

6th December, 2013**Application Ref: NP/13/0375**

Application Type	Full
Grid Ref:	SN05853915
Applicant	Mr D Paish
Agent	Mr Liam Siggins
Proposal	Extension of existing patio area and erection of marquee (Retrospective)
Site Location	Golden Lion Hotel, East Street, Newport, Pembrokeshire, SA42 0SY
Case Officer	Liam Jones

Summary

This application is reported to the Development Management Committee as the officer recommendation is contrary to the recommendation of Newport Town Council.

The application has been submitted proposing the retention of a marquee erected adjacent to the Golden Lion Public House in Newport. Whilst the application submitted proposed 'retention' of the structure it has been clarified by the applicant that permission is only sought for a temporary duration between the months of April to September each year. As such the application has been considered on this basis.

Whilst there is no objection to the principle of the provision of an external seating area the marquee erected is not of a traditional design or form and its appearance is at odds with the street scene and character and appearance of the Newport Conservation Area. The development would fail to contribute to the protection and enhancement of the town's special qualities as set out in Policy 3 criterion (e) and neither conserves nor enhances the character and appearance of the Newport Conservation Area resulting in a prominent and unsympathetic addition to the site. In addition to this the siting and form of the development fails to provide suitable opportunities to introduce landscaping to help soften the visual appearance of the development when viewed from the front of the site. As such the development would fail to harmonise with, or enhance the landform and landscape character of the National Park and would neither conserve or enhance the character of the Conservation Area.

Officers have considered the potential for conditions, however, conditions would not address the concerns with the impact of the development upon the special qualities of the Conservation Area within the National Park. In terms of other material considerations raised by the applicant the economic merits of the scheme and benefit it may bring in terms of providing an additional formal seating area for customers is not considered to be sufficient to outweigh the harm to visual amenity and override planning policy to protect the special qualities of the National Park in this instance.

As a result the development is considered to be contrary to policies 1, 3, 8, 14, 15, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) and advice contained in Supplementary Planning Guidance 'Newport Conservation Area Proposals' and is recommended for refusal.

Consultee Response

Newport Town Council: No objection - All Councillors considered the design and situation of this marquee to be appropriate for the locality and that it does not present any problems of privacy or loss of amenity.

Buildings Conservation Officer: Recommend Refusal - as existing, the marquee is prominent and intrusive

Trunk Road Agency: No objection

Public Response

The application was advertised by a site notice displayed at the site on 11th September 2013 and advertised in the local press due to it falling within Newport Conservation Area. To date no letters of representation have been received.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

Circular 61/96 - Conservation Areas

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 03 - Newport Local Centre

LDP Policy 08 - Special Qualities

LDP Policy 14 - Protection of Buildings of Local Importance

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 53 - Impacts on traffic

PPW5 Chapter 03 - Making and Enforcing Planning Decisions

PPW5 Chapter 04 - Planning for Sustainability

PPW5 Chapter 06 - Conserving the Historic Environment

PPW5 Chapter 07 - Economic Development

SPG05 - Sustainable Design

SPG12 - Parking

SPG17 - Conservation Area Proposals
TAN 12 - Design
TAN 13 - Tourism

Officer's Appraisal

Background

The Authority's Planning Enforcement Team received a report of works taking place at the Golden Lion Public House in June 2013. The works related to the construction of a timber frame and patio area alongside the existing building at the site. Following this the Authority received an application for planning permission proposing the retention of an extension of the existing patio area and erection of a marquee at the property on 30th August 2013.

Constraints

- Contaminated Land
- Biodiversity Issue
- Historic Landscape
- LDP Centre: 70 pc aff housing;30 units/ha
- Recreation Character Areas
- Conservation Area

History

NP/07/521 - Golden Lion Hotel, East Street, Newport - Demolition of lean-to store and retention of a part-constructed garden room - Approved - 22 November 2007

Current Proposal

The application proposes the retention of a patio area constructed adjacent to the Golden Lion public house and a marquee erected.

Patio

The patio consists of a level surface located adjoining the west profile of the building measuring approximately 11m in width and between 5.5m and 8.5m in depth. The patio is finished in slate paving, surrounding planting bed and surrounded with 2m high green painted vertical wooden boarded fence on the north and west boundary of the site and a low level 0.8m high stained timber fence and gated access on the front south facing elevation.

