
APP/2009/5536

WARD Prenton

Location: Mersey Clipper 17 Prenton Road West Prenton Wirral CH42 9PY

Proposal: Retention of covered pergola to rear courtyard

Applicant: Mr Jimmy Lui
Mersey Clipper
17 Prenton Road West
Prenton
Wirral
CH42 9PY

Agent: Geoff Bryson
Bryson Projects Limited
3 Dovedale Close
Prenton
Wirral
CH43 0SB

Development Plan allocation and policies: Primarily Residential Area
HS15.

Planning History:

2009/5343 - Erection of entrance porch at the rear A.

2007/6295 - Erection of a 25 room motel Withdrawn.

2007/6056 - External seating area and new front and rear entrance doors A/C.

2006/5300 - Variation of condition 1 (05/6944) to extend hours of use of external seating area Refused.

2005/6944 - Retention of canopy over existing beer garden, decking and perimeter fencing A/C.

Representations and consultations received: Representations:

A site notice was displayed by the applicant. A total of 11 letters of notification have been sent to properties in the area. At the time of writing this report 4 objections have been received including a qualifying petition of 36 separate households, listing the following grounds:

- Noise and disturbance inc noise from taxi's
- Smoking
- Time restrictions
- Safety

Councillor Holbrook requests that the application be taken out of delegation and has raised objections due to the nuisance the proposal would cause to neighbouring properties by reason of noise and loud music.

Directors comments: PROPOSAL

The proposal is for the retention of a wooden pergola to the south elevation of the public house. The pergola is wooden and has plastic sheeting that acts as a guard around the base, encasing the pergola. The structure measures 14.4m by 8.2m and has a height of 3.4m.

The site has permission for a similar structure under planning permission 2005/6944; the two structures are different in design.

PRINCIPLE OF DEVELOPMENT

The pergola is essentially an extension to the existing public house; as such the proposal is acceptable in principle.

SITE AND SURROUNDINGS

The pergola is at the rear of an existing Public House, the Mersey Clipper. The pub is

located east of Tranmere Rovers Football Club but within a primarily residential area, there are dwellings opposite and to the east of the pub.

To the rear/south of the pub building is a car park, the pergola is located to the rear of the building, within the building line of the pub.

POLICY CONTEXT

In terms of HS15, the site lies within a primarily residential area as such the impact of an external drinking/smoking area increases the disturbance onto residential neighbours. However, there is a currently an approval for an external seating area that can be used between the hours of 8am to 8pm. As such the hours restriction imposed onto the outdoor pergola will reduce the impact onto the residential properties.

The pergola is an extension to the existing pub, as such the use relates to the pub however as the structure is outside and within close proximity to residential dwellings, it is important to restrict unacceptable noise and disturbance.

A more recent application to increase the outdoor hours - 2006/5300 - was refused due to the impact onto the residential area. In accordance with these recent applications, the original conditions will be imposed.

APPEARANCE AND AMENITY ISSUES

The pergola is a mix of wood and plastic sheeting; the structure is located to the rear corner of the existing pub and will be visible from the car park to the south. In terms of the use and the appearance the structure does not detract from the character of the building or the surrounding area.

The main issue surrounding the pergola is the noise and disturbance impact onto the residential dwellings that border the site. Having regard to the current approval on the site, the pergola structure in appearance is acceptable however the hours of use shall be restricted to match those imposed on the original planning application - 2005/6944.

Some concerns have been raised with regards to taxi increase, health and safety and smoking, however these issues are under the control of the premises and do not solely relate to the approval of an outdoor drinking/eating area.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The proposed structure is acceptable in terms of appearance and use, the structure is however an extension of the existing pub, as such the hours imposed on APP/2005/6944 shall be imposed to restrict any increase in late night noise and disturbance.

Summary of Decision: The proposal is acceptable in terms of the siting and appearance of the structure and the condition to restrict the hours of use would reduce nuisance and safeguard amenity and is therefore acceptable in terms of Wirral's UDP Policy HS15.

Recommendation: **Approve**

Condition(s):

- 1 The covered area beneath the pergola as shown on plan DR/2009/029/002 shall not be used for any purpose or activity between 20.00 hours and 08.00 hours.

Reason for conditions

- 1 In the interests of residential amenity having regard to Policy HS15.

Last Comments By: 11 June 2009

56 Day Expires On: 03 July 2009

Case Officer: Miss A McDougall