

A05

F/TH/24/0136

PROPOSAL: Change of use of land for the siting of tables and chairs to extend external seating area to the West elevation

LOCATION: Pier Head Shelter The Harbour BROADSTAIRS Kent CT10 1EU

WARD: Bradstowe

AGENT: Mr Daniel McCarthy

APPLICANT: Mr Warren Roe + Christian Miles

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 development hereby approved shall be carried out in accordance with the submitted drawings numbered 05, 06 and 08 received 8 February 2024 and, 07 received 6 March 2024.

GROUND;

To secure the proper development of the area.

3 The planter enclosure, hereby approved, shall be constructed to the same design as the existing planters, and be finished with matching dark stained cladding and glass screening, as shown on the approved drawings.

GROUND:

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan, and advice as contained within the National Planning Policy Framework.

INFORMATIVES

Please be aware that landowner's permission will be required for the development to be carried out and planning permission does not override land ownership rights. Please contact

the Thanet District Council team at Propertyandassetmanagement@thanet.gov.uk to ensure the correct permissions are in place.

The applicant is advised to sign up to the flood alert service for the 'Coast from Ramsgate to Kingsdown' which will give an alert for severe weather that may lead to overtopping and flooding. <https://www.gov.uk/sign-up-for-flood-warnings>

SITE, LOCATION AND DESCRIPTION

The application relates to the shelter at the end of the Jetty in Viking Bay. The timber clad structure comprises a restaurant at one end with an external seating area, with the remainder of the shelter open for members of the public to use. The space within the roof is used for storage and the restaurant and store area at ground floor are enclosed. The remainder of the shelter comprises upright supports allowing open views through to the sea from the arm of the jetty. The site lies within the Broadstairs Conservation Area.

PLANNING HISTORY

F/TH/24/0206 Pending Decision

Variation of condition 2 of planning consent F/TH/22/1638 Erection of single storey front, side and rear extensions to existing restaurant together with landscaping and seating areas to allow internal alterations including removal of internal stairs and erection of external stairs, alterations to fenestration

F/TH/22/1638 GTD 20 April 2023

Erection of single storey front, side and rear extensions to existing restaurant together with landscaping and seating areas

F/TH/21/0253 GTD 8 June 2021

Erection of external seating area and alterations to internal layout

F/TH/15/0051 GTD 10 April 2015

Retrospective application for the erection of rear extension to cafe unit, within the exiting shelter and installation of roller shutters to front and rear elevation

NM/TH/10/0186 GTD 19 April 2010

Enlargement of staircase enclosure (amendment to planning application F/TH/09/0670)

F/TH/09/0670 GTD 13 January 2010

Erection of staircase enclosure to create access to balcony

F/TH/09/0284 GTD 18 June 2009

Erection of side and rear extension to existing cafe unit, within the existing shelter

F/TH/01/0105 REF 29 March 2001

Erection of three front, rear and side extensions to existing kiosk, to form cafe, together with the installation of 2 roof lights

F/TH/97/0052 REF 1 July 1997

Alterations to existing shelter to provide additional seating and 3 kiosks in addition to 1 kiosk

F/TH/01/0105 REF 29 March 2001

Erection of three front, rear and side extensions to existing kiosk, to form cafe, together with the installation of 2 roof lights

PROPOSED DEVELOPMENT

The application seeks planning permission to enlarge the external seating area on the western elevation of the shelter. The additional seating area will have planters with glass screens above to match the existing enclosure. A 1.3 metre wide gap is proposed on the northern side of the enclosure to provide customer access to the seating and this will form the new entrance to the restaurant.

PLANNING POLICIES

Thanet Local Plan 2020

SE08 - Light Pollution

SP04 - Economic Growth

SP12 - Broadstairs Promenade and Beach Front

SP26 - Landscape Character Area - Ramsgate and Broadstairs Cliffs

SP43 - Safe and Sustainable Travel

CC01 - Fluvial and Tidal Flooding - Flood Zone 2

HE02 - Broadstairs Conservation Area

QD01 - Sustainable Design

QD02 - General Design Principles

QD03 - Living Conditions

Broadstairs and St Peter's Neighbourhood Development Plan

Policy BSP4: Seafront Character Zones

NOTIFICATIONS

Neighbours have been notified, a site notice posted and an advert placed in the newspaper and no representations have been received.

Broadstairs & St Peter's Town Council - The Committee unanimously recommends No Comment.

CONSULTATIONS

TDC Conservation Officer - Following a review of the proposed application I raise no objections from a heritage perspective and consider the setting and appearance of the surrounding conservation area and heritage assets preserved.

Environment Agency - We have assessed this application and it is covered by our national Flood Risk Standing Advice (FRSA). This means you do not have to consult us directly and can use our standing advice to manage flood risk for this planning application.

ANALYSIS

The main issues raised by this proposal are the principle of the development, the impact of the proposal on the pier and its setting within the Broadstairs Conservation Area, its impact upon other users of the Pierhead, impact upon the living conditions of the occupiers of nearby residential properties and pedestrian and highway safety.

Principle of Development

The site lies located at the far end of the harbour pier and the proposal relates to alterations to an existing cafe within the Pier Head Shelter and the use of the external area to the western end of the shelter for external seating. The proposed development is therefore likely to be considered acceptable in principle, subject to the assessment of material considerations, and determined in accordance with the National Planning Policy Framework (NPPF), Local Plan Policies and the Broadstairs and St Peter's Neighbourhood Development Plan.

