

By: Acting Strategic Director

To: Planning Committee

Date: 28 January 2004

Subject: FORMER PLEASURAMA SITE, MARINA ESPLANADE, RAMSGATE  
PLANNING APPLICATION - F/TH/03/1200

Redevelopment of the site, up to 5 storeys in height, for 107 residential apartments comprising 1, 2 and 3 bed units and penthouses, a 60-bed hotel (Use Class C1) with conference and function facilities (3,581 sq. metres), and health and fitness centre (97 sq.metres) (Use Class D2), retail (Use Class A1) or food/drink (Use Class A3) (1,810 sq.metres), a children's play area (244 sq.metres) (Use Class D2) and 204 ancillary parking spaces, together with external staircase access to Wellington Crescent and means of access from Harbour Parade and Marina Esplanade including the stopping up of Marina Esplanade with the relocation of the roundabout further east and the reconfiguring of the western open area.

Classification: Unrestricted

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**Summary: To report to Members the responses received from outstanding consultations, notifications and negotiations in respect of the above application.**

### **For Decision**

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#### **1.0 Introduction**

1.1 Members will recall that this application was discussed at the last meeting, following which Members resolved to defer consideration, pending the satisfactory resolution of a number of outstanding matters. These included the outstanding consultation and notification responses, together with the issue of a developer contribution towards affordable housing and education.

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#### **2.0 Financial Implications**

2.0.1 None.

#### **2.1 Legal Implications**

2.1.1 In planning terms, this development is considered to be acceptable within the context of adopted Development Plan Policies. Refusal of planning permission may result in an appeal requiring the need for legal assistance if it is in the form of a Public Inquiry.

#### **2.2 Corporate Implications**

2.2.1 This proposal relates to the development of a key waterfront site that forms an integral part of the Council's aspirations and corporate aims to seek the overall regeneration and development of Ramsgate seafront.

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#### **3.0 Background Information**

3.1 This planning application was discussed by Members at the last Planning Committee

meeting, at which it was resolved to defer consideration subject to the resolution of a number of outstanding matters. A copy of the previous report is hereby appended for Members' information. (Annex 1)

3.2 These included: -

- Consultation responses from the Highway Manager; County Highways; English Heritage; Kent Police and Southern Water,
- Responses from those notified about the amended plans that had been received, and
- The issue of a developer contribution towards affordable housing and education.

3.3 With regard to consultation responses, I can confirm that the Highway Manager and Kent Highways, as Strategic Highway Authority, raise no objections to the development, subject to the imposition of appropriate conditions relating to vehicle parking, servicing and the relocation of the existing roundabout and bus lay-by etc. In addition, the Highway Manager has requested that informatives be attached to the grant of any consent relating to the need for Technical Appraisal; Safety Audit Approval; Highway Agreements; Licences; Traffic Regulation Orders; possible need for contact with the Structures Group regarding the use of Marina Road as a route for construction vehicles and measures to prevent the deposit of mud and debris on the highway.

3.4 I would agree with the findings of Kent Highways, at both local and strategic levels in that I consider there are no highway objections to this latest scheme. All of the above traffic related issues can be adequately controlled by means of either planning condition or informative.

3.5 English Heritage have now submitted comments in respect of the amended plans that had been received at the time of the previous meeting. These amendments to the scheme were made in response to initial comments made by English heritage and further to discussions that subsequently took place with the applicants and their agents. While no formal objection has been raised to the revisions by English Heritage they have, however, drawn attention to issues that they consider could be the subject of further thought. These include: -

- The potential for further modulation of the roof of the proposed building to add more variety. This could include a reduction in the height of the roof in one or more areas, perhaps with corresponding increases in other areas to create point heights, similar to the existing lift.
- The possibility of further animation of the ground floor elevation of the building facing towards Harbour Parade, together with further attention being paid to the relationship of the new staircase, the main service access and the public realm to the front of the development. In this respect it is commented that, in their view, the relationship of the foot of the staircase, the vehicle access and the public realm still does not appear to have been quite resolved.
- The opportunity for further links at roof level between the proposed building and the promenade in Wellington Crescent.
- Finally, it is contended that the appearance of the proposed staircase could be made less utilitarian.

3.6 The further comments made by English Heritage have been considered by the applicants' agents who have confirmed that their clients have no plans to further revise the scheme. While I note the latest observations made by English Heritage, there are a number of points that I consider need to be taken into account by Members.

3.7 Firstly, I accept that greater modulation of the roof may add variety to the appearance. However, I consider that the uniform nature of the way in which its component parts form the building is a key element to the overall design. As such, I feel that the use of such

modulation could fragment the balanced appearance of the building that has been achieved within this current scheme. In addition, I would be reluctant to encourage an increase in the height of the building, even by means of key feature points, due to the likely, additional, visual impact upon the adjoining conservation area and listed buildings. In this respect, I feel that the overall height of the building, relative to the adjoining promenade, is appropriate within this latest scheme. In particular, I also feel that the introduction of such features would not otherwise accord with the design principles that have been adopted for the external appearance of the building.

