Application Number: ADC/0494/07 Recommendation – APPROVE

Site: The Amsterdam, 465-471 Upper Shoreham Road Shoreham-by-Sea BN43 5WQ

Proposal: Proposed summerhouse to rear and disabled access

The Application

The application relates to the Amsterdam Public House, a Grade II listed property being used as a public house and restaurant, on the junction between Upper Shoreham Road and Old Shoreham Road (A283).

The proposal is to erect a 'summerhouse' in the rear courtyard of the public house upon a new resin-bonded shingle and decked area. The 'summerhouse' would be a cast aluminium gazebo-style shelter, with a domed roof 3.7m wide and 3.5m high (although an alternative design is also shown).

Other alterations are proposed to the rear courtyard including new disabled ramps to entry points on the south side of the courtyard with a trellis and small dwarf wall. A proposed canopy (adjoining the A283) included in this application as originally submitted has been deleted and is now subject to separate applications (see ADC/0550 & 0551/07 also on this agenda).

To the east of the public house is a terrace of four cottages, No's 459–465 Upper Shoreham Road. They are set back behind the car parking area to the east of the public house and have narrow long front gardens 15m in length and rear gardens 8m in length. No.465, the westernmost of the cottages, is in the same ownership as the public house and, although still used as a private residence, its front garden has had a function room for the public house built on it. The cottage is now accessed from the rear car park of the public house.

The premises have been extended and modified greatly over the years. Most recently, permission was granted for a single-storey extension to the restaurant on the south (west side) of an existing extension but it has not yet been implemented (ADC/42/06).

Consultations and Representations

Director of Services: The Environmental Health Officer has no overall objection, commenting that the courtyard area is generally enclosed and orientated away from noise-sensitive premises. Since the areas would be used more intensively following the smoking ban inside the building, he suggests that a temporary permission to assess the impact of the new outdoor drinking area may be appropriate. The License requires the premises to cease the sale of alcohol at 12.30am Mon-Sat and at 11pm on Sundays.

Adur District Conservation Advisory Group: No objection.

Third Parties: The owner of Owl & Dove Cottages (No's 461/463 Upper Shoreham Road) has sent a combined letter relating to all four applications (ADC/494/07, ADC/495/07, ADC550/07 and ADC/551/07).
He states that they do not object per se to the canopy to the front or to the summerhouse to the rear but that they do object to the piecemeal incremental alterations.
His main concern relates to the extension of the car parking area at the rear which would encroach into the existing garden of No.465. They feel that the residential use of No.465 acts as a buffer between the properties. There are some noise nuisance and anti-social incidents at the front of the public house and they are generally very tolerant of noise at the front of their property but they would be concerned if noise and disturbance were also to occur at the rear which they fear would be the case if the car park area were extended.
He requests that Committee members make a site visit to consider the impact on the Listed Building and the Conservation Area.
[NB. the resident of 461/463 Upper Shoreham Road has requested to speak at the Committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005) (saved until adoption of the new South East Plan): LOC1, NE12, ERA1, CH1, CH4-5, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AB3-4, AB7, AB9, AB11
PPG13 'Transport' (DTLR 2001)
PPG15 'Planning and the Historic Environment' (DoE 1994) and Circulars 01/01 and 09/05.
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas and having special regard to the desirability of preserving listed buildings, their settings and features of special architectural or historic interest which they possess. This reflected in the above policies.
Local Plan policies AB3-4 require that the level of traffic flow or other activity do not have an adverse effect to the character of the Conservation Area, and that the design and construction materials are of a high standard. AB7 states that permission will only be granted where the character of the Listed Building would not be adversely affected and AB11 requires that design and materials do not adversely affect its setting.

The site is not identified for any particular use or development in the Local Plan. The existing neighbouring uses to the east and south are residential but

there is another public house to the north. There is no policy which relates specifically to the development of public houses (Use Class A4 'drinking establishments).

Listed Building and Conservation Area

The most significant structure proposed is gazebo-style open-sided shelter ('summerhouse') in the rear courtyard area. It would be surrounded by modern extensions with access gained from the rear car park area and via doors into the east side extension. The extensions on the west side of the existing building, being prominent from the A283, are designed to match the Listed Building in their form and materials. The proposed summerhouse would not be particularly well seen from the road. Its design and construction are of a high standard (including for the alternative design) and, although very ornate, it is considered that it would not adversely affect the listed building or Conservation Area. The formalisation of the courtyard which is not currently used would be a visual improvement to what currently exists.

Residential amenity

The location of the gazebo-style shelter (summerhouse), the introduction of doors into the west side of the function room, and the provision of external lighting and heating would result in the rear courtyard being used by clientele.

This would result in some noise generation where previously there was none but, given that the residential properties to the east are set back from this area and that a buffer exists in the form of the function room extension and the cottage at No.465, it is considered that it is unlikely to be so detrimental as to warrant refusal.

The EHO has no objection and, although he suggests a temporary permission should be considered, it is not felt to be justified in this instance. Planning permission is not required for the use of the area by the public, as it forms part of the established curtilage and is an incidental use and, although the proposed structure and alterations require permission and could be made subject to a temporary condition, it is not felt appropriate.

Recommendation

APPROVE for reason that :-

The proposal would preserve or enhance the character or appearance of the Conservation Area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the relevant policies of the Adur District Local Plan (accord with the relevant policies of the Adur District Local Plan (AG1, [redacted], AB3-4, AB7-9) and the adopted West Sussex Structure Plan (LOC1, NE12, ERA1, CH4-5, DEV1, DEV4-5)

1. C1Ci (Standard time limit)

2. C14Ai (Permission relates to amended plans received on 4 September 2007)
3. C12Ai (Schedule of materials for summerhouse, pergola and ground surfacing to be approved)

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