

5 Prior to the installation of any external lighting, full details of the external lighting, including their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND

To ensure that light pollution is minimised in the interest of the visual and residential amenities of the area, in accordance with Policy SE08 of the Thanet Local Plan.

6 The use of the warehouse and canopy, hereby approved, shall be limited to purposes associated with and ancillary to the existing Ramsgate Garden Centre and shall at no time be used for independent business or commercial purposes.

GROUND

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The wider application site comprises a garden centre and associated development including car park and storage buildings.

The proposed building would be located in the south east corner of the site in an area that is located to the south of the existing car park and is currently in use as a service yard which includes open storage. The site of the proposed building and the wider garden centre site has a commercial character, however outside the site, surrounding development is primarily residential. It should be noted that the properties along Muir Road are set at a lower level than the application site and the properties on Brindle Grove are set on a higher level than the site.

RELEVANT PLANNING HISTORY

F/TH/21/0568 - Erection of single storey building together with erection of canopy. Refused 16 June 2021 for the following reason: "The scale, height and location of the proposed building and its proximity and relationship to the neighbouring residential properties to the west on Brindle Grove and the south on Muir Road would result in an unacceptably overbearing impact to the private amenity spaces of these adjacent neighbours and corresponding loss of outlook, significantly harmful to the amenities enjoyed by the occupiers thereof, contrary to Policy QD03 of the Thanet Local Plan and paragraph 127 of the National Planning Policy Framework."

F/TH/11/0011 - Erection of single storey garden centre building following demolition of existing. Granted 16 March 2011

F/TH/10/1035 - Change of use of land to car valeting operation and erection of shed. Granted 31 January 2011

F/TH/09/0470 - Change of use of land to hand car valeting operation and erection of canopy. Refused 25 September 2009

F/TH/06/0204 - Erection of a timber framed, curved roof, walkway and a timber framed plant shade with curved timber slatted roof to outside plant area. Granted 28 March 2006

F/TH/04/1208 - Erection of two no. pitched curved roof, polytunnels to provide enlargement of horticultural plant shade as an extension to existing polytunnels. Granted 06 December 2004

F/TH/99/0943 - Erection of a detached pitched roof building to replace former kennels to provide ancillary garden sales building. Granted 14 February 2000

F/TH/98/0532 - Enlargement of garden centre building comprising front and side extensions together with a polytunnel addition, creation of new vehicular access in montefiore avenue and closing of existing access points in hereson road; erection of a pitched roof extension to detached ancillary building; alterations and extension to car parking area; erection of new boundary fencing together with canopy entrance features. Granted 08 January 1999

OL/TH/97/0083 - Demolition of existing buildings and redevelopment of site for the purposes of a mixed use leisure development comprising the erection of buildings to provide family entertainment centre; bingo; a nine screen multiplex cinema; and outdoor stage/theatre incorporating video wall (use class d2) restaurants; drive-thru restaurant and themed diner (use class a3); speciality shops (use class a1) together with associated access, car parking and landscaping (outline application). Granted 25 March 1997

F/TH/96/0931 - Use of car park to hold 12 boot fairs per year for charity on Sunday mornings in addition to existing Friday markets. Granted 30 January 1997

F/TH/93/0473 - Use of part of site as caravan sales display area. Granted 19 August 1993

TH/87/1059 - Retention of cafeteria, wool shop and two pet shops operating in contravention of condition 3 upon planning permission TH/86/1047 together with provision of florist, craft shop and fruit and vegetable shop. Granted 27 November 1987

TH/86/1047 - Erection of three retail sales pavilions. Granted 02 February 1987

TH/82/0594 - Retention of greenhouse and temporary building. Granted 05 November 1982

PROPOSED DEVELOPMENT

This application seeks to overcome the reason for refusal on the previous application for a warehouse building with canopy - F/TH/21/0568 with an amended scheme.

The warehouse building proposed in the previous application measured 14.9m wide and 24.7m long. Due to changes in the ground level the highest level of the eaves would be 7m, and the highest overall point would be 8m above ground level. With the canopy extending from the southern side elevation measuring 3.9m high, 5.9m wide and 24.7m long.

The building now proposed would be constructed from a blue brick plinth, grey cladding walls and roof and a grey roller shutter door. An open sided canopy is proposed to be located on the eastern side. The building would have a pitched roof that runs east west and gable ends of the northern and southern sides. The proposed building would measure 19m deep, 16.7m wide, 4.1m to the eaves and 5.4m in total height. The proposed canopy would extend from the rear of the building with a pitched roof following the side elevations and pitch of the main roof and measure 5.8m deep, 16.7m wide, 2.7m to the eaves and 3.6m in total height.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP30 - Biodiversity
SP35 - Quality Development
SP37 - Climate Change
CC01 - Fluvial and Tidal Flooding
GI06 - Landscaping and Green Infrastructure
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
SE05 - Air Quality
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring property occupiers and a site notice was posted close to the site.