- 3.8 As Members will be aware from the previous report, and as can be seen from the submitted graphic images, the proposed building will be set below the level of the adjoining promenade at its north – eastern end, it will be level with the promenade towards the centre and will only rise above the cliff at its south – western end above the hotel. However, at this point the highest part of the building is set away from the promenade, thereby reducing the overall visual impact of this limited projection above the cliff top. Furthermore, the building is now to be linked to the promenade, at cliff top level, by means of a new public staircase which means that the hotel restaurant, kitchen and function room on the fourth floor will not appear as an isolated feature but will be visually linked to the streetscape at this level.
- 3.9 Secondly, while I note the comment of English Heritage regarding further animation of the Harbour Parade elevation at ground floor level, I consider that the amendments made to the design of the building adequately address the concern previously raised. I do not therefore consider that any substantive improvements would be achieved by further revisions to the design of this face of the building. Similarly, subject to the submission of precise details of the materials and design of the opening around the vehicle access to Harbour Parade and of the proposed barrier to this access, both of which can be controlled by planning condition, I feel that the visual relationship between the hotel elevation, the vehicle access and the proposed staircase will be satisfactory. Although it is noted that English Heritage have commented that they consider the proposed staircase to appear utilitarian, Members will appreciate from the submitted plans that this feature is fully reflective of similar structures found around the Thanet coast, both within and outside of conservation areas. As such, I am satisfied that, subject to the submission of precise details by way of condition, this element of the scheme is acceptable, particularly in view of the degree to which it will screen the current open view of the cliff face from Harbour Parade. In fact, as with the previous schemes, I consider that the imposition of planning conditions specifically requiring the submission of large scale details of all external elements of the building, including samples of materials, will ensure that the overall quality of the development meets the aspirations of the Council for the treatment of this key seafront site.
- 3.10 Finally, Members may recall from past schemes for this site that pedestrian links between the cliff top and the roof of the development were previously accepted. However, such links were to constitute an integral part of the commercial nature of the former schemes and clearly could not be assimilated into the design of this latest proposal which indicates that the upper floors of the building will be used primarily for private residential purposes. The creation of such links would therefore obviously have significant implications in terms of security for this element of the scheme and I am unable to concur that their provision is essential in this instance.
- 3.11 The Contaminated Land Officer has confirmed that he agrees with the recommendations and conclusions of the desktop report with regard to potential sources of contamination. However, he does not foresee any major contamination issues that would prevent the site from being used for the purposes proposed.
- 3.12 Southern Water have confirmed that no objections are raised, subject to the submission of details of foul and surface water drainage which can be controlled by planning condition.

- 3.13 Kent Police, at both County and Local levels, have been informed of the application and no response has been received from either source within, or following, the statutory consultation period.
- 3.14 In addition to the notification responses reported within the previous Planning Committee report, I would confirm that 32 copies of one letter and 80 copies of another letter of objection were received on the day of the last meeting. Also, a letter of objection was received from a local interest group, the Ramsgate Development Group. However, the issues raised within these representations were all summarised within the previous report to Members.
- 3.15 Following receipt of the amended plans referred to above, all persons previously notified and who wrote in were informed of the revised details. In response, four letters have, so far, been received, three of which reiterate previous objections to the development on the following grounds: -
- the design of the development is inappropriate for this location,
  - it would damage the natural seafront environment,
  - its height is too great, thereby affecting public views of the beach and harbour from the cliff top promenade,
  - it has a lack of community facilities and activities due to the extent of the residential element, and
  - it would result in the loss of an open and uncluttered space.

One of the above four letters also comments that the development should reflect the existing seaside architecture, in particular the nearby Grade II Listed Buildings in Wellington Crescent and the character of the adjoining bandstand within the conservation area and that there are already sufficient links between the cliff top and the seafront. The fourth letter indicates that while the proposed new staircase is noted, it is considered that a new, modern elevator linking Harbour Parade with the cliff top would be more advantageous.

- 3.16 The period within which representations may be submitted in respect of the amended plans, expires prior to the meeting and so any further letters received will be reported at the meeting.
- 3.17 Turning now to the matter of affordable housing, I would agree with the applicants' agents that it is appropriate in this instance to deal with the matter by way of a commuted sum payment rather than through the provision of such housing on site. In fact, as the agents confirm within the submitted supporting statement, this approach has previously been acknowledged within the development agreement in accordance with the terms of the original development brief for the site. The adopted Isle of Thanet Local Plan Policy H16 indicates that this will be a matter of negotiation with the developer. This policy is carried forward into the emerging Thanet Local Plan in the form of Policy H8, which states that an element of the total number of units will usually be expected to be affordable. Originally, this figure was stated as 15% of the total number of units, although this was subsequently revised to 30%. However, Members will be aware that this policy has yet to be formally adopted and, as such, only limited weight can be afforded thereto.
- 3.18 Therefore, using an initial figure of 15% of the total number of residential units being affordable, the Head of Housing and Property Services has confirmed that, based upon the scale and mix of the residential element, the starting point for negotiating a commuted sum would be a figure of £864,798. Clearly, as Members will be aware, the actual amount that can be negotiated from any particular development will vary from scheme to scheme. In this respect, initial calculations have revealed that a sum of £727,600 could be generated from the net proceeds of the sale of the residential units. With particular regard to this site,

Members will be aware that the very specific nature of the site and design requirements, its relationship to the surroundings and proximity of the Conservation Area and Listed Buildings, all place their own limitations upon the financial viability of the development. As such, I consider that this figure is an appropriate level of contribution arising from this site. Obviously, however, such proceeds could only be specifically calculated, and thereafter generated, as the sale of the units progresses and would therefore need to be subject to a phasing arrangement for payment, the precise details of which can be covered by means of planning condition.

