A09 **F/TH/18/0071**

PROPOSAL: Erection of a flood defence wall, improvements to existing sea wall, raising of ground levels and installation of flood gate together with extension of groyne.

LOCATION: Land Fronting Marina Esplanade RAMSGATE Kent

WARD: Eastcliff

AGENT: No agent

APPLICANT: Mr Luke Glover

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.

GROUND
In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004)

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered 3600_505 received 05 February 2018, 3600_105, 3600_404, 3600_409, 3600_410, 3600_411 and 3600_604 received 28 February 2018, 3600_700 and 3600_701 received 01 March 2018, 3600_104, 3600_400, 3600_402, 3600_402a and 3600_406 received 15 May 2018 and 3600_414 received 23 May 2018.

GROUND
To secure the proper development of the area.

3 No development shall take place until a Construction Environmental Management Plan, which shall include the following details:

o timing/programme of works of construction
o mitigation for the construction phase of the development including, noise, dust and lighting control measures, pollution incident control and site contact details.
o traffic movements to and from the site and any necessary traffic management measures
o areas for parking, loading, turning and unloading by site personnel, visitors and delivery vehicles
o wheel washing facilities

has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:
To ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance within National Planning Policy Framework paragraph 109 and in the interests of highway safety

4 The development shall take place in the spring and summer months (April through to September) and avoiding work one hour either side of high tide in order to prevent disturbance to the Golden Plover and Turnstone which are Special Protected Area bird species.

GROUND:
In the interests of the essential protection of internationally important roosting birds in accordance with the advice contained within the National Planning Policy Framework.

5 The groyne extension and ramp hereby approved shall be finished using a roughened surface as agreed by the applicant in correspondence dated 28 March 2018.

GROUND;
In the interests of biodiversity conservation and enhancement in accordance with the advice contained within the National Planning Policy Framework.

INFORMATIVES

Please be aware that obtaining planning permission and complying with building regulations are separate matters - please contact building control on 01843 577522 for advice on building regulations

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

SITE, LOCATION AND DESCRIPTION

The site comprises several sections of land (including land in the highway) adjacent to Granville Marina and Marina Esplanade, a 220m section of sea wall adjacent to Marina Esplanade and a concrete groyne extending into the sea approximately 110m north of Marina Esplanade. The western section of Marina Esplanade is located within the Ramsgate Conservation Area and there are a number of listed buildings located at the southern end of

Granville Marina adjacent to the site. The area surrounding the site has an open character and Marina Esplanade immediately abuts Ramsgate Main Sands.

RELEVANT PLANNING HISTORY

F/TH/97/0627 - Erection of a detached single and two storey first aid/ lifeguard/kiosk building with associated flagpole and terrace; erection of a detached single storey kiosk and toilet amenity block with associated flagpole and terrace; environmental improvements to foreshore and promenade including the refurbishment of the existing toilet block, construction of retaining walls balustrading; concrete seating; feature walls; seating walls; plinths; flagpoles; sundecks; staircases; feature entrance markers and boundary fences/barriers/walls to car parking areas; and look out features. Formation of promenades; steps; ramps; boardwalks and associated landscaping. Granted 10 October 1997.

PROPOSED DEVELOPMENT

The proposed development is the erection of wave defence wall on Marina Esplanade and Granville Marina, alterations to the highway within Marina Esplanade and Granville Marina, re-facing of the sea wall along Marina Esplanade and extension of an existing concrete groyne, to provide improved wave flood protection to the residential properties on Granville Marina. The proposed developments will increase the level of protection from tidal flooding to the properties on Granville Marina to a 1:200 year standard.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Saved Policies (2006)

D1 - Design
EC8 - Ramsgate Waterfront

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper. One letter of objection was received raising concerns about heavy vehicles using Marina Road to access the site as there are residential properties built under this road.

Ramsgate Town Council - Note with disappointment that the work has been delayed until next year.

Ramsgate Design and Heritage Forum - No objection but concern about visual clutter/ signage.

CONSULTATIONS

TDC Conservation Officer - Updated comments received 23 May 2018:

No objection to the amended plan to include railings on the wall.

Initial comments received 03 April 2018

Although the proposed wall would have an effect on the character and appearance of this part of the conservation area and the setting of listed buildings, any harm that may be caused would in my view, be outweighed but the public benefits of the wall. Grant permission.

Environment Agency - *Updated comments received 02 March 2018*:

We have reviewed the new information sent by Mr. Luke Glover and we are happy to remove our objection as the proposed development will be acceptable if a planning condition is included to prevent disturbance to the Golden Plover and Turnstone which are Special Protected Area bird species.

