

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Contractors compound for use during the rebuilding of Ramsgate Library, Corner of Effingham Street & Guilford Lawn, Ramsgate – TH/06/1317

A report by Head of Planning Applications Group to Planning Applications Committee on 15 May 2007.

Application by Kent County Council Communities Directorate for a contractors compound for use during the rebuilding of Ramsgate Library at the Corner of Effingham Street & Guilford Lawn, Ramsgate – TH/06/1317

Recommendation: Subject to the further views of the Divisional Transportation Manager planning permission be granted subject to conditions.

Local Member(s): Mr. A. Poole & Mrs. E. Green

Classification: Unrestricted

Site

1. The contractors compound is proposed to be located on the corner of Effingham Street and Guilford Lawn on an area of land owned by Thanet District Council currently used as an informal parking area by local residents. The site lies some 20 metres to the north-east of the former Ramsgate Library site, which was almost completely destroyed by fire in August 2004. Both Guilford Lawn and Effingham Street are extremely narrow residential streets with terraced housing fronting them, the closest property of which is some 8 metres from the boundary of the site. The site is within the Ramsgate Conservation Area, with Listed Buildings lying to the north of the site in Guilford Lawn and to the east in Effingham Street. The site is bordered on two sides by double height blank facing brick walls of adjoining buildings that are currently not used for residential use. *A site location plan showing the contractors compound in relation to the Ramsgate Library site, Guilford Lawn and Effingham Street is attached.*

