

Ward Sidmouth Town

Reference 19/1775/FUL

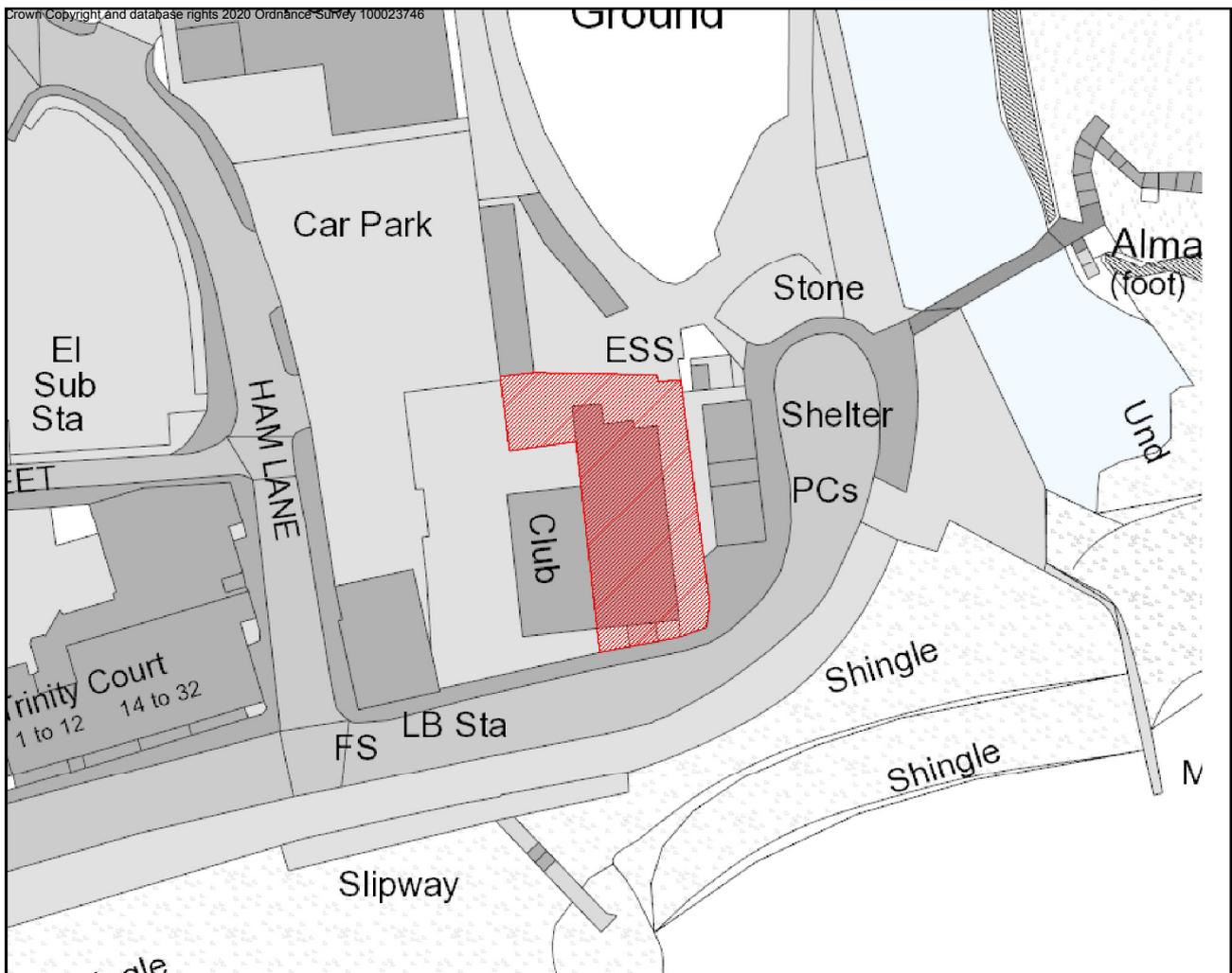
Applicant Mr Mitch Tonks

Location Sidmouth Drill Hall The Esplanade Sidmouth EX10 8BE

Proposal Conversion of hall to restaurant (A3 use), creation of new balcony, replacement of rear extension with new rear extension, external terrace to form seating area and addition of new flue.



