

A03

F/TH/22/0574

PROPOSAL: Erection of new timber pergola to outside seating area

LOCATION: St Lawrence Tavern High Street St Lawrence RAMSGATE Kent

WARD: Nethercourt

AGENT: Mr Marcello Tomasini

APPLICANT: Mr Simon Dallas

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 22-034-SGB-002A, 22-034-SGB-003A and 22-034-SGB-004A, received on 20th June 2022.

GROUND;

To secure the proper development of the area.

3 The pergola roof hereby permitted shall be constructed using a red/brown felt in accordance with drawing nos. 22-034-SGB-002A and 22-034-SGB-003A received on 20th June 2022 unless otherwise agreed in writing by the Local Planning Authority.

GROUND

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan.

SITE, LOCATION AND DESCRIPTION

The application site lies within the urban confines, in a residential area.

The St Lawrence Tavern is a public house set on a prominent corner plot with an area of amenity space fronting Ashburnham Road, and an area of car parking to the rear, accessed via High Street, St Lawrence.

The surrounding streetscene area is characterised by both single and two storey detached and semi-detached dwellings, with a small row of terraced properties known as 'Bell Cottages' located along the footpath immediately behind. All of which vary in style and scale, but benefit from some amenity space to the front.

RELEVANT PLANNING HISTORY

F/TH/98/0089

Provision Of Boundary Treatment Including Wall, Railings And Lanterns; Tile Hanging To First Floor; Canopy Over Existing And Proposed Entrances; Entrance Doors To Side Elevation; Steel Balustrade Over Existing And Proposed Extension; Steel Fire Escape Staircase; Provision Of Extract Fan; And Erection Of Rear Flat Roof Restaurant Extension, With Glazed Lantern

Granted 12.08.1998

PROPOSED DEVELOPMENT

Planning consent is sought for the erection of a single storey timber pergola to the outside seating area of St Lawrence Tavern public house, St Lawrence High Street, Ramsgate.

The proposed garage would have a depth of approximately 5.15 metres, length of approximately 11.14m, and total height of approximately 2.7 m.

Proposed materials will blend in with the host dwelling.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP35 - Quality Development
QD02 - General Design Principles
QD03 - Living Conditions
TP06 - Car Parking

NOTIFICATIONS

Letters were sent to neighbouring occupiers and a site notice was posted near the site. No representations have been received.

Ramsgate Town Council: make no comment.

CONSULTATIONS

Environmental Health "External areas of licensed premises can have time restricted use which would reduce noise disturbances at unsociable hours. The external area of this premises however does not have any current time restriction on use and therefore I do not believe that time restricting the covered section would be justified."

Initial comment "We have not received any complaints in relation to external noise at the St Lawrence Tavern. The outdoor structure could encourage an increase in patrons using the area which in turn could cause a noise disturbance. However there have been no complaints of this nature we would not have any justification to object."

COMMENTS

The application has been called to the planning committee at the request of Councillor Ovenden for Members to consider the potential impacts of the proposed development on neighbouring properties.

Principle

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The site comprises an existing public house located within the urban confines of Ramsgate. The principle of extensions and alterations to an existing commercial premises is considered acceptable subject to all other material considerations.

Character and Appearance

The National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment, establish and maintain a strong sense of place, and that permission should be refused for development of poor design which fails to take the opportunities available to improve the character and quality of an area.

Policy QD02 of the Thanet Local Plan outlines that the design of all new proposals must respect or enhance the character or appearance of the area particularly in scale, massing, rhythm and use of materials.

The proposed pergola will be affixed to the southern elevation of the property, overlooking Ashburnham Road and will be constructed from timber.

The pergola would be open on all four elevations, albeit with the northern elevation set close to the host dwelling, and would have a flat roof.

Initial plans proposed the use of polycarbonate roofing, but following concern raised by the Planning Officer over the increased noise caused by rain fall on the polycarbonate, the roof was changed to a softer, more sound absorbing felt to match the colour of the hung tile on the host dwelling.

Whilst the pergola would have a length of approximately 11.14m, given the limited height of 2.7m and its positioning close to the building finishing in line with the horizontal division created by the lowest level of the hung tile, and use of materials to match the colour scheme

of the host dwelling, the pergola is not considered to be a highly prominent feature within the public realm.

Given the position of the pergola, its overall lightweight structure and materials, and that the original building remains highly visible from public view through the pergola, it is not considered to result in any material harm to the character and appearance of the surrounding streetscene or wider character and appearance of the area. It therefore complies with Policies SP35 and QD02 of the Thanet Local Plan and the NPPF.

Living Conditions

In terms of living conditions, paragraph 119 of the NPPF outlines that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 130 of the NPPF states that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Thanet Local Plan Policy QD03 states that new development must not lead to unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.

St Lawrence Tavern Ashburnham public house shares a common boundary with No. 71 Ashburnham Road to the east, but given that the proposed pergola will be set in from the host dwelling's side elevation by approximately 3.39m, be set forward of the No. 71 by approximately 1.10m, have a modest height of 2.7m and have a total separation distance of 5.28m to their side elevation, it is not considered to create any harmful sense of enclosure or overshadowing.

In addition, the residential properties facing the application site are separated by both the highway and areas of amenity space, with a distance of 18.95m to the side elevation of the property on the opposite corner, being No. 56 High Street, St Lawrence, and 24m to the front elevation of No. 54 Ashburnham Road. Thus, the proposal is also not considered to create any harmful sense of enclosure or overshadowing here either.

In terms of potential noise issues, the proposed pergola will not alter the existing use of the outdoor space, or change to the function of the land, which has historically and continues to provide outdoor seating to customers of the public house, and is therefore not considered to result in the creation of any additional noise significantly above that already exists from this area.

Whilst it is acknowledged that the pergola could allow people to stay outside for longer, the proposal will not change the operating hours of the pub or the outside area. It would therefore not be reasonable to control the use of the land in terms of restricting the opening hours. Furthermore, Environmental Health has no objection to the pergola given this established use of the area and land, and have received no complaints.

The matter of antisocial behaviour is covered by separate regimes/legislation including licensing.

For these reasons it is not considered that the proposal would not adversely affect the living conditions of neighbouring property occupiers and therefore accords with Policy QD03 of the Thanet Local Plan and the NPPF.

Transportation

The proposed pergola is located away from the boundary with the highway and makes no significant change to the amount of habitable accommodation or off street parking at the property.

For these reasons, it is not considered that the proposed development would result in harm to highway safety or amenity.

Conclusion

For the reasons outlined above, it is considered that the principle of the proposed development is acceptable, whilst no material harm would be caused to the character or appearance of the area, the residential amenities of neighbouring property occupiers or the local highway network. The proposal therefore accords with Policies SP35, QD02, QD03 and TP06 of the Thanet Local Plan and the National Planning Policy Framework.

It is therefore recommended that Members approve the application.

Case Officer

Tanya Carr

TITLE:

F/TH/22/0574

Project

St Lawrence Tavern High Street St Lawrence RAMSGATE Kent

