevation. Removal of existing windows on South elevations and in filling with port-hole style windows with associated alterations - approved June 2019, but it has not been implemented

Consultations

West Sussex County Council: The Highways Authority has no objection

Adur and Worthing Councils: The **Environmental Health** Officer has no objection

Design and Conservation Architect: In the important view of Shoreham approaching over the Norfolk Bridge, their scale, colouring and associated impact on this part of the CA is relatively low, and this together with the temporary nature of two of the tent structures, does not unduly concern me in heritage terms. It is important to control materials and colour of the tensile structures.

ADCAG: Approve

Representations

Two letters of objection received from the occupiers of The Toll House:

- Tent is above the joining wall and we can clearly see it blocking our view. Their argument about seagulls is not valid, more than half the outside area is now not covered and there are still seagulls around, not to mention the tented area has access to 1 side.
- The covered area was to allow the inn to become a live entertainment venue, which they did until they were proved by the council to be a statutory noise nuisance earlier this year.
- The tents themselves were put in place last year (October) not Jan 2022 as mentioned in the application.
- What control is there that this construction is not a fire risk, they have a number of heaters in the area during the colder periods? With the trees any fire could quickly spread to our property.
- Given that the site is in a conservation area next to the Listed Toll House and the Norfolk Bridge, it is a shame to have a permanent unattractive circus tent

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 17
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 amenity and impact on Conservation Area

The pub garden is at the rear but is visible from the Norfolk Bridge and from across the river. The tents are therefore visible but their visual impact is not considered to be harmful. Only one tent is currently on the site and the other tents will be erected between October and March. They are a light colour and are not particularly prominent. Their height varies depending on where the tent poles are situated and they are seen with the backdrop of the pub and other buildings behind.

The adjoining building to the west, The Toll House, is a Grade II listed building and the permanent tent to the west side of the slipway does abut their boundary wall. However, the Council's Design and Conservation Architect is satisfied that the tents do not have a harmful impact on the setting of the listed building or the Conservation Area.

Residential amenity

The tents themselves do not harm residential amenities of neighbouring occupiers. While the tops of the tents may be visible above the boundary wall, they are not considered to adversely affect light or outlook. Complaints have been made previously about noise from the venue, specifically live music being played outside but this has been resolved by Environmental Health and music is now restricted to indoors only.

The tents provide shelter for customers using the beer garden and it is the customers who will make noise but this could occur whether the tents are on the site or not. It is acknowledged that there is likely to be increased use of the garden as it will be possible to sit outside in inclement weather, but in such cases neighbouring windows are likely to be shut.

The proposal is considered to be acceptable in residential amenity terms.

Other Issues

The issue of fire risk has been raised by the objectors and this matter was put to the applicants. Their response was:

> *When looking into the type of heaters that would be suitable for the tent we took many avenues of advice and research and found the pyramid heaters the most effective and compliant way to heat the area.*
>
> *These heaters are placed near the open side of the tent to ensure they are well ventilated and for the most efficient heat distribution.*
>
> *We use pyramid heaters as they have a protected flame, capped top which is over the recommended 0.6m from the top of the tent (which is fire retardant). They also have a break circuit if knocked or rocked. One heater is 1.2m from the roof of the tent, the second is 1.5m away.*

The Council's Fire Safety Advisor has commented that in theory this appears to be satisfactory but it will be down to the pub owners to record all of this in their fire risk assessment which is their responsibility to complete under the Regulatory Reform Fire Safety Order 2005 and for them to review all these measures on a periodic basis.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans

2. Tents T1 and T2 as shown on the approved Site Plan drawing no. A106 shall only be erected on site between 1st October and 31st March and shall be removed from the site at all other times.
3. The colour and material of the tents shall only be as shown within the Planning and Heritage Statement (Rev 2) dated April 2022

Is recommendation contrary to letter(s) of representation? Y

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: Peter Barnett Date: 30 May 2022

Authorised by: Gary Peck Date: 30 May 2022