Initial comments received 22 February 2018

We have reviewed the information submitted and in the absence of adequate information on the extension of the groyne, we object to the proposed development as submitted dueto the possible impact on the Thanet Coast SSSI/SPA. We therefore recommend that planning permission be refused on this basis and will maintain our objection until the applicant has supplied the required information to demonstrate that the risks posed by the development can be satisfactorily addressed.

Reasons: Impacts of extensions to groynes can include increased erosion to the coastline (cliffs or shore platform in this case), or loss of sediment features e.g. transitory sand bars which are of likely importance to the SSSI/SPA. We are currently unable to locate which groyne the proposed development will extend or any plans/elevations (none of the supplied 12 documents contain this information) and are therefore unable to assess the impact of these works to the Thanet Coast SSSI/SPA.

Overcoming our objection

It may be possible to overcome this objection if the following are provided:

Plans and elevations showing before and after of the groyne extension.

Natural England - No objection. Based on the plans submitted, and the additional information provided to Natural England pre-application Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

The additional information provided to Natural England includes the Water Framework Directive Assessment and the Ramsgate Beach Flood and Coastal Defence Scheme Tidal Flow Modelling Study provided on the 24 January 2018. It also includes an MCZ and SAC impacts overview document provided on the 22 February 2018.

European sites - Thanet Coast Special Area of Conservation

The works, as set out in the information supplied by the applicant, are sited within or near to a European designated site. Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Thanet Coast Site of Special Area of Conservation and has no objection to the proposed development.

Marine Conservation Zones - Thanet Coast

The works, as set out in the information supplied by the applicant, are sited within or near to a Marine Conservation Zone. Natural England have not identified a pathway by which impacts from the development would affect the interest features of the site(s). We are therefore confident that the works will not hinder the conservation objectives of such a site.

Other advice

Natural England advises that opportunities for wider biodiversity gains are investigated. Methods such as ensuring the surface of the groyne structure is slightly roughened can be beneficial in providing an adequate surface for intertidal organisms to adhere.

KCC Highways - Updated comments received 31 May 2018: I refer to the amended details submitted for the above and confirm the proposals are now acceptable in principle in respect of highway matters. The proposed highway alterations will be subject to a separate approval process under section 278 of the Highways Act, including the necessary alterations to existing parking restrictions and signage. The proposed wall within the highway along Granville Marina will need to be installed and maintained under a licence agreed with the highway authority.

A Construction Management Plan will need to be submitted and approved by condition and should include the following:

Number of daily HGV movements;
Timing of HGV movements (it should be noted that these may be restricted to outside school drop-off and pick-up times);
Routing of HGV's between the site and the 'A' road network;
Parking and turning for HGV's and site personnel;
Wheel washing facilities,
Temporary traffic management measures (these will need to be discussed and agreed with our Network Management and Streetworks Teams).

Initial comments received 16 February 2018.

I refer to the above planning application and whilst I have no objection in principle, the following matters need resolving:

1. The proposed walls shown on the south side of Marina Esplanade will need to be offset a minimum of 0.5 metres from the existing edge of carriageway. In the case of the western wall opposite no. 1 Granville Marina, the wall will need to be set back 1 metre to provide suitable visibility where pedestrians cross the road at the existing raised table.

2. The 150 mm ramps shown adjacent to each new access point will need to be at a gradient no steeper than 1 in 20. This would appear to require longer ramps than those currently shown and is of particular concern for the ramps into Granville Marina, where this may create highway drainage issues and possible grounding of cars turning across the ramps at an angle. Further level details on the ramps and drainage proposals are therefore required to demonstrate that such issues can be satisfactorily resolved.

3. Additional highway drainage issues appear to be created around no. 1 Granville Marina (where the raising of levels appears to channel water towards the property boundary), at the closure of the existing exit from Granville Marina (where run-off appears to currently flow out through the exit to existing gullies) and at both new raised areas in Marina Esplanade where existing gullies will need to be repositioned. Further details of proposals to resolve these issues should therefore be submitted.

4. Additional bollards will be required to protect pedestrians in Marina Esplanade where the level difference between carriageway and footway is lost. Alternatively, kerbs could be re-laid to retain a kerb face.

5. The existing kerb face will need to be retained on the north side of the southern walls, to delineate the edge of highway and offer some protection to the walls.

6. Changes to existing parking restrictions and Traffic Regulation Orders will be required and should be shown on the plans. These need to include consideration of the following:

i) Extension of existing double yellow lines to the west of the new exit point, to provide the same visibility for emerging drivers as is available at the existing exit point;
ii) Relocation of double yellow lines and loading restrictions from existing to proposed access and exit points;
iii) Possible need for double yellow lines on the north side of the wall in Granville Marina opposite the garage to nos. 7/8, if access to/from the garage would be obstructed by a car parked adjacent to the wall,
iv) Relocation of no entry signs from existing to proposed egress point.