Marquee

The marquee structure is constructed of 6 No. 150 x 150mm wooden posts which are bolt fixed to a concrete pad with stone foundations. The structure measures 9.6m across the site with a depth of 5m and up to a ridge height of

4.5m. The structure is finished in a cream coloured canvas roof sheet with plastic windows along the front and end elevations.

Although it was not made apparent in the initial submission the applicant has clarified that permission is sought for use of the structure during the holiday season only i.e. to be assembled in April and dismantled in September. The bespoke design enables the structure to be dismantled and removed from the site in approximately 6 hours.

Key Issues

The application raises the following planning matters:

- Visual Amenity and Special Qualities of the National Park
- Character and Appearance of Newport Conservation Area
- Neighbouring Amenity
- Highway Safety and Parking
- Other Material Considerations

Visual Amenity and Special Qualities of the National Park & Character and Appearance of Newport Conservation Area

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategic policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria 'a' and 'b' resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Criterion 'c' resists development which would introduce or intensify a use which is incompatible with its location. Finally criteria 'd' and 'e' resists development that would fail to harmonise with, or enhance the landform and landscape character of the National Park, and/or fail to incorporate important traditional features.

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion 'a'). Policy 30 of the LDP seeks to avoid development that is of an incompatible scale with its surroundings (criterion 'b') or is visually intrusive (criterion 'd').

The Golden Lion is a 19th century public house with forecourt and contains a rendered façade with timber windows. The property is located on the eastern approach into Newport positioned along A487. The property lies within the Newport Conservation Area and is identified as being a 'building of local significance'. In this respect there is a need to consider the visual appearance of the Golden Lion as a result of the new development, impact upon the street scene and impact upon wider visual amenity. Policy 14 of the LDP also identifies that development affecting buildings which make an important contribution to the character and interest of the local area will only be

permitted where the distinctive appearance, architectural integrity or their setting would not be significantly adversely affected.

The Newport and Newport Parrog Conservation Area Proposals SPG supports the policy framework and advises "It is important that new development respects the character of the Conservation Area in terms of scale, materials and detail. The sensitive redevelopment or upgrading of buildings for housing, business and other uses will result in a greater capital value for the owner which will in turn encourage inward investment and confidence in the area" (page 29). In terms of control for the area the SPG advises that the key principles are to prevent development and uses that have an unacceptable impact on the character of the Conservation Area in terms of its history, archaeology, architecture and biodiversity and to ensure that new development/ uses preserves or enhances the character or appearance of the Conservation Area.

The structure proposed for retention is a timber framed marquee fixed to the ground which accommodates an outdoor sitting area in connection with the public house. It is understood that this area has historically been used as an outdoor sitting area in connection with the public house, however, the scheme put forward formalises use of the space. The marquee is of pitched roof form and is finished in an outer canvas.

The marquee is located adjacent to the western flank of the Golden Lion with its frontage set forward from the main façade of the pub. Approaching Newport Centre from the east and leaving from the west the marquee is clearly visible infilling a large proportion of the land adjoining the public house. The marquee is a large, crude and purely functional accretion which separates the public house from its supporting land. The dominant roof profile competes visually with the public house resulting in dominant development within the Conservation Area. The appearance of the marquee and use of canvas material is clearly at odds with the traditional design approach of the Golden Lion. The development would also affect the setting of the Golden Lion which is identified as a Building of Local Importance. The applicant has stated that the marquee is only to be sited on the land between the months of April and September and can be removed within a period of 6 hours, however, the impact when it is in place for half of the year will be no less. As such the proposed temporary nature of the use to be restricted only to the summer months is not considered to be sufficient to outweigh the harm to visual amenity in the street and character and appearance of the Conservation Area. The development would therefore conflict with Policy 1, Policy 3 criterion (e), Policy 8 criteria (b) and (d), Policy 14, Policy 15 criteria (a),(b),(d) and (e), Policy 29 criteria (a) and (g) and Policy 30 (Amenity) criterion (d).

Whilst the development is not considered to be acceptable for the reasons set out above consideration has been given to potential changes to the development which could be made through imposition of suitable planning conditions. For example changing the colour of the marquee to reflect the Golden Lion and introduction of landscaping has been considered.

In relation to a change in colour whilst this could potentially change the appearance to be more respectful to the adjoining Golden Lion it would not outweigh the bulkiness of the marquee and its roof structure which is not subservient to that of the host building. As such a condition controlling colour would not overcome the harm caused by the development identified above.