- 3.19 Finally, with regard to the issue of a developer contribution towards education, Kent County Council has confirmed that the additional demand for primary and secondary school places generated by the scheme can be accommodated within existing schools. As such, there is no requirement for a contribution to such places. It is suggested, however, that a contribution towards adult education, of £120.50 per residential unit be sought, thereby representing a sum of £12,893.50 for the 107 units proposed. While I note the suggestion, I am concerned that the contribution arises from the current 'KCC Developers' Guide to Contributions for Community Facilities,' a document that was produced last September but has yet to be formally adopted by KCC as Supplementary Planning Guidance. Under the circumstances, I am therefore unable to concur that it would be appropriate to seek such a contribution in this instance.
- 3.20 In summary, I am satisfied that all outstanding consultations and negotiations have been satisfactorily resolved and that no new issues have been raised that cannot be addressed by means of planning condition or that would justify reaching any conclusion other than a favourable determination of this application. I would therefore firmly recommend that Members support this scheme, in its amended form and grant planning consent subject to the imposition of the conditions detailed below.

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#### **4.0 Options**

- 4.1 Members can resolve to approve the application, to refuse the application or to defer consideration again should it be felt that there are issues that require further attention or discussion.

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#### **5.0 Recommendation**

- 5.1 That planning consent be granted for the development, subject to the imposition of the following conditions: -

- 1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 Prior to the commencement of the use of the respective food and drink units (Use Class A3) hereby approved, details of a ventilation system to the food cooking and preparation rooms of each unit shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall be submitted, agreed and fully implemented in accordance with the agreed details insofar as they relate to each of the units before the unit is first brought into use.

**GROUND:**

To secure the proper development of the area.

- 3 No external alterations, including the provision of any external mechanical vent or trunking, shall be undertaken or otherwise provided, unless agreed in accordance with the submitted details insofar as they relate to each of the units before the unit is first brought into use.

**GROUND:**

In the interests of the visual amenities of the area.

- 4 Noise from the operation/running of any ventilation plant or other plant or equipment, as measured within any adjoining or neighbouring residential premises, shall not exceed a sound level in excess of the undermentioned Noise Rating Curve Numbers in the frequency (Hz) range of 31.5Hz to 8KHz;

(a) between the hours of 0800 and 2200 on any day - Noise Rating curve Number 30.

(b) between the hours of 2200 on any day and 0800 the next day - Noise Rating Curve Number 25.

**GROUND:**

In the interests of the amenities enjoyed by the occupiers of nearby residential properties.

- 5 All plant, machinery and equipment (including refrigeration and air conditioning systems), to be used by reason of the grant of this permission, shall be installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

**GROUND:**

In the interests of the residential amenities of the occupiers of surrounding dwellings, in accordance with Policy H10 of the Isle of Thanet Local Plan.

- 6 Activities arising from the use of the site shall not give rise to nuisance to the residents of the surrounding area, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

**GROUND:**

In the interests of the amenities of adjacent residential occupiers in accordance with the requirements of Policy H10 of the Isle of Thanet Local Plan.

- 7 Prior to the commencement of the development hereby approved details, in the form of a waste management plan for the methods, including recycling, of dealing with refuse, waste and the emptying, cleaning and maintenance of litter bins, including the location and form of refuse storage facilities and arrangements that are to be made for the collection of refuse, shall be submitted to and approved in writing by, the Local Planning Authority of the precise design of refuse storage facilities and arrangements that are to be made for the collection of refuse. Such details, as are agreed, shall be implemented and thereafter maintained in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area.

- 8 The development hereby permitted shall be carried out in conformity with a scheme of finished site levels in respect of the site works, including details of thresholds relative to the adjoining highways and footways, the details of which shall be submitted to and agreed in writing by, the Local Planning Authority prior to the commencement of the development.

**GROUND:**

In order to secure a satisfactory standard of development.

- 9 Prior to the commencement of the development hereby approved, precise details of the detailed design of the building at a scale of not less than 1:50 with typical details at a scale of not less than 1:20 in plan, elevation and section form, including all external wall and roof materials, details of door and window materials and where appropriate colour of materials, shall be submitted to, and approved in writing by, the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area.

- 10 The development hereby permitted shall be carried out in conformity with a scheme for landscaping, surface and boundary treatments for development which shall include:-

(i) details of new trees, shrubs, hedges or grassed areas to be planted, together with details of the species and method of planting to be adopted.

(ii) details of treatment proposed for all hardened surfaces.

(iii) details, at a scale of not less than 1:20, of levels of the proposed roof, the proposed external staircase link with Wellington Crescent and the adjoining promenade, together with sectional and drainage details.

(iv) details of walls, fences, railings, planters, seating, litter bins, air conditioning plant enclosures, and other means of enclosure proposed, together with details of materials and construction.

(v) the measures that are to be taken to protect new landscaping work.

(vi) the arrangements to be made for the permanent maintenance of the landscaped areas, including watering.

(vii) details of ground preparation and weed control for the planted areas.

(viii) details of external lighting.

(ix) details of any security gate or barrier to be provided to the service area at ground floor level to either end of the site.

Details of which shall be submitted to, and approved in writing by the Local Planning Authority before the commencement of development, or in such longer period as may be agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area.