Four letters of objection have been received raising the following concerns:

- Close to adjoining properties
- Development too high
- Scale of the building
- Change in levels to neighbouring properties
- Conflict with local plan
- General dislike of proposal
- Information missing from plans
- Loss of privacy
- Loss of light
- Noise nuisance
- Noise from forklifts
- Out of keeping with character of area
- Over development
- Increased flood risk
- Proposed hours of use
- Employees on the site

- Increase in traffic
- Inadequate access
- Highways and pedestrian safety
- Increase of pollution
- Light pollution
- Not enough info given on application
- Use of the proposed building as a warehouse/distribution centre
- Impact upon property values

Ramsgate Town Council - Objects to this application on the grounds of the impact on neighbouring properties; the bulk of the proposed building is overbearing on the adjacent residential dwelling; out of keeping with the residential area and against the Local Plan.

CONSULTATIONS

KCC Highways - "The site of the proposed building is already used for external storage, and the proposed building does not increase the retail floor area or remove existing parking. I therefore have no objections in respect of highway matters."

TDC Environmental Health Officer - Final comment - "I had concerns over the potential noise nuisance as the proposed warehouse will be made from metal cladding and this along with the proposed doors and roller shutter have the potential to cause a noise nuisance.

I am happy to amend my suggested hours to reflect 7am until 6pm daily; however, the applicant should be aware that any complaints of noise from the premises will be investigated under nuisance legislation."

Initial comment - "My main concern over this application would be possible noise nuisance from the use of the building as the site plans show that the warehouse will be erected on the boundary with noise sensitive dwellings. With that in mind I would suggest that the use of the building and any deliveries servicing the building are conditioned by time. I would suggest the times conditioned are:

8am to 6pm Monday to Saturday

10am to 4pm Sunday

The plan does not show the installation of any lighting. I would suggest that careful consideration be given to the placement of any lighting installed on or around the warehouse to minimise possible light nuisance being caused to neighbouring properties."

COMMENTS

The application has been called to Planning Committee by Cllr Hopkinson for Members to consider the impacts of the height of the proposed warehouse and potential noise impacts from the proposed development.

Principle

The application site comprises an existing garden centre located within the urban confines of Ramsgate.

The principle of erecting an ancillary building within the curtilage of an existing commercial premises is considered acceptable subject to all other material considerations.

Character and Appearance

The proposed building would be located 140m from the boundary of the site with Montefiore Avenue, 65m from the boundary with Hereson Road. From the south and east public views of the building would be between the dwellings fronting Muir Road and Brindle Grove. There is limited separation distance between the groups of terraced properties on Muir Road and, whilst development is more spacious in Brindle Grove, the building would be visible between numbers 23 and 24 Brindle Grove. The highest point of the building would be set 15m from the boundary of the site with Brindle Grove and given the location of the building behind these existing dwellings and outbuildings, and the existing commercial context of the site, the proposed building is not considered to be highly prominent or incongruous from these views. Whilst the proposed building is large in scale, given these large separation distances and the commercial nature of the site the building is not considered to be highly prominent or incongruous in views from these roads.

The proposed solar panels are shown to be integrated within the pitch of the roof and therefore do not add any significant bulk or mass to the building.

It is therefore considered that whilst visible from the public realm the proposed building would not have a significantly harmful impact upon the character and appearance of the area to warrant refusal and would therefore comply with policy QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

At the closest point there would be a separation distance of 1.5m from the proposed building and canopy to the boundary of the site with the properties on Brindle Grove, 4.5m to the boundary with the properties on Muir Road and 25m to the boundary with the properties on Hereson Road.

Given the separation distance to the properties on Hereson Road the proposed building is not considered to result in any significant loss of light or sense of enclosure to these dwellings.

Brindle Grove is set at a higher level than the application site with a change in levels of approximately 1m and there is currently a high level fence on this boundary. The closest neighbouring properties on Brindle Grove are numbers 23 and 24. Number 23 is set at an angle to the boundary with the application site and is set 7m from the boundary. The rear elevation of number 24 faces the boundary of the site with a separation distance of 15m. The main building would be set 7m from this boundary and, as noted above due to the design of

the building, the ridge would be 15m from this boundary. Given the design of the roof, the change in levels and the separation distances the proposed building is not considered to result in any significant loss of light or sense of enclosure to the neighbouring properties on Brindle Grove.