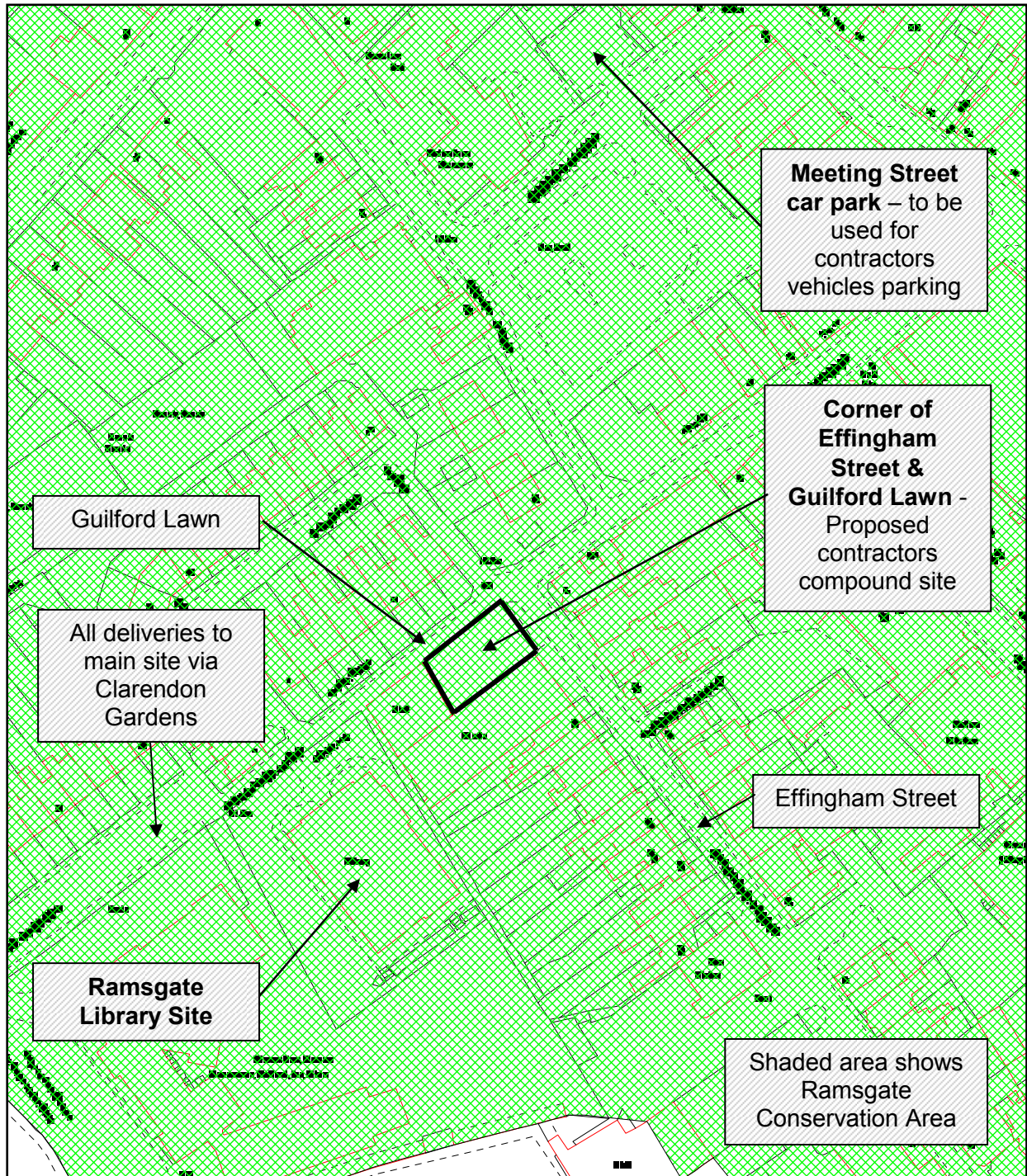
Background and Proposal

2. Following a fire in August 2004, Ramsgate Library was almost completely destroyed with the loss of all contents, leaving only the external walls standing. In view of the importance of this former Grade II Listed Building, which provided a significant focal point and contributed to the character of the Conservation Area, Kent County Council submitted an application to reconstruct this historic building in 2006, under application reference number TH/06/221. It was subsequently granted planning permission in May 2006.
3. The Ramsgate Library site is too small to contain the contractor's site compound, offices, and storage of materials whilst maintaining a safe working space around the building for the duration of the contract. The applicants have indicated that a search around the local area identified the application site being suitable for the proposed compound.

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Site Location Plan



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Scale 1:1250

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4. At the time the application was submitted, a similar proposal was also submitted for a second contractors compound on Meeting Street car park, some 120 metres away from the Effingham Street / Guilford Lawn site, under application reference TH/06/1316. This was in order to provide additional storage space for the contractor in the form of additional Portakabin units, as well as parking space for site contractors vehicles. However, since appointing the final contractor, Barwick Construction, the additional Meeting Street car park application has been withdrawn with a view to the contractor using that site solely for the parking of contractors vehicles.
5. Following the final contractor being appointed, the application for the compound on the corner of Effingham Street & Guilford Lawn was amended to include four Portakabin buildings, comprising of a site office, meeting room, toilets and staff rest room. These would consist of a double stacked Portakabin unit, to the south of the site, with two single storey units to the west and north of the site. As part of the proposal, the site would be boarded by 2m high site hoarding. Further to highway concerns raised relating to the amended proposal, as set out in paragraph (11) below, a further amendment was submitted in early May by the applicant as detailed below:
 - Vehicle access gates to the compound have been removed from the Effingham Street boundary, and a single pedestrian gate will be positioned along Guilford Lawn;
 - 2 metre high chain link fence will be erected along the site boundary with Effingham Street, to include the corner of Effingham Street and Guilford Lawn where the fence will be splayed back to allow satisfactory visibility splays;
 - 2 metre high site hoarding will be erected along Guilford Lawn, to include a single storey pedestrian access gate;
 - All windows on the Portakabins facing Effingham Street will be obscured glazed, as will all first storey windows on the double stacked Portakabin units;
 - No site lighting will be allowed on the compound, unless otherwise agreed with the prior written approval of the County Planning Authority.

The details set out above are the current proposal, and therefore form the basis of the discussion below. A copy of the revised plan outlining the current proposal will be on display at the Committee Meeting on 15 May 2007.

6. As part of the current proposal, the applicants are seeking temporary planning permission for the compound for the duration of the reconstruction of the library. This is anticipated to be for a duration of approximately 65 weeks due to the complexity of the reconstruction of the Grade II listed building. The applicants have sought permission to utilise the site from 0730 to 1830 Monday to Friday, and 0830 to 1300 on Saturdays which would allow the main Ramsgate Library site working hours to be maximised, with site personnel able to access the application site accommodation prior to, and after the main site operation hours. *Members should note that the working hours granted under permission (TH/06/221) for the reconstruction of Ramsgate Library are restricted by condition to between the hours of 0800 and 1800 Monday to Fridays, and 0900 and 1300 on Saturdays.*

Planning History

7. In 2004 a planning application was submitted to the County Planning Authority for a temporary library building on the land at the corner of Effingham Street and Guilford Lawn under reference TH/04/1330. The application proposed a temporary Portakabin building that would allow Kent Libraries to maintain a service in Ramsgate during the reconstruction of the existing library. The application was reported to the Planning

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Applications Committee on 14 December 2004 following an objection by the Divisional Transportation Manager regarding visibility at the corner of Effingham Street & Guilford Lawn, as well as several residential objections relating to the loss of an informal car parking area, amongst other matters.