In relation to potential landscaping it would be expected that a development of this nature within a Conservation Area should be suitably screened with landscaping to help mitigate the form of development. Whilst the applicant indicates a planting bed along the west boundary of the site by virtue of the position of the marquee and patio area forward of the building line and adjacent to the parking area there is no opportunity for landscaping to help mitigate views into the site from the front and the highway. As such even with the imposition of a condition there would be little opportunity to mitigate the presence of this development from views into the site. As such the development would not enhance the pattern and diversity of the landscape and would fail to harmonise with, or enhance the landform and landscape character of the National Park and fails to provide suitable opportunities for landscaping to either preserve or enhance the character of the Conservation Area. The development therefore fails to comply with Policy 8 criterion (c) and Policy 15 criteria (a), (b), (d) and (e).

In view of these concerns it is considered that the marquee fails to preserve or enhance the character and appearance of the Conservation Area and is therefore contrary to the requirements of policies 1, 2, 8, 14, 15, 29 and 30 of the Local Development Plan.

Neighbouring Amenity

Policies 29 and 30 of the Local Development Plan seek to protect community cohesion and health and to avoid incompatible development that would lead to a significant adverse impact upon amenity. The supporting text at paragraph 4.136 explains that the policy aims "to protect the amenity enjoyed in people in their residences, workspaces and recreational areas. Amenity is defined as those elements in the appearance and layout of town and countryside which makes for pleasant life rather than mere existence. Anything ugly, dirty, noisy, crowded, intrusive or uncomfortable is likely to adversely affect amenity".

Policy 30 is a criteria based policy setting out that development will not be permitted where it has an unacceptable impact on amenity particularly where, a) the development is for a use inappropriate for where people live or visit and/or; b) the development is of a scale incompatible with its surroundings; and/or; c) the development leads to an increase in traffic or noise or odour or light which has a significant adverse impact; and/or; d) the development is visually intrusive.

The marquee is positioned on land in connection with the public house and has created an area of usable patio space for dining. The former use of the land appears to have been on a low key basis with useable sitting out space

as opposed to a formal dining area. This will evidently create a more intensive use of the land which would have the potential to impact upon neighbouring occupiers. Having said this, the marquee creates the impression of a building and there is unlikely to be a considerable and detrimental level of noise created from the space. No objections have been received from neighbouring occupiers and suitable controls in terms of hours of use could be placed upon use of the structure by planning condition. As such there are no objections to raise on impact upon neighbouring occupiers.

Highway Safety and Parking

The application site adjoins the A487 Trunk Road and so consideration needs to be given to impact upon highway safety and provision of suitable parking to serve the application site. The proposals cause no impact to the existing parking arrangement with a dedicated parking area positioned directly in front of the proposed development. With regard to the existing highway network comments received from the Trunk Road Agency at Welsh Government advise of no objections or comments in relation to the application. As such it can be held that the development would comply with the aims of Policy 53 - Impacts of Traffic.

Other Material Considerations

In dealing with the application officers have raised concerns with the applicant regarding the form and appearance of the marquee structure within the Conservation Area. In response the applicant and their agent have written letters of support explaining the need for the marquee. The applicant advises;

- During the holiday season the additional business generated by the marquee enables employment of an additional local chef and during weekends up to four waiters/waitresses.
- We had fantastic feedback about the marquee from locals and tourists alike. We have had no negative feedback whatsoever.
- The marquee, is of bespoke design, hand made by a local carpenter, and represents a significant improvement over the metal poled and plastic covered marquee used in previous years. Please note also, that the marquee was erected in good faith as an improvement over the marquees erected in previous years and at no time did I realise that planning consent was required.
- The additional trade the marquee attracts for the Golden Lion, which as you will be aware is one of Pembrokeshire's best known restaurants/hotels attracting visitors from all the county during the holiday season, thus providing much needed additional footfall for the town of Newport.
- As you can appreciate Public houses are closing at a rate of 25 per week, so support in the expansion of any Public house/business must be a good thing in this harsh economic climate.

Whilst the issues raised by the applicant and his agent are of note in that the marquee supports the business throughout the summer period, which resultantly supports the local economy and Newport Centre, these are not considered to be sufficient overriding material considerations to justify approval of the marquee given its identified harm on the character and appearance of the Conservation Area. The same argument could be made to justify any number of developments within Centres which have an adverse impact upon visual amenity.

The National Park Purposes and Duty are set out in Policy 1 of the Local Development Plan in that development within the National Park must be compatible with;

- i. The conservation or enhancement of the natural beauty, wildlife and cultural heritage of the Park, and
- ii. The public understanding and enjoyment of those qualities

It is accepted that regard also needs to be given to foster the economic and social well-being of the local communities within the Park although this is on the basis that the development is also compatible with the statutory National Park purposes. These issues are underpinned by the 'Sandford Principle' which asserts that where there is irreconcilable conflict the first purposes (i.e. conservation of the National Park) shall take precedent over the second purpose (i.e. understanding and enjoyment).

In the case of this development there is a clear conflict between the aim of preserving the character and appearance of the Conservation Area against the public enjoyment of the marquee and the economic benefit it may be bringing to the area. On the basis of the sandford principle and the Local Development Plan which specifies the need to protect the special qualities of the National Park the material considerations put forward are not considered to outweigh the harm caused in this instance.

Conclusion

In summary of the above, the marquee, even though proposed for a duration of 6 months between April and September, is considered to be at odds with the street scene and has a significant adverse impact upon the character and appearance of the Newport Conservation Area. The economic merits of the scheme and benefit it may bring in terms of providing an additional formal seating area for customers is not sufficient to outweigh the harm to visual amenity and override planning policy to protect the special qualities of the National Park in this instance. As a result the development is considered to be contrary to policies 1, 3, 8, 15, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) and advice contained in Supplementary Planning Guidance 'Newport Conservation Area Proposals'.