- 11 The details to be submitted in accordance with the requirements of condition 10 above shall include full size sectional details, at a scale of not less than 1:20, indicating the construction and materials to be used in the landscaped roof gardens and terraces and the areas of the rear elevation of the building to receive planting/landscaping treatment.

**GROUND:**

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and

appearance of the Ramsgate Conservation Area.

- 12 All works comprised in the approved details of landscaping, surface and boundary treatments, shall be carried out in or before the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives any writing consent to any variation.

**GROUND:**

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area.

- 13 Prior to the commencement of the development, precise details at a scale of not less than 1:50, of the relationship of the proposed refuse stores to the adjoining cliff face, shall be submitted to and agreed in writing by the Local Planning Authority.

**GROUND:**

To enable adequate future maintenance of the cliff face.

- 14 The parking spaces, including those for service vehicles, together with associated turning facilities and cycle parking facilities, as shown on the approved plans, shall be provided before any part of the development hereby approved is first brought into use, and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

In the interests of Highway Safety.

- 15 No part of the development to which this permission relates shall be brought into use until the following works have been undertaken in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority:

(i) the relocation of the roundabout within Marina Esplanade

(ii) the relocation of the bus lay-by within Marina Esplanade

(iii) the new staircase link between Harbour Parade and Wellington Crescent.

**GROUND:**

In the interests of Highway Safety and to secure a satisfactory means of pedestrian access in accordance Isle of Thanet Local Plan Policy TR13.

- 16 No part of the development to which this permission relates shall be brought into use until a "Green Transport" Plan, indicating the transport and other measures that are to be adopted to encourage customers, visitors and staff to use means of transport other than the car, has been submitted to, and agreed in writing by the Local Planning Authority. The agreed measures and associated methods of operation specified within the plan shall be implemented in accordance with the details contained in the plan, unless otherwise agreed in writing by the Local Planning Authority.

**GROUND:**

To secure a satisfactory sustainable development.

- 17 No plant, machinery or other structures, other than those shown upon the approved drawings, shall be constructed or otherwise provided upon the roof without the prior written

consent of the Local Planning Authority.

**GROUND:**

In the interests of the visual amenities of the area and to safeguard the setting of Grade II Listed Buildings of architectural and historic interest and the special character and appearance of the Ramsgate Conservation Area.

- 18 The ground floor children's play area and health and fitness centre shall only be used for such purposes and for no other purpose including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, or for the purpose of an amusement centre or arcade, without the prior written consent of the Local Planning Authority.

**GROUND:**

To secure the proper development of the area and to prevent the introduction of uses which may otherwise detract from the amenities enjoyed by surrounding occupiers or the character of the area, in accordance with Isle of Thanet Local Plan Policies BC21 and H10.

- 19 Prior to the siting of tables and/or chairs outside the building, as indicated upon the approved ground floor plan, or in such other location(s) as may be proposed, precise details, at a scale of not less than 1:50, shall be submitted to, and approved in writing by, the Local Planning Authority, of the siting, design and appearance thereof.

**GROUND:**

In the interests of highway and pedestrian safety.

- 20 Prior to the commencement of development hereby approved, precise details of the means of foul and surface water disposal and drainage to the development shall be submitted to, and approved in writing by, the Local Planning Authority.

**GROUND:**

To prevent pollution of the water environment in accordance with Isle of Thanet Local Plan Policy CW7.

- 21 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, carried out to current British Standards and best practice together with a timetable of works, being submitted to the Local Planning Authority for approval.

(a) The contaminated land assessment shall include a site investigation, which shall include relevant soil, soil gas, surface and groundwater sampling, in accordance with the quality assured sampling and analysis methodology.

(b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The work shall be of such a nature so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

(c) Approved remediation work shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval.

(d) Upon completion of the works, this Condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post remediation sampling to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

**GROUND:**

To prevent harm to human health and pollution of the environment, in accordance with Isle of Thanet Local Plan Policy SG4.

- 22 Prior to being discharged into any water course, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

**GROUND:**

To prevent pollution of the water environment in accordance with Isle of Thanet Local Plan Policy CW7.

- 23 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered PL 10-102C; 13-100C; 13-101C; 13-102C; 13-103C; 13-104C; 13-105C; 13-106D; 13-107C; 13-108A and 13-109A received on 15th December 2003.

**GROUND:**

To secure the proper development of the area.

- 24 The residential element of the development hereby approved shall not be commenced until details of an arrangement have been submitted to, and approved in writing by, the Local Planning Authority relating to the provision of a commuted sum for the provision of affordable housing within the local area.

**GROUND:**

To secure the provision of affordable housing to meet an identified housing need in accordance with Isle of Thanet Local Plan Policy H16.

**INFORMATIVES**

- (A) If drainage in the new development site is to be from areas upon which there are potentially polluting activities, then discharge consent from the Environment Agency may be required.
- (B) In the event that contaminated soil/ground is encountered, the Environment Agency should be contacted for advice.
- (C) In order to comply with requirements of the Kent Fire Brigade, the development hereby approved should incorporate a dry rising main within the staircase lobbies adjoining the health/fitness area and the main entrance corridor from Marina Esplanade, together with fire hydrants within the rear car parking area adjoining these staircases.
- (D) The design for the proposed roundabout and bus-lay by, referred to in condition 15 above will require Technical Appraisal and Safety Audit approval at Stage 1 and 2. It will need to be constructed to adoptable standards, offered for adoption by the developer under a

Section 38 Highway Agreement and open to traffic before the existing roundabout can be closed off.

- (E) The developer and/or individual commercial occupiers will require a separate highway licence under Section 115e of the Highways Act 1980 for the siting of tables, chairs, scaffolding or hoardings upon the highway.
- (F) A Traffic Regulation Order will be required for the prohibition of driving in Marina Esplanade between the existing roundabout and the proposed new roundabout, with all costs being met by the developer.
- (G) Please contact Kent Highways prior to the commencement of development with regard to the route(s) for construction vehicles. If such route includes the use of Marina Road, approval by the Structures Group will be required since there may be problems with the strength of the arches beneath the highway.
- (H) Please be advised that adequate precautions will need to be taken during construction to prevent the deposit of mud and similar debris on the public highway.

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## **6.0 Background Papers**

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| 6.1 | <i>English Heritage<br/>KCC (c/o Mouchel Parkman)<br/>KCC<br/>Contaminated Land Officer<br/>Highway Manager<br/>Kent Highways<br/>Head of Housing and Property Services</i> | <i>Letter dated 12th January 2004<br/>Letter dated 10th December 2003<br/>Memo dated 19th January 2004<br/>Memo dated 13th January 2004<br/>E-mail dated 13th January 2004<br/>E-mail dated 12th January 2004<br/>E-mail dated 13th January 2004</i> |
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**Contact Officer: John Elvidge**

**Extension: 7140**

**D04 F/ TH/ 03/ 1200**

**PROPOSAL:** Redevelopment of the site, up to 5 storeys in height, for 107 residential apartments comprising 1, 2 and 3 bed units and penthouses, a 60-bed hotel (Use Class C1) with conference and function facilities, (3,581 sq.metres), and health and fitness centre (97 sq.metres) (Use Class D2), retail (Use Class A1) or food/drink (Use Class A3) (1,810 sq.metres), a children's play area (244 sq.metres) (Use Class D2) and 204 ancillary parking spaces, together with provision of means of access from Harbour Parade and Marina Esplanade including the stopping up of Marina Esplanade with the relocation of the roundabout further east, and the reconfiguring of the western open area

**LOCATION:** PLEASURAMA AMUSEMENT PARK (FORMER), MARINA ESPLANADE, RAMSGATE, KENT, CT11 8LY

**WARD:** Eastcliff

**AGENT:** PRC Fewster Planning

**APPLICANT:** SFP Ventures Partners Ltd

**RECOMMENDATION:**

That consideration of the application be deferred with authority delegated to the Head of Environmental Services to grant planning consent subject to the following:-

- (I) No objections being received from Kent Highways in respect of the further transport assessment
- (J) No objections being received from English Heritage in respect of the amended plans and the further information submitted
- (K) No objections being received from Kent Police and Southern Water
- (L) No objections being received, within the relevant period, as a result of the further notifications undertaken in respect of the amended plans
- (M) Agreement being reached upon the level and form, where appropriate, of contributions to affordable housing and education
- (N) Subject to the imposition of appropriate safeguarding conditions

**SITE, LOCATION AND DESCRIPTION**

This application relates to the extensive, vacant site that was formerly occupied by the Pleasurama amusement complex, situated on the north - western side of Marina Esplanade, to the north of its junction with Harbour Parade.

As Members will be aware, the site was previously occupied primarily by a substantial, two storey building used as an amusement arcade, incorporating amusement machines; children's soft play area; cafe/restaurant; bingo hall and associated office/administration facilities. The majority of the remainder of the application site, outside of the former Pleasurama building, was previously used for the purposes of an amusement park in connection with the building. The far, north - eastern part of the application site includes the existing roundabout and first section of public car park within Marina Esplanade.

The application site has lain vacant for some considerable time, following the loss of the former building as a result of a fire. The full extent of the site enjoys an overall frontage of some 275m (902') to Marina Esplanade and a maximum depth from the existing cliff face of some 50m (164').

The site is contained between Marina Esplanade on its south - eastern side, beyond which is the

main Ramsgate beach and the cliff to the north – west, above which is the promenade, Eastcliff Bandstand and Wellington Crescent. To the south - west, the site is adjoined, in Harbour Parade, by a single storey building that accommodates amusement facilities with associated food operations. To the rear of this amusement arcade, at a higher level, are two storey, terraced, Grade II Listed Buildings in Kent Terrace. At the eastern end of Kent Terrace, and located between the amusement arcade and the application site, is the refurbished, Edwardian lift. This lift provides access between Harbour Parade and Wellington Crescent. At its base, it is adjoined by a small, pitched roof, kiosk structure that is used for the sale of refreshments etc during the summer months.

The application site lies immediately adjoining the Ramsgate Conservation Area, the boundaries of which extend along the Harbour Parade frontage of the application site and the rear boundary of the site with the cliff that adjoins the bandstand.

Beyond the site to the north - east, in Marina Esplanade, are further areas of car parking, created as an integral part of the environmental improvements of Ramsgate seafront.

### PLANNING HISTORY

The application site enjoys an extensive planning history, including, inter alia, an approval in 1997 for alterations to the former Pleasurama buildings to provide a mixed use, factory outlet, shopping complex, including a children's soft play area. In support of the application, retail and traffic impact assessments were submitted. This planning permission was accompanied by a legal agreement that required the provision of 282 off-street car parking spaces and cycle/motorcycle parking facilities prior to the development first being brought into use. The legal agreement also required the provision of a series of off-site highway works that included, inter alia, a mini-roundabout at the junction of Marina Road with Wellington Crescent.

Following the loss of the original building by virtue of the fire, approval was granted, in 1999, for the erection of a substantial building, on three floors, to provide a retail mall; multiplex cinema; night club and leisure facility. Within this application, the roof of the proposed building was shown to be level with the adjoining cliff top, with access being gained to the development at this level by virtue of link sections between the building and the promenade, together with a lift structure and fire escape staircase points upon the roof of the building.

In 2000, a further planning consent was granted for a mixed use redevelopment of the site to provide a retail mall; multiplex cinema; health and fitness centre and a bowling facility or family entertainment centre. Once again, it was proposed for the development to be finished level with the cliff top by means of a landscaped roof.

In 2001, following consideration by Planning Committee, amendments were agreed to this latest scheme. These changes comprised, for the most part, the substitution of the multiplex with an hotel, resulting in corresponding revisions to the size, scale, shape and design of the building. In this respect, the finally agreed scheme included provision for an increase in height and bulk of the development towards the Harbour Parade frontage of the site.

### PROPOSED DEVELOPMENT

Full planning consent is sought for the redevelopment of the site for the erection of a building up to 5 storeys in height, comprising 107 residential 1, 2 and 3 bedroom apartments; a 60 bedroom hotel of 3,581 sq m (38,544 sq ft) including reception, conference room and function room facilities; retail and food/drink units on the ground floor of approximately 1,810 sq m (19,482 sq ft); a children's play area of 244 sq m (2,626 sq ft) and a health/fitness centre of 97 sq m (1,044 sq ft).

The application has been accompanied by a comprehensive planning and design statement in support of the proposal. A full copy of this document will be available for inspection by Members in advance of the meeting in accordance with adopted procedures.

This statement indicates that the design of the proposed scheme is reminiscent of a stylish 1920's seaside design, with a strong horizontal emphasis and making use of expanses of glazing set between white rendered masonry. As such, it is contended that the development will not detract from the Georgian terrace architecture of Wellington Crescent. The statement further confirms that the roof tops of the hotel and the spaces between the arms extending to the sea, will be landscaped gardens, effectively providing a quality visual continuity to the existing gardens. It is therefore argued that this will enhance the character and appearance of the conservation area and the setting of the listed buildings in Wellington Crescent. Also, the use of planting, cascading down the rear elevation of the proposed building will, it is contended, further enhance the overall design.

The proposed hotel would be located at the south – western end of the site, facing onto the main roundabout in Harbour Parade. As such, the main entrance and reception area will be incorporated into this frontage of the building. The remainder of the ground floor frontage of the building to Marina Esplanade would comprise shops, in a mix of Use Class A1 (retail) and A3 (food and drink), together with the health/fitness centre and children's play area. The proposed 107 residential units would be provided within the four floors above the shops and cantilevered out over part of the rear service area.

The development would be set away from the existing cliff face to provide this secure, rear, service yard, together with a parking area for 204 cars (including disabled spaces) and cycle parking. This area, which would also include refuse storage facilities, would be accessed from an entrance at either end of the development. In Harbour Parade, this access would be situated between the main reception area and the neighbouring kiosk. In Marina Esplanade, the service access would be gained from the newly located roundabout, the works in respect of which would be undertaken as part of this development. These accesses would be barrier-controlled to ensure that the facilities are set aside for all uses within the proposed scheme.

With regard to transport, the application has been supported by the submission of two travel assessments. The first, main, assessment was submitted with the application as part of its original submission. This assessment concludes that the site is well located in terms of public transport provision, whilst the level of pedestrian and cycle accessibility throughout the local highway network is high. The assessment, however, examines possible measures to be included within a Green Travel Plan. In terms of car parking, the assessment confirms that provision has been formulated having regard to the accessibility of the site by means other than the car. As such, it is found to be sufficient for the site uses, thereby largely self-contained and will not have an overall impact upon local streets. The second assessment was submitted following the receipt of the application and takes into account updated traffic counts at nearby junctions. These findings conclude that Wellington Crescent, including its junctions with Victoria Parade, Marina Road and Augusta Road, together with Madeira Walk, including its junctions with Harbour Parade and Albion Hill, will remain well within design capacity.

Following the initial consideration of the application, amended plans have been submitted showing the construction of a set of external steps between the existing lift and the service access to the site from Harbour Parade. This structure has been added to the scheme in order to create a visual link between the existing and proposed features, whilst at the same time helping to serve to screen the existing cliff face from the wider public view from the turning head within Harbour Parade. In addition, revisions have been made to the design of this elevation of the proposed building and further, supporting, visual information has been submitted in order to demonstrate, more clearly, the relationship of the development to the adjoining conservation area and listed buildings in Wellington Crescent.

In final support of the application, a desk top report has been submitted with regard to potential sources of contamination.

## PLANNING POLICIES

Isle of Thanet Local Plan Policy TC6 relates specifically to this site, which indicates that proposals for the site should be for a mixture of leisure, retail and residential uses and that the development should be no higher than the top of the adjoining cliff. This site specific policy forms part of the broad approach contained within policy BC17 which seeks to promote the Ramsgate Royal Harbour and sea front for leisure/tourism development.

Policy BC9 expresses support for proposals that would increase the attraction of the area to tourists and extend the season.

Policy CB1, which relates to the design of new development, is applicable to the consideration of this application. In addition, policies CB4, CB6 and CB7 relate to the proposal insofar as the development affects the character and appearance of the adjoining Conservation Area and the setting of nearby Listed Buildings.

Policies H1 and H11 relate to the provision of new residential development, while policy H16 indicates that, upon sites of 25 units or more, an element of affordable housing will be sought.

Policy S2 indicates that the first preference for the location of new retail development, including units of less than 1,000 sq m (10,763 sq ft), is within the main town centres or, where no such site is available, on the edge of the town centres.

Transport policies TR3, TR8, TR11, TR12 and TR13, relating to infrastructure, car parking, public transport and the needs of cyclists and pedestrians, are applicable to the determination of this application.

The above policies are carried forward into the emerging Thanet Local Plan, respectively, in the form of policies T3 (TC6 and BC17); T1; D1 (CB1 and H11); HE1; HE4; D2; H1; H9; TC1, 2 and 6 (S2); TR4; TR17; TR14; TR13 and TR12.

## NOTIFICATIONS

The occupiers of surrounding properties, together with those persons who submitted representations concerning the previous applications, have been notified of this latest application. In response, twelve individual letters have so far been received in which objections to the development are raised on the following grounds:-

- (O) The development will adversely affect the setting of the nearby listed buildings in Wellington Crescent
- (P) The proposal will be detrimental to the special character and appearance of the adjoining conservation area
- (Q) The proposed buildings are too high and will affect the public outlook from the cliff top promenade, bandstand and Wellington Crescent. In addition, the potential siting of roof top air conditioning plant/equipment, coupled with the fact that the rear elevation of the building will be set away, and thereby visible, from the promenade, would be further detrimental to visual amenity
- (R) There would be a loss of existing public car parking facilities, thereby causing an increase in demand for on-street parking in the vicinity of the site, particularly in the summer months
- (S) The submitted plans do not provide adequate off-street car parking for the proposed uses within the curtilage of the site
- (T) There would be a significant increase in the volume of traffic in the area, leading to congestion and a danger to cyclists and pedestrians
- (U) There is inadequate provision shown for servicing of the proposed commercial uses
- (V) The proposed arrangements for refuse are unacceptable, due to the limited nature of such provision and the distances that residential occupiers would have to travel in order to make use of such facilities
- (W) The design and architecture of the development is not in keeping with the general

- appearance of the town
- (X) The scheme represents an unacceptable overdevelopment of the site, at an excessive density
  - (Y) The development would result in overlooking and a loss of privacy to properties in Kent Terrace
  - (Z) The development would lead to petty crime in and around the area
  - (AA) Will the development take adequate account of the issue of affordable housing?
  - (BB) The proposed residential units would put an unacceptable burden upon existing services such as education, health and public utilities

Whilst raising an objection to the development on the lack of off-street car parking, one of the above letters does state how impressive the plans of the development look in terms of the appearance of the scheme and suggests that the contended shortfall in car parking could be addressed by the provision of additional parking at basement level. Also, a second letter within those referred to above states that the retail element of the scheme is acceptable.

The Ramsgate Society and the Kent Terrace Residents' Association have submitted letters of objection, in which the above issues of the height of the building; impact on the nearby listed buildings and conservation area; increase in traffic; impact upon public outlook and loss/lack of car parking are raised.

The letters also include reference to the loss of sea views experienced from individual residential units/properties; impact of construction vehicles; the site should be developed for, or at least include, leisure purposes, or alternatively as open space or a market; the development could result in access rights for fishing from the promenade being withdrawn; there is insufficient within the scheme to benefit all of Thanet, and in particular Ramsgate, residents; there are already enough apartments on Ramsgate seafront; the Council has acted unreasonably in handling this site; the pedestrianised area outside the seafront elevation should be reverted back to a road open to vehicles and consent should not be granted because it would mean profit for the developer. However, these issues are not material planning considerations and cannot be taken into account in the determination of this application.

Following the receipt of amended plans and additional information, re-notification has been undertaken in respect of the further details submitted. At the time of writing this report, no further representations have been received.

### CONSULTATIONS

At the time of writing this report the views of Kent Highways, as Strategic Highway Authority and the Highway Manager, are awaited in respect of the further transport information submitted.

English Heritage commented, in respect of the plans originally submitted, that concern was raised at the potential impact of the roofs on the conservation area and setting of nearby listed buildings. Further supporting information and amendments to the design of the scheme were therefore requested. At the time of writing this report their further views are awaited.

The Environment Agency raise no objections to the development, subject to the imposition of appropriate conditions relating to contamination, remediation and drainage.

Kent Fire Brigade indicate that a dry rising main be installed in two specified locations and a fire hydrant be installed within the rear car parking area.

The Environmental Services Manager raises no objections subject to the imposition of conditions relating to the control of noise or other nuisance that could emanate from the site.

Kent Police, at both local and county levels and Southern Water have been consulted on this application, although no responses had been received at the time of writing this report.

## COMMENTS

In accordance with the principles established by virtue of the previous schemes for the development of this site, I consider that, once again, this latest proposal will be appropriate for this site in terms of the mix of uses. In particular, the incorporation of a 60 - bedroom hotel, together with a mix of retail and food/drink uses, a health/fitness centre and children's play area, will enhance the attraction of this part of Ramsgate as a destination to visitors. I therefore remain satisfied that this scheme would represent a significant benefit to the area in accordance with adopted local plan policy TC6.