8. Members of the Planning Applications Committee resolved to grant planning permission and a temporary consent was subsequently issued. However, the permission was never implemented as another larger site was found on the Thanet District Council Cannon Road car park nearby. The application for the temporary library building at Cannon Road was granted planning permission under application reference number TH/05/126 until the first occupation of the rebuilt Ramsgate Library, or until the 31 March 2008, which ever occurs first.

Planning Policy

9. The Development Plan Policies summarised below are relevant to consideration of the application:

- (i) **The Adopted 2006 Kent & Medway Structure Plan:**

Policy SP1 – The primary purpose of Kent’s development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent’s identity and local distinctiveness and promoting healthy, safe and secure living and working environments;

Policy QL1 – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

Policy QL6 – The primary planning policy towards conservation areas is to preserve or enhance their special character or appearance. Development which would harm the character or appearance of a conservation area will not be permitted.

Policy QL8 – Listed Buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced. Development which will adversely affect them will not be permitted.

Policy QL11 – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient.

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(ii) **The Adopted Thanet District Council Local Plan 2006**

Policy D1 – All new development is required to provide high quality and inclusive design, sustainability, layout and materials. New developments will only be permitted if they:

- respect and enhance the character or appearance of the surrounding area, particularly with scale, massing and choice of materials;
- compatible with neighbouring buildings and spaces and does not lead to an unacceptable loss of amenity through overlooking, noise, light pollution, overshadowing, loss of natural light or sense of enclosure;
- provides safe and satisfactory means of pedestrian, and, where provided vehicle access;

Policy HE1 – Listed Buildings will be preserved and their features of special architectural or historical interest, along with their settings shall be retained. Development which will adversely affect them will not be permitted

Policy HE4 – In and adjoining Conservation Areas, all planning proposals will be assessed in relation to their effects on the character and appearance of this area as a whole. All works will be required to preserve or enhance its special character or appearance, and development that would harm the special character or appearance will not be permitted.

Policy CF1 – Proposals for community facilities will be granted if the proposals are not contrary to other local plan policies and the community use and location are demonstrated as appropriate.

Policy TR11 – New development will be expected to provide safe, convenient access and movement by pedestrians. The Council will seek to permit proposals to improve the convenience, accessibility and safety of existing pedestrian links.

Consultations

10. *Consultations have been carried out on the amendment to the application with the appropriate consultees. Any views not received at the time of writing will be reported verbally if received by the Committee meeting.*

11. **Thanet District Council** – make the following observations:

To the original proposal

“While Thanet District Council have no objection in principle to the erection of the contractors compounds, an objection is made to the proposal on the grounds of the height of the Portakabins and their impact on parking and highway safety. Furthermore, 2 metre high fencing is being erected which may impact on pedestrian and vehicle visibility.

A holding objection is therefore made to this application. Further consideration will be given to the acceptability of this application following further details on the height of the proposal being submitted, and subject to no objections being raised by Kent Highways”

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To the amended proposals

Formal views still awaited and will be reported at the Committee meeting verbally

Divisional Transportation Manager: make the following observations:

To the original proposal

“I have no objections in principle to the use of the site, which is currently used for private parking purposes and does not form a pay and display authorised area. The position of the gates suggests that any vehicles entering or leaving the site will have difficulty due to the position of the Portakabin.”

To the first amendment

“I confirm I am opposed to the construction of the hoarding around the perimeter of this site. The chainlink type fencing previously proposed could be seen through and thus allowed forward visibility for vehicles across the Guilford Lawn and Effingham Street junction. The solid 2m hoarding will take this visibility away. Effingham Street is a very well used street and already suffers visibility problems on this junction with vehicles approaching from the High Street due to the lack of footpath frontage development. I would not want this situation further exacerbated since vehicles often have to mount the footway and have difficulty in manoeuvring passed each other in this location. Vehicles queuing would have no idea of the problems if forward visibility was further obscured in this manner. Pedestrian visibility splays will still be required to the access and my comments stand in respect of vehicles manoeuvring within the site. I would not wish to see vehicles reversing out into Effingham Street at this location”.

