

Committee	PLANNING COMMITTEE (C)	
Report Title	THE RAILWAY TELEGRAPH, 112 STANSTED ROAD SE23 1BS	
Ward	Perry Vale	
Contributors	Chris Werren	
Class	PART 1	Date 20 OCTOBER 2011

<u>Reg. No.</u>	DC/10/76021
<u>Application dated</u>	23 November 2010
<u>Applicant</u>	Shepherd Neame Limited
<u>Proposal</u>	The construction of a shelter at the Railway Telegraph Public House, 112 Stanstead Road SE23, to create a smoking area for customers.
<u>Applicant's Plan Nos.</u>	1670 – 10, 1670 – 11 & site location plan
<u>Background Papers</u>	(1) Case File – LE/67/M/TP (2) Adopted Unitary Development Plan (July 2004) (3) Local Development Framework Documents (4) The London Plan
<u>Designation</u>	Core Strategy - Existing Use

1.0 Property/Site Description

- 1.1 The application site is located on the at the southern side of the junction between Stanstead, Sunderland and Rockbourne Roads and accommodates the Railway Telegraph, which is a large double storeyed public house of Victorian Construction. There is a large beer garden to the rear of the property adjacent to the property at 2 Sunderland Road. A small timber and slate roofed building, for which permission is now being sought, has recently been constructed in the beer garden, the purpose of this building is to provide shelter for smokers.
- 1.2 The public house faces across Standstead Road towards a storage building and the old Forest Hill Methodist Church. The terraces to the south of the property on Sunderland Road have commercial space on the ground floors and residential accommodation on the upper floors.
- 1.3 The property is not a listed building, neither is the site located within a Conservation Area.

2.0 Planning History

- 2.1 No relevant planning history.

3.0 Current Planning Applications

- 3.1 The application seeks permission for the retention of a smokers shelter in the beer garden of the Railway Telegraph. The structure is located adjacent to the western boundary of the site, that bordering Sunderland Road (this section comprises part

of the South Circular). The structure is approximately 8m from the sites southern boundary, that held in common with 2 Sunderland Road. The structure has a hexagonal footprint, having a maximum width of 4.8m. Its roof is steeply sloping, angling upwards to a maximum height of 2.9m.

3.2 The structure is of timber construction with a grey felt roof.

4.0 Consultation

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

4.2 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

4.3 Three letters of objection were received from residents of Flats 1 & 3, 2 Sunderland Road and the owner of 2 Sunderland Road, raising the following issues:-

1. Large number of noise complaints against public house which have been great inconvenience to neighbouring properties.
2. Shelter should be better sound-proofed and limited as to hours when it can be used.

(Letters are available to Members)

5.0 Policy Context

Introduction

London Plan (July 2011)

5.1 The London Plan policies relevant to this application are:

Policy 7.15 Reducing noise and enhancing soundscapes

Core Strategy

5.2 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 15 High quality design for Lewisham

Unitary Development Plan (2004)

5.3 The saved policies of the UDP relevant to this application are:

STR URB 1 The Built Environment

URB 3 Urban Design
ENV.PRO 9 Potentially Polluting Uses
ENV.PRO 11 Noise Generating Development
HSG 4 Residential Amenity

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Principle of Development
- b) Design
- e) Noise
- g) Impact on Adjoining Properties

Principle of Development

6.2 With the smoking ban, outdoor smoking shelters at pubs and restaurant have become an anticipated feature of these businesses. As such officers consider that, subject to all other planning considerations, the principle of the shelter is acceptable.

Design

6.3 The structure is timber framed with a grey felt roof and open onto an internal courtyard adjacent to the main entry of the pub, the outward facing sides of the structure are enclosed.

6.4 The Railway Telegraph has attached a reed screen to the fence enclosing the smoking area, this largely screens this area from view from the Stanstead and Sunderland Road. Although the top portion of the structure is visible from the highway, due to its size and design it does not have an adverse impact on the amenity of the streetscene and is therefore acceptable in this regard.

Noise

6.5 The structure has been situated in a long-established beer garden. The closest residential property, at 2 Sunderland Road, has a windowless flank wall approximately 8m from the structure. The only windows on this adjoining property face onto Sunderland Road or to the west over this property's rear yard. Since the changes to smoking legislation, smoking shelters, such as this, have become a common feature of public houses and restaurants.

6.6 The site is located on the South Circular, as such there is a high level of ambient noise levels in the area. The provision of a largely enclosed, small, smoking shelter within an existing beer garden will not have a material impact in terms of noise on any adjoining properties.

Impact on Adjoining Properties

6.7 There are no flank windows on the northern side of 2 Sunderland Way, as such the shelter is not visible from this adjoining property. The structure is visible, at a distance, from the properties on the opposite side of Sunderland Way however will not have impact on these properties.

7.0 Conclusion

- 7.1 The proposed development is considered to preserve the character and amenities of the surrounding area and will not have any adverse impacts in terms of noise. It is therefore considered acceptable and approval is recommended.

8.0 Summary of Reasons for Grant of Planning Permission

- 8.1 It is considered that the proposal satisfies the Council's Land Use and environmental criteria, and is in accordance with Core Strategy Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and saved Policies URB 3 Urban Design, ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development & HSG 4 Residential Amenity.
- 8.2 It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area, or the amenities of neighbouring occupiers. The proposal is thereby in accordance with Core Strategy Policy 15 High quality design for Lewisham of the adopted Core Strategy (June 2011) and saved Policies URB 3 Urban Design & HSG 4 Residential Amenity.

9.0 RECOMMENDATION

GRANT PERMISSION