7. It is not clear what size of vehicle currently gains access to and egress from Granville Marina, but the proposed access and egress points have smaller radii and the egress point is narrower than the existing one. It should be demonstrated through vehicle swept paths that the largest vehicle currently gaining access and egress is still able to do so.

8. Tactile paving is required at the where pedestrians have to cross the proposed access and egress points.

I shall therefore be pleased to receive amended plans/additional information resolving the above.

Whilst not a highway issue (bearing in mind the parking restrictions in place) I would point out that the proposed wall will remove the current informal echelon parking that takes place across the block paved area alongside Granville Marina. Such parking will in future have to

be parallel to Granville Marina (as it appears was originally intended), but this will reduce the amount of parking currently being utilised in Granville Marina.

It should also be noted that a Construction Management Plan will be required and will need to include consideration of temporary traffic management measures required on the highway. This can be dealt with by condition.

The proposed wall within the highway along Granville Marina will need to be installed and maintained under a licence agreed with the highway authority. All other works within the highway will need to be carried out through a s.278 agreement.

COMMENTS

This application is brought before members as the application has been made by Thanet District Council.

The main considerations in determining this application are the impacts upon the character and appearance of the conservation area, neighbouring living conditions and highway safety.

Principle

There are no policy objections to the principle of the proposal and therefore the application needs to be determined in accordance with the National Planning Policy Framework (NPPF) and Local Plan Policies. The principle of development is therefore considered acceptable subject to the assessment of material considerations.

Character and Appearance

As part of the site is located within the Ramsgate Conservation Area the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

A 220m section of sea wall will be refaced with concrete. This re-facing is considered to cause little change in the visual appearance of the sea wall, however will increase the depth of the promenade by 0.25m.

The concrete groyne is an existing feature visible from the car park north east of Marina Esplanade. This application proposes to extend the length of the groyne by 30m and increase its overall height by 1.5m. A ramp will also be provided at the landward end of the groyne to allow member of the public access along the beach.

The proposed wave protection wall is split into three sections with the long central section located on the western side of Marina Esplanade extending along the pavement adjacent to Granville Marina. Two shorter sections are proposed on the eastern side of Marina Esplanade at the northern and southern ends of Granville Marina opposite the junctions with

Marina Esplanade. The wall will be constructed from pre-cast concrete sections with timber flood gates located in the pedestrian and vehicular accesses.

The flood wall would measure 0.8m high with 0.95m pillars at the pedestrian and vehicular accesses. A stainless steel rail would project 0.16m from the top of the seaward sections of wall adjacent to the raised highway and from the landward sections adjacent to the vehicular accesses. The highway will be altered to reduce the risk of wave overtopping and to ensure that surface water drains away from the residential properties. The entrance and exit to Granville Mariana would be relocated from the ends of the road to ensure that the necessary alterations to the highway levels can be completed. Concern has been raised regarding the additional visual clutter and signage created by the development, however the existing road signs will be re-used and relocated and only one additional sign will be required for the new speed bump at the southern end of Granville Marina. The existing double yellow and single yellow lines will be reinstated and new double yellow lines applied to the entrance and exit of Granville Marina.

As the residential properties in Granville Marina are located immediately adjacent to the beach there is a varying character to the area with a number of different boundary treatments and structures visible within the street scene. Whilst the wave wall will be a visible and prominent feature and the re-faced sea wall and groyne extension will be visible from the promenade, the Conservation Officer has raised no objection to the proposed development and it is considered to result in less than substantial harm to the character and appearance of the conservation area and the setting of the listed buildings. When a development results in less than substantial harm to a designated heritage asset, paragraph 134 of the NPPF requires that the harm is weighed against the public benefits of the proposal. The three elements to the proposed scheme will improve the flood defences to the properties on Granville Marina to a 1 in 200 year standard and therefore there is a clear public benefit to the proposed scheme which is considered to outweigh any harm to the character and appearance of the conservation area and the setting of the listed buildings.

Living Conditions

The proposed wave wall will abut the boundary walls of 1 Granville Marina and Beach Retreat, however given its modest height and location at the boundary of these properties it is considered that the wave wall will cause no significant loss of light or sense of enclosure to the neighbouring residential properties.

The groyne extension is located 110m away from the closest residential property and the re-facing of the sea wall is located below the level of the promenade and the highway, and therefore it is considered that these developments will cause no adverse impact to the living conditions of the closest residential property occupiers.