Planning Policy

The Pier Head Shelter lies within the Broadstairs Conservation Area and is located within an area defined on the Thanet Local Plan policies map as being covered by Policy SP12, relating to the Broadstairs Promenade and Beach Front, and Policy SP26 which relates to the Ramsgate and Broadstairs Cliffs Landscape Character Area. Viking Bay lies within the area covered by Policy BSP4 of the Broadstairs Neighbourhood Development Plan which relates to Seafront Character Zones.

The Broadstairs Promenade and Beach Front policy (SP12) supports proposals that maintain and enhance the role and character of Broadstairs as a popular attractive small seaside town. Opportunities to enhance the use and attractiveness of the promenade, seafront and beach are welcomed. Within this area, small scale leisure and tourism uses will be permitted, including retail, where they do not harm the character and heritage interest of the surrounding area.

The Landscape Character Area policy (SP26) supports proposals that respect the traditional seafront architecture of the area and maintains existing open spaces.

Character and Appearance

It is proposed to extend the existing external seating area on the western elevation of the shelter (approved through F/TH/21/0253 on 8 June 2021). The additional seating area would measure approximately 5 metres by 3 metres and be enclosed by timber planters. The planters would have a height of 1.1 metres with a 0.3 metre glass screen above bringing the overall height of the planters to nearly 1.4 metres, to match the existing planters. A 1.3

metre wide gap is proposed on the northern side of the enclosure to provide customer access to the seating and this will form the new entrance to the restaurant.

The timber planters, forming the boundary of the enlarged external seating enclosure, would be finished with a dark stain to match the existing planters, and the weatherboard finish of the shelter. The planters, and the seating contained within, would be seen in relation to the cafe and would provide further opportunities for soft landscaping to the western elevation of the shelter. Providing the planters and glass screening is kept to a finished height of 1.4 metres, as shown on the submitted drawings, they would not dominate views of the shelter from longer views, such as those gained from the cliff top promenade overlooking Viking Bay, or on approach along the pier.

The planters surrounding the tables and chairs would extend towards the front elevation of the shelter aligning with the existing planters. This would reduce the amount of open space at the western end of the shelter, however the space between the planters and the mooring post would remain the same. Whilst this may result in a pinch point being created for pedestrians, particularly during the busy summer months, it is considered there would be sufficient space for people to pass and repass around the shelter and the proposed development would not prevent members of the public being able to enjoy the pier and take in the views.

With regards to Thanet Local Plan policies SP12 (Broadstairs Promenade and Beach Front) and SP26 (Landscape Character Area) and Policy BSP4 of the Broadstairs Neighbourhood Development Plan (Viking Bay Seafront Character Zones) the proposed development would provide an opportunity to maintain and enhance an existing tourist and leisure use by making it attractive to visitors of the town and for use by local residents. The proposal would preserve the intrinsic appearance of the pierhead shelter through the minimal disruption to the integrity of the building and use of materials, including the use of dark weatherboard cladding and dark painted flue. The low level planters forming the seating enclosure would not adversely impact on the setting of the building within the context of the pier, which in turn would preserve the character and appearance of the Broadstairs Conservation Area. The seating area would reduce the amount of public open space to the western end of the shelter however an appreciable amount of open space would be retained around the building to still be appreciated in relation to its overall setting.

Living Conditions

The building is located some distance from the nearest residential properties. The cafe and pier attracts a large number of people, particularly in the summer months, and visitors to the cafe often consume drink and food in the general vicinity. The additional external seating would be unlikely to result in an unacceptable increase in noise and disturbance above that which already exists in this popular seaside location.

It is therefore considered the proposed development would not harm the amenity of any nearby residential occupiers and therefore the development accords with the requirements of Thanet Local Plan Policy QD03 and the NPPF.

Flood Risk

The development falls within Flood Risk Zone 3 with a high probability of flooding. A Flood Risk Assessment has been submitted that concludes the site is at very low risk from surface water flooding, but is at risk of flooding due to extreme sea levels and from overtopping of the Broadstairs jetty. The Assessment advises *'The extension does not affect the enclosed areas at The Jetty and therefore the use of the Environment Agency's Flood Risk Standing Advice is appropriate'* and goes on to recommend that *'the operators of the Pier Head Kiosk sign up to the flood alert service for the Coast from Ramsgate to Kingsdown. This will give an alert for severe weather that may lead to overtopping and flooding. The operators should draw up a plan for evacuation and closure if necessary due to storm conditions.'*

Subject to an Informative, advising that this precaution be undertaken, the proposal is considered to comply with Policy CC01 of the Thanet Local Plan.

Pedestrian and Highway Safety

The enlargement of the external seating area would project into the open space to the west of the building but would not prevent pedestrians or vehicles from accessing the site and the impact on pedestrian and highway safety would be similar to the existing situation and it is therefore considered there would be no additional harm to pedestrian or highway safety.

Conclusion

The proposed development would maintain and enhance the role and character of the seaside town of Broadstairs and would not result in any significant harm to the character and appearance of the Broadstairs Conservation area. There would be limited impact on the living conditions of nearby residential occupiers, and no harm to pedestrian and highway safety, therefore the proposal is in line with Local Plan policies CCO1 HE02, SP12, SP26, QD02, QD03 and Policy BSP4 of the Broadstairs and St Peter's Neighbourhood Development Plan and the NPPF. Therefore it is recommended that members approve the application.

Case Officer

Rosemary Bullivant

TITLE:

F/TH/24/0136

Project

Pier Head Shelter The Harbour BROADSTAIRS Kent CT10 1EU