RECOMMENDATION: Approval with conditions



		Committee Date: 4th February 2020
Sidmouth Town (Sidmouth)	19/1775/FUL	Target Date: 10.10.2019
Applicant:	Mr Mitch Tonks	
Location:	Sidmouth Drill Hall The Esplanade	
Proposal:	Conversion of hall to restaurant (A3 use), creation of new balcony, replacement of rear extension with new rear extension, external terrace to form seating area	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members as objections have been received to the proposal and the building is owned by East Devon District Council.

The Drill Hall is a historic building on Sidmouth Seafront which has been vacant for a number of years. After a marketing exercise, the proposal seeks to convert the building to a restaurant. This also involves a requirement to alter the frontage of the building, introducing a balcony, an outside seating area to the side, a new extension to the rear and related extraction equipment.

The use is considered to be appropriate given the location of the building in Sidmouth on the seafront where it is part of a wider designation in the Local Plan for a mix of uses including commercial. The proposal is considered to reflect policies within the Neighbourhood Plan that support commercial properties in this location that reflect the fishing and coastal history. The proposal being for a fish restaurant.

The use would be sympathetic to neighbouring uses and would retain the historic value of the building. The additions to the building are considered to be well designed and would not give rise to any issues of noise, smell, or any impacts detrimental impacts on neighbours. Bringing the building back into use is a positive for the area and local economy.

Whilst the building is proposed to be finished in dark cladding, this is not considered to detract from the character or appearance of the area or Conservation Area and results in a building that will lift the area. Amended plans have been received which reduce the visual impact from an extraction flue to the rear of the building to an acceptable level – being located within the roof and not projecting above the ridge of the building.

As the proposal is of an acceptable design and will lift the area and bring the building back into use as a fish restaurant reflecting this history of this part of Sidmouth, the application is recommended for approval.

CONSULTATIONS

Local Consultations

Sidmouth Town - Cllr Cathy Gardner

I'd like to log my support for this application. The use of cladding to facilitate external insulation seems sensible and the use of shutters for the windows is excellent. I'm interested to see what the conservation officers comments are.

Further comments:

I've already supported this application and of course continue to do so. Regeneration of the area by this restaurant will be welcomed by the community. The dark cladding will sit well with the fisherman's sheds and the history of the site.

Parish/Town Council

SUPPORT

Members would also like the following items to be taken into consideration;

- o Members would like any extractor fans and ducting to be of dark colour
- o The possibility of the site being carbon neutral: the inclusion of solar panels on the western roof pitch and bicycle racks for customers should be considered

Technical Consultations

Environmental Health

I have various concerns regarding the proposed development as follows:

Odour and noise affecting local sensitive receptors

I have contacted the agent directly for more information. I will provide an update when I have further information.

Lighting affecting local sensitive receptors

I recommend the following condition:

A lighting scheme shall be provided for the site which complies with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. The lamps used shall not be capable of reflecting light laterally, upwards or off the ground surface in such a way that light pollution is caused. No area lighting shall be operated outside the agreed working hours of the site, although low height, low level, local security lighting may be acceptable.

Reason: To comply with Policy EN15 for the avoidance of light pollution.

Food hygiene / Food Safety

I have asked a colleague in the commercial services team for their comments. I will provide an update when I have further information.

Further comments 17.12.19:

I have now received and been able to look at the updated information and plans submitted by the applicant. They propose a high specification system incorporating an electrostatic precipitator which is as we have recommended for this type of cooking process in this town centre location. This is designed to ensure that odours from fried foods will not cause nuisance outside or affect the amenities of this area for residents and visitors. The design details now submitted confirm that all the required equipment can be accommodated within the building envelope and the external cowl design is also acceptable. We have no outstanding concerns and I would recommend that the following condition is included in any approval:

The detailed scheme submitted for the treatment of cooking odours and noise, which includes the manufacturer's recommendations for cleaning and maintenance, shall be implemented in full. Prior to the opening of the premises to customers for the sale of hot food, the equipment shall be fully installed and tested, and thereafter be cleaned and maintained in accordance with the approved scheme, and used at all times when cooking is taking place.