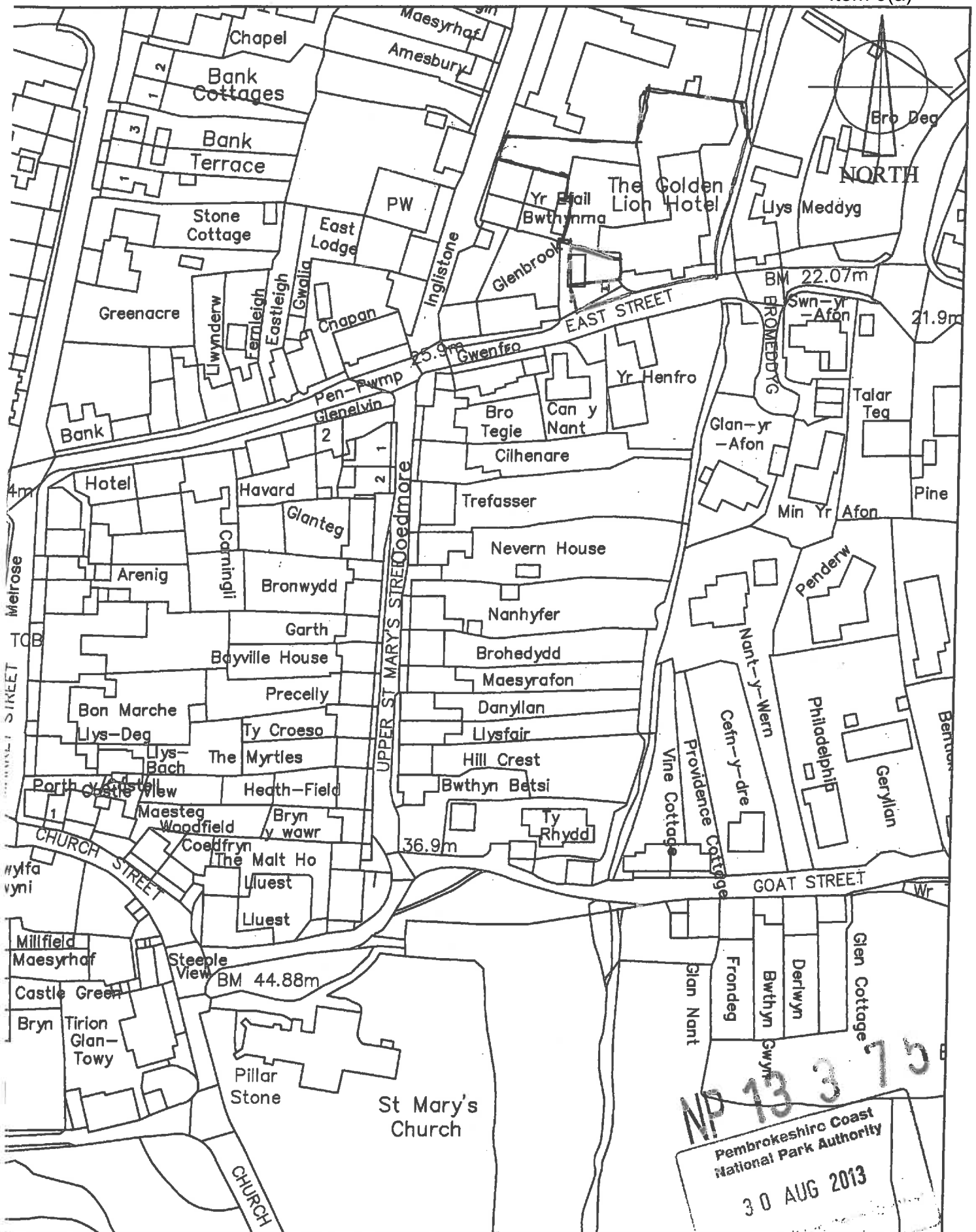
Recommendation

The application be refused for the following reasons:

Reasons:

1 The marquee by virtue of its large dominant form and untraditional appearance is considered to be at odds with the street scene within the Newport Conservation Area and has a significant adverse impact upon the character of the immediate area adjacent to the Golden Lion public house, a building of local importance, to the detriment of the qualities and special character of the National Park. It would therefore conflict with the aims of Policy 1 (National Park Purposes and Duty), Policy 3 (Newport Local Service and Tourism Centre) criterion (e), Policy 8 (Special Qualities) criteria (b) and (d), Policy 14 (Protection of Buildings of Local Importance), Policy 15 (Conservation of the Pembrokeshire Coast National Park) criteria (a),(b),(d) and (e), Policy 29 (Sustainable Design) criteria (a) and (g) and Policy 30 (Amenity) criterion (d) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010) and is contrary to advice contained in Supplementary Planning Guidance 'Newport Conservation Area Proposals'.

2. The development by virtue of its siting in close proximity to the parking area forward of the building line and its form fails to provide suitable opportunities to introduce landscaping to help soften the visual appearance of the development when viewed from the front of the site. As such the development would fail to harmonise with, or enhance the landform and landscape character of the National Park by removing opportunities for landscaping to enhance the character of the Conservation Area. The development would therefore fail to comply with Policy 8 (Special Qualities) criterion (c) and Policy 15 (Conservation of the Pembrokeshire Coast National Park) criteria (a), (b), (d) and (e) of the Pembrokeshire Coast National Park Local Development Plan (Adopted September 2010).



project.	date.	scale.
EXTENSION OF BEER GARDEN & ERECTION OF MARQUEE AT: THE GOLDEN LION, NEWPORT.	JULY 2013	1:1250
	revised.	drawing number.



NP 13 3 75

The Golden Lion.

Canvas covering.

Asphalt

Permitted for use by
Newport Park, Newport
30 AUG 2013
Permit Reference: CA/13/00000000

Item 6(a)

drawing title. ROOF PLAN OF PATIO AREA.		project. EXTENSION OF BEER GARDEN & ERECTION OF MARQUEE AT: THE GOLDEN LION, NEWPORT.		date. JULY 2013	scale. 1:100
drawing number. DP/03		drawing number. DP/03		drawing number. DP/03	

LIAM SIGGINS, BUILDING CONTRACTOR,
DESIGN & BUILD.

'ATHENRY', EGLYSWRW, CRYMYCH, PEMBROKESHIRE.
Tel: 01239897142 Mobile: 07977269337 e-mail: liam@siggins2.orangehome.co.uk

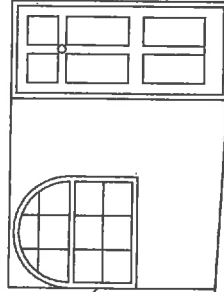
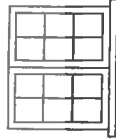
Canvas roof sheet.

150x150mm timber posts
stained medium oak colour.

Stained
vertical boarded
fence.

Stained
gate.

Concrete plinth.

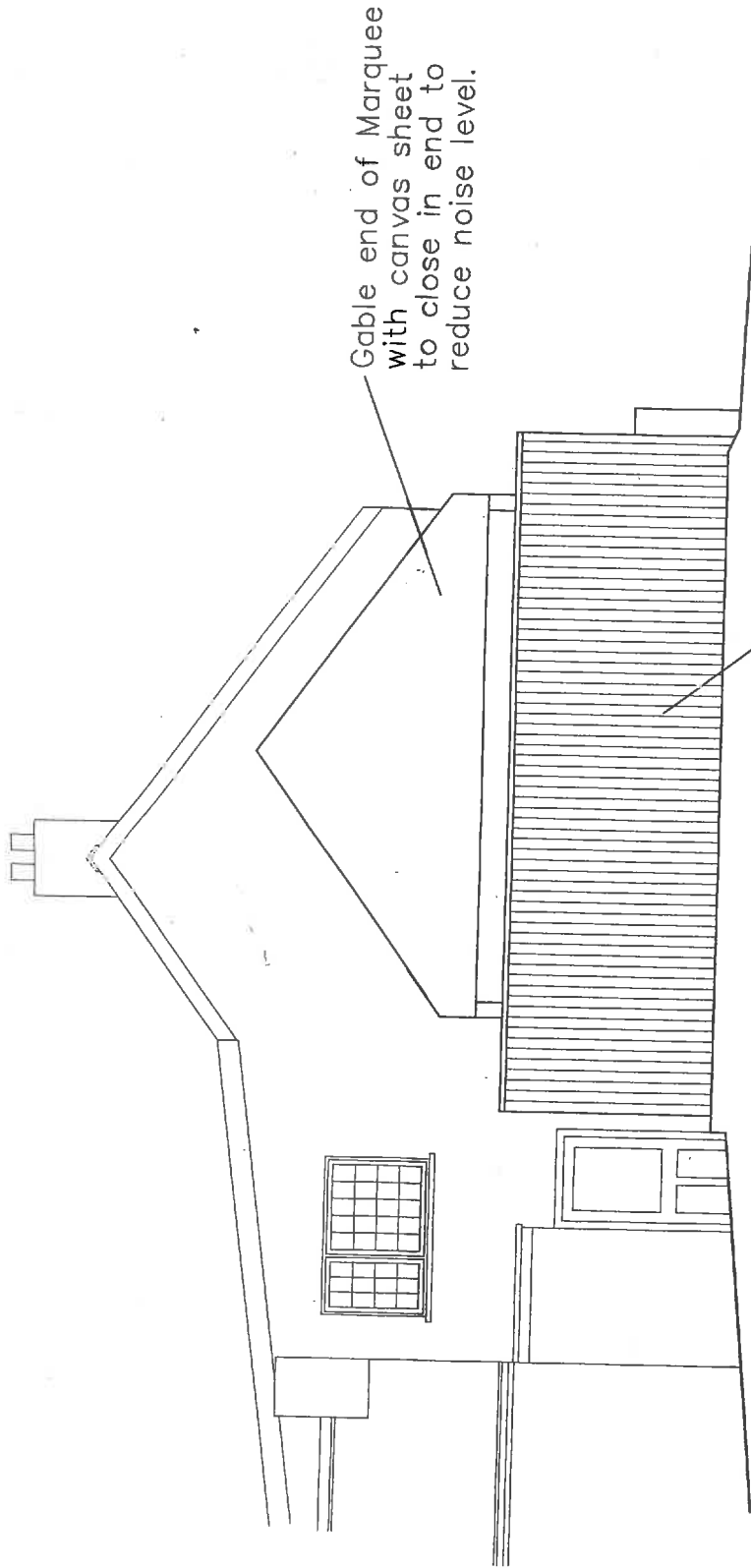


NP 13 3 75



Item 6(a)

LIAM SIGGINS, BUILDING CONTRACTOR, DESIGN & BUILD. 'ATHENRY', EGLYSWRW, CRYMYCH, PEMBROKESHIRE. Tel: 01239891142 Mobile: 07977269337 e-mail: liam@siggins2.orangehome.co.uk		drawing title. SOUTH ELEVATION.	project. EXTENSION OF BEER GARDEN & ERECTION OF MARQUEE AT: THE GOLDEN LION, NEWPORT.	date. JULY 2013 <small>revised.</small>	scale. 1:50 <small>drawing number.</small> DP/06
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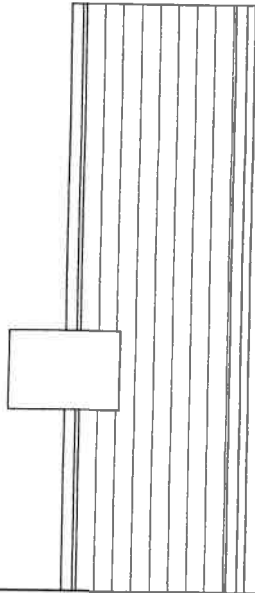


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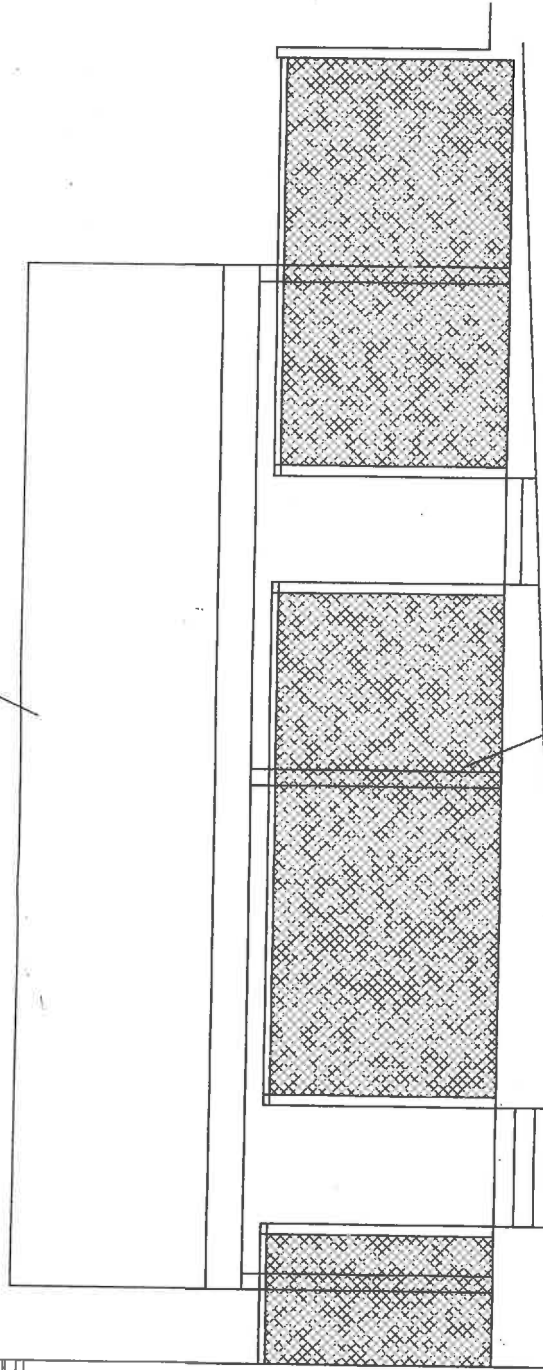
Item 6(a)

Perthurbachin Court
National Park, Ayrshire

LIAM SIGGINS, BUILDING CONTRACTOR, DESIGN & BUILD. 'ATHENRY', EGLYSWRW, CRYMYCH, PEMBROKESHIRE. Tel: 01239891142 Mobile: 07977269337 e-mail: liam@siggins2.orangehome.co.uk		drawing title. WEST ELEVATION.	project. EXTENSION OF BEER GARDEN & ERECTION OF MARQUEE AT: THE GOLDEN LION, NEWPORT.	date. JULY 2013 revised.	scale. 1:50 drawing number. DP/07
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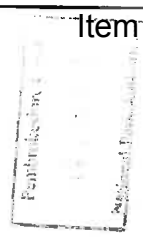


Canvas roof sheet
to marquee.



Timber trellis to back of
patio area.

NP 13 3 75



Item 6(a)

LIAM SIGGINS, BUILDING CONTRACTOR, DESIGN & BUILD. 'ATHENRY', EGLYSWRW, CRYMYCH, PEMBROKESHIRE. Tel: 01239891142 Mobile: 07977269337 e-mail: liam@siggins2.orangehome.co.uk		drawing title. NORTH ELEVATION.	project. EXTENSION OF BEER GARDEN & ERECTION OF MARQUEE AT: THE GOLDEN LION, NEWPORT.	date. JULY 2013 revised.	scale. 1:50 drawing number. DP/08
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