The Council's Environmental Health Officer has requested a construction management plan to be submitted prior to commencement of development to ensure that during the construction process there would be no unacceptable noise or disturbance to the nearby residential property occupiers. The submission of the construction management plan would be secured by condition.

Transportation

The proposed development will alter the location of the entrance and exit to Granville Marina and the wave wall is proposed to be located on the north western side of the pavement adjacent to Granville Marina. Currently there is a raised cobbled area adjacent to the pavement inside Granville Marina which is used for informal echelon parking. This raised area will be removed, however the remaining area behind the proposed wave wall in Granville Marina will be 4m deep allowing for a similar parking arrangement to continue. Whilst there may be a slight reduction in space due to the re-location of the junctions, parking within Granville Marina is unrestricted and public car parks are available to the north and south of the site along Marina Esplanade. Following concerns raised by the KCC Highways Officer amended plans have been submitted altering the traffic calming measures and setting the seaward section of wall away from the highway. Following the submission of these amended plans KCC Highways have removed their objection to the application subject to the submission of a construction management plan which would be requested by condition. It is therefore considered that the proposed wave wall and highway works will have no significant impact upon highway safety.

The re-facing of the sea wall and extension of the concrete groyne are not located in the highway and are therefore not considered to have any significant impact upon highway safety.

Concern has been raised regarding the use of Marina Road to access the site due to the location of residential properties below the road. There is no weight restriction on this section of road and therefore this section of road would be subject to the restrictions applied to normal road going vehicles. It is not anticipated that any abnormal vehicles would be required or that excessive damage would be caused to the carriageway by normal road vehicles. No vehicles would need to use the weight restricted access road that extends from the northern end of Marina Road to the Council car park.

Other Matters

Following the submission of additional information the Environment Agency have removed their objection to the proposed development subject to the imposition of a condition restricting the working times to ensure that Golden Plovers and Turnstone are not disturbed by the works. Natural England have also raised no objection to the proposed development and have advised that the groyne extension should be constructed from a 'roughened' surface to encourage biodiversity. The applicant has confirmed in correspondence dated 28th March 2018 that the groyne extension and ramp will be constructed from a roughened surface and this will be secured by condition.

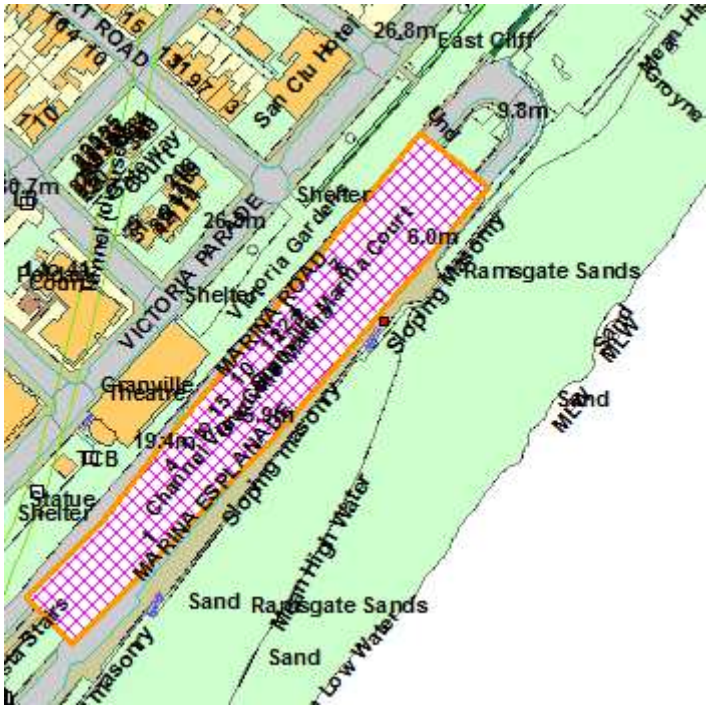
Conclusion

In conclusion it is considered that the proposed flood defence works would not result in any significantly detrimental impact to residential amenity, highway safety or ecology, and whilst the development is considered to result in less than substantial harm to the designated heritage assets, this harm is considered to be outweighed by the public benefits of the proposal, as this scheme would significantly reduce the risk of flooding to the residential

properties on Granville Marina and Marina Esplanade. The scheme is therefore considered to accord with the Thanet Local Plan Saved Policies and the National Planning Policy Framework and it is recommended that members approve the application, subject to safeguarding conditions.

Case Officer
Duncan Fitt

TITLE: F/TH/18/0071

Project Land Fronting Marina Esplanade RAMSGATE Kent

Scale: