

5j 3/11/1508/FP – Timber framed play equipment (retrospective) at The White Hart, High Street, Puckeridge, SG11 1RR for Mr J Pugh

Date of Receipt: 06.09.11

Type: Minor

Parish: STANDON

Ward: PUCKERIDGE

RECOMMENDATION:

That planning permission be **GRANTED** subject to the following conditions:

1. Approved plans (2E10) J910/P01, J910/P02, J910/P3

Directive:

1. The play equipment has been erected within the boundary of the scheduled area of Scheduled Monument No 75. Scheduled Ancient Monument Consent must be obtained for all activities that may have an impact on the monument or its setting and it is a criminal offence to damage a scheduled monument by carrying out unauthorised works. It is recommended that you contact English Heritage in order to obtain the relevant consents, and additionally, for advice concerning the future management of this part of the Scheduled Monument.

English Heritage East of England Region
24 Brooklands Avenue
Cambridge
CB2 8BU
Tel 01223 582700

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, BH1, BH6 and ENV1 and PPS5 Planning for the Historic Environment. The balance of the considerations having regard to those policies and the limited harm to the character and appearance of the rural area is that permission should be granted.

_____ (150811FP.FH)

1.0 Background:

3/11/1508/FP

- 1.1 The application site is shown on the attached OS extract. The site consists of the Grade II Listed Public House, The White Hart and associated surface car park and beer garden. It is located on the east side of Braughing Road, on the northern edge of Puckeridge, and is situated within Puckeridge Conservation Area. The northern part of the site also falls within the boundary of the scheduled area of Scheduled Monument No 75, the Late Iron Age and Roman complex at Braughing.
- 1.2 To the west of the site on the western side of Braughing Road are residential properties and a garage/ workshop and to the north, south and east open countryside.
- 1.3 The application, which is retrospective, seeks permission for the retention of a timber play frame in the pub's beer garden, featuring a platform area covered by an open canvas roof, a climbing net, a rope swing, a slide and a swing. The play equipment is surrounded by a post and rail timber fence which separates it from the rest of the beer garden. The enclosed area is covered in loose bark chippings. The play equipment is a maximum of some 3.3 metres in height and the platform is approximately 1.4 metres above ground level.
- 1.4 The beer garden itself, which is separated from the pub by the car park, is set slightly lower than the road and is bounded by a mixture of fencing types and mature trees and vegetation especially along its boundary with Braughing Road.

2.0 Site History:

- 2.1 There is no relevant planning history relating to the site.

3.0 Consultation Responses:

- 3.1 The Council's Landscape Officer comments that the development does not impact upon any existing trees and is acceptable in landscape terms.
- 3.2 The County Archaeologist advises that the play equipment has been erected within the boundary of the scheduled area of Scheduled Monument No 75, the nationally and internationally important Late Iron Age and Roman complex at Braughing. No concerns have been raised regarding the planning application, however it has been advised that the scheduled status of the monument, under powers contained in the Ancient Monuments and Archaeological Areas Act 1979, means that Scheduled Monument Consent must be applied for all activities that may have an impact on the monument or its setting. It is a criminal offence to

damage a scheduled monument by carrying out unauthorised works. It is therefore recommended that the applicant should contact English Heritage in order to obtain the relevant consents, and additionally, for advice concerning the future management of this part of the Scheduled Monument.

3.3 The Council's Conservation Officer comments that The White Hart Public House is a Grade II listed building. The northern most boundaries of the White Hart, where the play equipment is located adjoins the Scheduled Ancient Monument (SAM). The west and north boundaries of the site have the benefit of large trees and mature vegetation which provide screening to the immediate and wider area including the SAM, which in turn reduces or 'softens' the impact of the mass, scale and design of the play equipment on the wider character of the area.

3.4 It is therefore considered that the location, mass, scale and design of the existing play equipment is considered to have little or no impact on the immediate or wider architectural or historic character and appearance of The White Hart (Grade II), adjoining SAM and wider conservation area.

4.0 Parish Council Representations:

4.1 At the time of writing no comments have been received from Standon Parish Council.

5.0 Other Representations:

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 Three letters have been received supporting the application. These comment that the play equipment is much used by children and is a valued facility in the village for families.

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
ENV1	Design and Environmental Quality
BH1	Archaeology and New Development
BH6	New Developments in Conservation Areas

6.2 In addition, the following National policy guidance is relevant:-

Planning Policy Statement 5: Planning for the Historic Environment

7.0 Considerations:

7.1 The main determining issue in this case relates to whether the proposal is appropriate within the Rural Area Beyond the Green Belt, where the aims and objectives of policy are placed firmly on growth restraint. Consideration also needs to be given to any impact the play equipment may have on the setting of the Grade II Listed Building, the Conservation Area and the Scheduled Ancient Monument and neighbour amenity.

The principle of development

7.2 The pub and the car park are situated within the Category 1 village of Puckeridge; however the garden area, where the play equipment is located, lies outside this, within the Rural Area beyond the Green Belt, where the aims and objectives of relevant Local Plan policies are placed firmly on growth restraint. Within the Rural Area under the provisions of Local Plan Policy GBC3, permission will not be given for the construction of new buildings or changes of use, other than for those purposes listed under the policy as appropriate development. The proposal does not fall within any of these exception categories and so constitutes “inappropriate” development. It therefore needs to be considered whether or not the circumstances of this application warrant departing from Local Plan policy.

7.3 The land in question has an established use as a garden used in association with the public house and is currently used by customers as an outside eating/drinking area. In Officer’s view the provision of limited play equipment such as this is not unusual for such a use and in this case the limited height and scale together with the simple design and traditional materials of construction are, in my view, compatible with the surrounding area. Furthermore the limited size and scale of the structure and the existing landscaping ensures that it will not encroach on the surrounding rural area or adversely impact on the rural character of the surroundings. Officers therefore consider that in this case special circumstances exist to warrant departing from Local Plan policy and the principle of development is acceptable.

The setting of the Grade II Listed Building, the Conservation Area and the Scheduled Ancient Monument

- 7.4 Officers consider that in line with the comments from both the Council's Conservation Officer and the County Archaeologist that the scale, design and materials of construction of the play equipment which is located away from the listed building, together with the lower land level and the considerable amount of screening that exists will have little or no impact upon the setting of the Listed Building and the adjoining Scheduled Ancient Monument. The character of the conservation area is preserved.
- 7.5 Officers note the comments from the County Archaeologist regarding the need to obtain Scheduled Monument Consent from English Heritage for the works. Whilst, the lack of consent does not warrant refusing the application Officers have included a directive reminding the applicant of their obligations regarding this matter.

Neighbour amenity

- 7.6 Officers are satisfied that given the position of the proposed play equipment in relation to neighbouring residential properties, the level of screening that exists and the difference in levels the proposed development will not unduly impact upon neighbouring residential properties in terms of loss of privacy, loss of light or similar.
- 7.7 Furthermore on the basis that the site has an established use as a public house and associated beer garden that the introduction of children's play equipment of this scale would not result in a significant increase in noise and disturbance in the area.

8.0 Conclusion:

- 8.1 To conclude, having considered the above matters it is Officers opinion that the proposed development is acceptable and special circumstances exist to warrant a departure from Local Plan policy. The size, siting and design of the proposed equipment is acceptable, it would not adversely impact upon the rural character and appearance of the area, the setting of the Listed Building, Conservation Area or Scheduled Ancient Monument. There would not be an unacceptable impact on neighbours amenity. It is therefore recommended that planning permission be granted subject to the condition outlined at the start of this report.