The properties on Muir Road are set at a lower level than the application site. The proposed building would angle away from the boundary with the properties on Muir Road resulting in a separation distance of 4.5m at the front and 13m at the rear of the canopy. The ridge of the building would be approximately 8m from this boundary. The closest property on Muir Road is 14m from the boundary with the application site and therefore at the closest point there would be a total separation distance of 18.5m to the proposed building. Given this separation distance and position of the building to the north of these properties the proposed building is not considered to result in a significant increase in loss of light or sense of enclosure to warrant refusal of the application.

Two pairs of pedestrian doors and a roller door are proposed in the front elevation and one pair of pedestrian doors is proposed in the rear elevation. No other openings are proposed around the building. It is therefore considered that given the existing use of the site and the arrangement of openings the proposed development would not result in any significant overlooking or loss of privacy to the neighbouring residential properties.

Concerns have been raised by local residents about noise and disturbance from the proposed development including the use of forklifts and the potential for the warehouse to be used as a distribution centre. Environmental Health initially raised concerns about the impact of the proposed warehouse on surrounding noise sensitive dwellings on the basis that the warehouse is metal with a roller shutter door. They initially requested a condition that would restrict the operation of the warehouse (including deliveries) to 8am to 6pm Monday to Saturday and 10am to 4pm Sunday.

It is evident that the area proposed for the warehouse is currently utilised for open storage of stock and also waste storage and there is nothing to prohibit the use of forklifts or other vehicles operating in this area. It is considered that there would be some level of existing noise associated with this area currently. It is also noted that there are no current restrictions on hours of the application site or deliveries/vehicle movements to and from the site. The applicants advise that the erection of a building on the site would create a buffer to some extent for noise generated on the site and that they accept a restriction on hours of operation for the warehouse and deliveries beyond the hours of 7am to 6pm daily and that they would accept a condition linking the use of the warehouse to the Ramsgate Garden centre.

Given the unrestricted use that can currently take place on the application site, it is considered that the proposal would formalise it and bring certainty to hours of operation for surrounding occupiers. Environmental Health have agreed to the hours proposed by the applicant and it is considered that this should be secured via a condition together with a condition linking the proposed warehouse to the Ramsgate Garden Centre.

It is, considered that with the proposed safeguarding conditions, that there would be no adverse impact on the residential amenities of surrounding occupiers from the proposal,

especially when considered against the unrestricted use of the site that could currently take place.

Transportation

The proposed building would be located away from the boundary of the site with the highway, in an area that is currently used for open storage and does not result in any increase in retail sales space or the loss of any existing parking. The proposed building would be for uses ancillary to the existing uses on the site and on this basis the Kent County Council Highways Officer has raised no objection to the proposed development. It is therefore considered that given the location and proposed use of the building it is not considered to result in any significant increase in demand for on street parking or harm to highway safety.

Other Matters

The existing site is hard surfaced and used for open storage. It is therefore considered that the proposed development would have no significant impact upon biodiversity.

The proposed building would be for general storage and preparation of plants for sale within the existing garden centre. These activities already occur on the site and therefore the proposed building is not considered to have any significant impact upon drainage or water supply in the area.

Given the existing hard surfacing to the site the proposed building is not considered to result in any significant increase in risk of flooding.

Given the existing use of the site for open storage the proposed development is not considered to result in any significant increase in pollution.

The applicant's agent has confirmed that the proposed building would be for use by Ramsgate Garden Centre similar to the existing open storage and would not be part of a wider distribution network. If alternative uses of the building are proposed in the future further applications for planning permission may be required.

Whilst the proposed development may result in an increase in employees on the overall site this is unlikely to be a significant change given that the building is to help facilitate the existing use on the site.

The impact of a development upon property values is not a material planning consideration and cannot be considered in the determination of this application.

Conclusion

Given the location of the proposed building set away from the boundaries with the properties on Muir Road and Hereson Road and the overall height and shallow pitch of the roof at the rear limiting the height on the boundary with Brindle Grove the proposed building is not considered to result in any significant impact upon the character and appearance of the

area. Furthermore the site is currently used for open storage with no restrictions on times of operation and deliveries, it is therefore considered that whilst this proposal would introduce some formality to the use of the area, subject to the agreed times of operation and deliveries, the proposed development would not result in any significant harm to the living amenity of the neighbouring property occupiers. The use of the proposed building in association with and ancillary to the existing garden centre and due to its scale and position is not considered to result in any significant harm to highway safety. It is therefore recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE: F/TH/21/1087

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