Reason: To avoid odours and noise detrimental to the amenity of the local community.

Further comments 20.12.19

Good, so it looks as if this is now sorted out since the amended elevations received yesterday late afternoon. Please can you include the following condition in any approval:

The detailed scheme submitted for the treatment of cooking odours and noise, which includes the manufacturer's recommendations for cleaning and maintenance, shall be implemented in full. Prior to the opening of the premises to customers for the sale of hot food, the equipment shall be fully installed and tested, and thereafter be cleaned and maintained in accordance with the approved scheme, and used at all times when cooking is taking place.

Reason: To avoid odours and noise detrimental to the amenity of the local community.

Conservation

CONSULTATION REPLY TO
LISTED BUILDING CONSENT/CONSERVATION AREA
PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Sidmouth Drill Hall, The Esplanade, Sidmouth.

GRADE: N/A APPLICATION NO: 19/1775/FUL

CONSERVATION AREA: Sidmouth Town Centre, Area A.

PROPOSAL: Conversion of hall to restaurant (A3 use), creation of new balcony, replacement of rear extension with new rear extension, external terrace to form seating area

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

This building holds great value and is well documented. It is a significant building to the town. It is unfortunate that it has suffered externally, however, the exposed coastal location is a challenge for any structure.

The proposal addresses these issues and it is supported in principle that there has been sympathetic consideration to the retention of the interior, which in its present day condition is considered to retain the most significant features worth preserving.

In general this proposal is supported, however there are a few outstanding concerns regarding some of the details that would be appreciated if they were addressed as early as convenient. They are (no particular order);

1. Rooflights - to be conservation type (could be as a condition).
2. Further details of any additional external fixings e.g. lighting, extraction vents, security, signage etc.(could be as a condition).
3. Details (large scale drawings? Or perhaps annotated photographs?) of the relationship of how the ceiling to the loo pod and overhead kitchen equipment fit around the existing internal features (could be as a condition?).
4. Further details of the privacy screens to the external Captain's table and external staff area on the East elevation. There is some concern that if they are completely solid they may suffer some stress (and possible damage) from strong winds. It is suggested that perhaps a slightly open screen might reduce the energy of a strong wind blowing through it (could be as a condition?).
5. Existing boundary wall on East elevation - more information required regarding the existing condition and materials of the section proposed for removal.
6. Existing & proposed East elevation - please provide a full elevation of the building, including the basement level and any remaining, external structural sections at this level too. At present it is difficult to interpret the proposed external decking and its relationship the space underneath it and its connection to the building and public footpath. Does it fit over the raked section of the buttresses? Does it fix through the external cladding or is it self-supporting?
7. Rainwater goods - they appear to be missing from the proposed East elevation drawing, but appear on the others.
8. Materials - external cladding. This is an interesting solution to this building. It is considered to be central to the impact it will have on the character of the Conservation Area. There is reference to "weather resistant cladding board". It would be appreciated if details and samples were submitted at the earliest convenience for immediate consideration. In general, this is supported, however it very much depends on the details and quality of finish. Does it clip onto a metal sub frame? If so, how weather resistant is it? How will it be fixed around the buttresses to avoid any cold bridging?

9. Colour - this was a building that was very decorative and colourful even when it was altered in the 1920-30s to a more Art Deco style. It is appreciated that a lot has been lost since then. Considering the building in its context, the grey of the slate roof, grey cladding and grey window and doors, despite the pleasing (corporate?) colour as an accent, is considered a little too mono tone. There are easy and budget friendly solutions that might be worthy of consideration, if required. Note: again some of this success will depend on quality of finishes.

10. External shutters - fully support. They also provide excellent energy efficiency.

11. Balustrade - front (South) elevation, first floor (and where proposed on other elevations). This appears quite dense and therefore "solid" in the aesthetic. The historic balustrade had a distinctive pattern, is it worth considering incorporating a design reference from this into the contemporary design?

In conclusion, this is supported in principle, however there are outstanding concerns, as noted above, that will have a significant impact on the character of the Conservation Area.

PROVISIONAL RECOMMENDATION - PROPOSAL ACCEPTABLE IN PRINCIPLE

Other Representations

5 representations have been made. Whilst 2 are in support, others raise issues with the visual impact, the materials to be used, and the proposed balcony. It is also stated that the proposal does not reference its location within the Conservation Area or reference the Sid Valley Neighbourhood Plan.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 26 (Development at Sidmouth)

Strategy 32 (Resisting Loss of Employment, Retail and Community Sites and Buildings)

Strategy 33 (Promotion of Tourism in East Devon)

Strategy 38 (Sustainable Design and Construction)

Strategy 48 (Local Distinctiveness in the Built Environment)

D1 (Design and Local Distinctiveness)

EN10 (Conservation Areas)

EN21 (River and Coastal Flooding)

E20 (Provision of Visitor Attractions)

TC10 (Rear Servicing of Shopping/Commercial Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

Sid Valley Neighbourhood Plan

Policy 1 (Sid Valley Development Principles)

Policy 2 (Views)

Policy 7 (Local Distinctiveness)

Policy 16 (New Retail and Commercial Development)

Policy 20 (Protection and Enhancement of Community Facilities and Assets)

Policy 22 (Eastern Town Redevelopment)

Policy 23 (Eastern Town access)

Policy 24 (Eastern Town Maritime Heritage)

Policy 25 (Eastern Town Community Assets)

Site Location and Description

The Drill Hall is located at the eastern end of Sidmouth Seafront, between the sailing club and public toilets. It comprises of a single building (with upper floor section and basement), originally used as a hall for use by various organisations, including the Devonshire Regiment.

The building has a large internal hall, beneath a pitch roof, including some smaller rooms at ground and first floor level, a basement and a more recent rear extension. The building is currently vacant.

Proposal

It is proposed to convert the building to be used as a restaurant. This would be achieved by adding a balcony to the front elevation, and removing the existing rear extension and its replacement with a larger single storey extension. It is proposed to clad the building and create new openings in the eastern wall.

The building is proposed to be finished in weather resistant clad boarding in grey beneath roof slates to match the existing (other than a profiled sheet roof to the gently sloping rear extension). Sliding storm shutters are proposed to ground and first floor doors. Double glazed and dark powder coated doors and windows are proposed.

An extraction flue to deal with odour from the building is proposed to the rear of the building projecting through the roof in the west elevation.

ANALYSIS

The main issues for consideration are the principle of development, the visual impact and design of the building; means of odour extraction and flood risk.

Principle of development

The building lies within the built up area boundary and the Sidmouth Town Conservation Area. Strategy 32 of the Local Plan states that changes of use from community uses should be fully explored, for at least 12 months, with a requirement that there should firstly be marketing of other community uses.

The Drill Hall has been empty for a number of years. The Hall was marketed extensively in 2018, with a tender process being undertaken. No community uses came forward, however a number of commercial uses expressed interest. These included proposals to demolish the building.

It is considered that the current proposal, which retains the structure of the building and allows for public commercial use of the building, bringing public benefits including employment and allowing the building to be enjoyed by the public, meets the criteria of Strategy 32.

The site also forms part of a Mixed Use Allocation under Strategy 26 of the Local Plan for residential use incorporating community, commercial, recreation and other uses.

As the application proposes the re-use of an existing building of historic note (see below) the proposal complies with Strategy 26 in terms of proposing a community/commercial facility on the site.

With regard to the Sid Valley Neighbourhood Plan, there are a number of relevant Policies including the following:

Policy 16 (New Retail and Commercial Development) which supports new retail and commercial facilities with the Town Centre where of a suitable design, accessible by a variety of transport types and would not harm the amenity of neighbours. Whilst the site is not within the Town Centre, the proposal has support through Local Plan policy 26 that the Neighbourhood Plan does not seek to depart from. In addition, the proposal is accessible by a range of transport types and is detached from the adjacent toilet block and sailing club to an extent that would not harm the amenity of neighbouring uses.

Policy 20 (Protection and Enhancement of Community Facilities and Assets) is similar to Strategy 32 of the Local Plan in terms of seeking their protection unless there is no reasonable prospect and subject to acceptable other impacts. As the building has been vacant and marketed, the proposal is considered to comply with this policy.

Policy 22 (Eastern Town Redevelopment) covers the application site stating that proposals should comply with all Neighbourhood Plan Policies and have regard to its location within Flood Zone 3. The justification to the Policy states that survey results for the application site showed that most respondents wanted sailing and fishing based activities to reflect Sidmouth's coastal heritage. The proposal is considered to achieve this despite forming only part of the wider allocation for a mix of uses.

Policy 23 (Eastern Town Access) states that any development of the Eastern Town will be expected to demonstrate via an access strategy linkages with the town centre. As the proposal is for a change of use/conversion of an existing building, it will continue to benefit from the existing linkages and no new linkages are necessary.

Policy 24 (Eastern Town Maritime Heritage) encourages sea-based activities in this area. The proposal complies with this through provision of a fish-based restaurant.

Policy 25 (Eastern Town Community Assets) states that redevelopment of the Eastern part of the town should retain the public toilets, swimming pool, and Ham recreation ground and provide catering space. The proposal complies with this.

In summary therefore, the proposal is considered to be acceptable in principle in accordance with relevant Local Plan and Neighbourhood Plan Policies as it is proposing to retain an existing building in community/commercial use with a fish restaurant that reflects the Neighbourhood Plan policies for proposals to reflect the area's coastal and fishing heritage.

Design and appearance

The existing building will be retained and renovated and this is welcomed. The building is considered to be of some historic significance, this is mainly as a result of its history, the sprung floor and the open interior, which is supported by a hammer-beam roof. These elements will be maintained with the new conversion.

The main changes will be the change in external materials, the introduction of a front balcony, additional windows, the introduction of decking around the building and the addition of a new rear extension. An extraction flue is also proposed to serve the restaurant and the impact from this is addressed in the following section of the report.

The building will generally be clad in a dark timber cladding which is a change from its white painted render frontage (although the side elevations are dark brick). It is stated by the applicant that this replicates other buildings along the seafront, however the neighbouring sailing club is lighter, as is York Terrace and the adjoining toilet block. There are however some links with the adjoining sailing club in the form of the proposed front balcony.

It is considered that the dark colours proposed for the building are acceptable and lift the appearance of the area whilst creating an attractive building that will enhance the character and appearance of the area and this part of the Conservation Area. As there is no defined immediate character to the site and adjoining buildings, the appearance and materials are considered to be acceptable and reflect the sailing and fishing history of this part of Sidmouth.

Whilst some concerns have been raised by the Conservation Officer these are considered to be addressed by the applicant, either in the form of revised plans or their acceptance of proposed conditions. The Conservation Officer raises no objection to the real timber cladding.

Bringing the building back into use will improve its current appearance and reverse its deterioration, and will allow the building to reconnect with the seafront and contribute positively to the Conservation Area.

Whilst the Neighbourhood Plan contains Policy 2 (Protection of Key Views), it is not considered that the proposal will impact upon these. The most relevant key view is along York Terrace but as the site is beyond this adjoining the sailing club, the proposal will not harm this key view.

Odour extraction

Due to its conversion to a restaurant, the building requires the installation of extraction and ventilation systems. The applicant has submitted details of this, which after negotiation shows a small flue to the side of the property. Whilst this be visible from certain viewpoints to the rear, it will be viewed against the roof of the building and it would not be visible from the seafront or detract from the main front or side elevations of the building which are the most prominent.