With regard to the proposed retail units, I remain of the opinion that, in terms of retail policy, this site constitutes an appropriate edge-of-centre location for new retail development. Furthermore, given the limited scale of the retail element within this latest proposal, particularly when compared to the previous schemes, I am satisfied that it will not produce any adverse impact upon the vitality or viability of the existing town centre. In fact, I consider that the proposed inclusion of retail and food/drink uses will serve to reinforce the attraction of this part of the seafront, thereby complementing the overall offer available to residents and visitors alike. As with the previous schemes, I can see no objections to the inclusion of food/drink uses within the development, subject to the precise means of ventilation to such units being controlled by means of planning condition. In this respect, the agents have indicated that this element of the scheme will be treated in a coordinated manner, to ensure that requests for such treatment will not be made on an individual basis.

In terms of scale, I feel that this latest scheme reflects the principles established within the earlier proposals. I also consider that, once again, this latest design is highly individual and innovative and, if permitted, will firmly complement the previous environmental improvements to this seafront area. In particular, I would commend the suggestion of the applicants to include the construction of a new, pedestrian staircase from Wellington Crescent in the extreme south – western corner of the site. As Members will fully appreciate, such a facility would complement the existing lift access to and from the seafront and significantly increase pedestrian accessibility, not only to the development itself, but also to the beach, seafront and Royal Harbour. Furthermore, this addition to the design of the scheme will serve to screen, from public view within Harbour Parade, the relatively unattractive face of the existing cliff to the rear of the site.

The proposed development will, for the most part, result in the roof of each of the arms extending towards the sea reaching the level of the cliff top with the adjoining bandstand. However, as Members will be aware, the level of the promenade falls towards the Edwardian lift and, as such, the main section of roof above the main body of the hotel will be above the level of the promenade. However, a section drawn through this middle section of the hotel confirms that this area of the roof would be set some 20m (65'7") from the edge of the cliff. Therefore, while the rear elevation of the hotel will only be some 15m (49'3") from the cliff top at this point, the highest part of this section of the building will actually be level with the cliff top.

On the hotel, the only additional exception to the above projections would be the tower feature adjacent to the hotel, service area, access that would project some 2m (6'6") higher. However, as this feature will only be some 4.5m (14'9") in diameter and set over 21m (68'11") from the cliff top, I feel that its impact upon the visual amenities would not be sufficient to justify refusal, particularly in view of the contribution that this feature makes to the design and appearance of the built form of the development when seen from within Harbour Parade.

In addition, the inclusion of the pedestrian staircase would clearly, by necessity, project above the level of the cliff top. However, this feature is shown to be only 5m (16'5") in width and it will still be lower than the roof of the existing lift. Therefore, in view of the contribution that this feature will make to pedestrian access, the design of the scheme and reduction in visual impact of the existing cliff face from Harbour parade, I consider that these benefits outweigh the limited, additional, visual impact upon the extreme south – western section of the cliff top promenade.

In general terms, I am therefore of the opinion that the relationship of the proposed development

to the adjoining conservation area and listed buildings will be acceptable. I feel, however, that samples of materials, particularly those to be used in the external finish of the roof of the building, will need to be submitted for agreement prior to the commencement of development, although I am satisfied that this can be adequately controlled by condition. In addition, precise details of landscaping for the roof areas and the rear elevation of the building will also need to be submitted for agreement prior to commencement of work but I feel that these can also be safeguarded by means of condition.

Members will be aware, however, from the above, that the further views of English Heritage are presently awaited in respect of the revised plans and additional information that has been received in respect of the relationship of the development to the conservation area and surrounding listed buildings.

Although the views of Kent Highways, at both strategic and local levels, are awaited at the time of writing this report, I do not envisage highway objections to be raised. The only off-site highway matters comprise, firstly, the re-siting of the existing roundabout in Marina Esplanade which can be required by planning condition to be in place prior to the first use of any part of the development. Secondly, the additional transport assessment submitted indicates that, due to the limited scale of this latest scheme, there is now no justification to require further off-site highway works. For example, the construction of a new mini-roundabout at the junction of Wellington Crescent and Victoria Parade. All other highway related matters, such as the provision of car parking; turning; servicing; cycle parking; green travel plan etc, can be dealt with by means of planning condition, as with previous consents relating to this site.

It is noted from the submitted design statement that the applicants have given consideration to the issue of contributions towards affordable housing and education and have confirmed that, if justified, such contributions would be met. At the time of writing this report, these matters remained outstanding, however, subject to their satisfactory resolution I can see no justification for either issue to lead to a recommendation that is other than favourable from these points of view.

In conclusion, I once again consider that the principle of this development is acceptable and would recommend that Members give favourable consideration to this scheme, subject to the satisfactory resolution of all of those matters referred to above.

Case Officer  
JOHN ELVIDGE

*Background Papers:*

|                                       |                                      |
|---------------------------------------|--------------------------------------|
| <i>English Heritage</i>               | <i>Letter dated 1 December 2003</i>  |
| <i>Environment Agency</i>             | <i>Letter dated 25 November 2003</i> |
| <i>Kent Fire Brigade</i>              | <i>Letter dated 24 November 2003</i> |
| <i>Environmental Services Manager</i> | <i>Memo dated 4 December 2003</i>    |