The flue is proposed to be painted dark grey to match the building and the Environmental Health Officer is satisfied that the system is acceptable from a health and odour perspective.

Flood Risk

The site lies adjacent to the sea and close to the River Sid. The submitted Flood Risk Assessment states that there is a negligible risk of flooding from tidal sources, but there is a 1 in 1000 year (or 1 in 100 year when climate change is taken into account) risk of flooding from fluvial sources. This would flood the basement and external lower areas, but not the main restaurant.

The vulnerability classification of the building will not change as a result of this proposal. The basement is not proposed to be used and level access which is above the flood level is available at front and rear levels.

The FRA states that the applicant will sign up to the EA flood warning system. Sliding stormboards will be installed at the front of the building, but in the event of a predicted storm the restaurant will be closed.

CONCLUSION

The Drill Hall is a historic building on Sidmouth Seafront which has been vacant for a number of years. The proposal seeks to convert the building to a restaurant. This also involves a requirement to alter the frontage of the building, introducing a balcony, an

outside seating area to the side, a new extension to the rear and related extraction equipment.

Following a period of marketing for the building, for which there was no interest in its existing use, a commercial proposal for a fish restaurant is considered to be acceptable on the seafront as it will retain the most important features of the building whilst retaining public access and increasing activity around a water related enterprise. The site forming part of a wider designation in the Local Plan for a mix of uses including commercial. The proposal is considered to reflect policies within the Neighbourhood Plan that support commercial properties in this location that reflect the fishing and coastal history and with retained linkages to the town centre.

The use would be sympathetic to neighbouring uses and would retain the historic value of the building. The additions to the building are considered to be sympathetic and would not give rise to any issues of noise or odour smell. Bringing the building back into use is a positive for the area and local economy.

Whilst the building is proposed to be finished in dark cladding, this is not considered to detract from the character or appearance of the area or Conservation Area and results in a building that will lift the area. Amended plans have been received that now result in an acceptable visible impact from the necessary extraction equipment.

Subject to conditions, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Samples of the proposed cladding shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.
(Reason: In order that the external appearance of the building is satisfactory in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. Any rooflights shall be of a conservation type only and shall not project beyond the plane of the roof
(Reason: The building lies within the Conservation Area and to comply with Policy EN10 (Conservation Areas) of the East Devon Local Plan 2013-2031)

5. The detailed scheme submitted for the treatment of cooking odours and noise, which includes the manufacturer's recommendations for cleaning and maintenance, shall be implemented in full. Prior to the opening of the premises to customers for the sale of hot food, the equipment shall be fully installed and tested, and thereafter be cleaned and maintained in accordance with the approved scheme, and used at all times when cooking is taking place.
(Reason: To avoid odours and noise detrimental to the amenity of the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031).

6. A lighting scheme shall be provided for the site which complies with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. The lamps used shall not be capable of reflecting light laterally, upwards or off the ground surface in such a way that light pollution is caused. No area lighting shall be operated outside the agreed working hours of the site, although low height, low level, local security lighting may be acceptable.
(Reason: To comply with Policy EN15 (Control of Pollution) of the East Devon Local Plan 2013-2031 for the avoidance of light pollution.)

7. The proposed Kitchen Extract flue as shown on drawing no. PL08 Rev B shall be powder coated with a grey matt finish and thereafter retained as such.
(Reason: In the interests of visual amenity within the Conservation Area and to comply with Policies D1 (Design and Local Distinctiveness) and EN10 (Conservation Areas) of the East Devon Local Plan 2013-2031)

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

PL06 rev A (amended)	Proposed Floor Plans	04.10.19
PL01 rev A + block plan	Location Plan	15.08.19
PL07 : first	Proposed Floor Plans	09.08.19
PL08 rev B	Proposed Elevation	20.12.19
RDH-M-003	Other Plans	27.11.19
RDH-M-001	Other Plans	27.11.19
RDH-M-002	Other Plans	27.11.19

List of Background Papers

Application file, consultations and policy documents referred to in the report.