To the current proposal

I understand informally that the scheme as detailed in paragraph (5) above is now acceptable in highway safety terms but am awaiting confirmation of the final views of the Divisional Transportation Manager which will be reported at the Committee Meeting.

Local Members

12. The local County Members, Mr A. Poole and Mrs. E. Green, were notified of the original application on the 3 November 2006. They were both re-notified following the amendment to the application on 23 April 2007 and again on the latest amendment on 3 May 2007.

Publicity

13. The application was publicised by the posting of a site notice, an advertisement in the Isle of Thanet Extra and the individual notification of 25 residential properties. The site notice and advertisement indicate that the application is within the Ramsgate Conservation Area and is likely to affect its character and/or appearance. It is also indicated that the proposed development may affect the setting of nearby Listed Buildings. As a result of the amended proposal, the original 25 residential properties were re-notified.

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Representations

14. To date, two letters of objection have been received in relation to the original proposal for a temporary contractors compound. The main points of the letters are summarised below:

- Parking is already at a premium and the land that is being proposed for use as a builders compound currently provides parking space for several cars. If this is no longer available is concerned that people would resort to parking in unsuitable places potentially blocking vehicular access to properties from George Street / Effingham Street;
- Would like to know if any alternative arrangements for parking are being proposed during the time this land would be used as a builders compound;
- Asks whether the council has considered the alternative available space outside the library building main entrance in Clarendon Gardens, in the nearby Waitrose car park that backs onto the library, or at the back of the old disused police station in Effingham Street. States that all of these alternative sites would not affect the ambience of the surrounding properties;
- Is curious as to whether the proposed site is owned by Thanet District Council;
- If the application is approved, would like information with regard to the future plans for the site once the library project is complete;
- Strongly objects to building works taking place on a Saturday morning in view of the close proximity to their property and the noise pollution that this would cause;

To date, one letter of objection has been received as a result of the re-consultation on the amendment to the application. The views are set out below, and any further views received prior to the Committee Meeting will be verbally reported at the meeting.

- it would appear that the amendment in no way alleviates the parking problems caused by the proposal – apparently these are to be exacerbated by the use of land outside of the library being taken up for developments;
- it has still not been clarified whether the proposed area does in fact belong to the Council?

Discussion

15. In considering this proposal, regard must be had to the Development Plan policies outlined in paragraph (9) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the impact upon residential and local amenity of the proposed contractors compound, the working hours of the proposed site, and the highway implications as a result of the current proposals.

Impact on Conservation Area & Listed Buildings

16. The proposed site is within the Ramsgate Conservation Area, on a derelict plot of land in the immediate locality of the existing library, as shown on the site location plan on page (2). The site is overlooked by Grade II Listed Buildings, directly to the East on Effingham

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Street and Grade II Listed Buildings slightly further away to the west with buildings located in Guilford Lawn.

17. Development Plan policies state that proposals within or adjacent to Conservation Areas should '*preserve or enhance their special character or appearance*' and '*development which would harm the character or appearance of a Conservation Area will not be permitted*' [Policy QL6 from the Adopted Kent and Medway Structure Plan 2006]. Similarly, the Adopted Thanet District Council Local Plan states that, under Policy HE4 that, '*development that would harm the special character or appearance will not be permitted*'. In addition, Policy QL8 of the Adopted Kent and Medway Structure Plan states that, '*Listed Buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced*'. Similarly, Policy HE1 of the Thanet District Council Local Plan stated that '*Listed Buildings will be preserved and their features of special architectural or historical interest, along with their settings shall be retained. Developments which will adversely affect them will not be permitted*'.
18. In my opinion, the proposed site in its present form as a derelict plot of land does little to reflect the special characteristics of both the surrounding Ramsgate Conservation Area and nearby Listed Buildings. I also recognise that the siting of a contractors compound is not ideal within a Conservation Area and adjacent to Listed Buildings, but note the relatively short-term arrangements for the site for use as a contractors compound to facilitate the reconstruction of the former Library building and that there are no alternative sites suitable for this purpose with close proximity of the library site. It is also of note that the use of the site will facilitate the rebuilding of the former library building which was a Grade II Listed Building. Therefore, on balance I would not raise an objection to the proposed development in terms of its impacts on the character and appearance of the Conservation Area or the setting of nearby Listed Buildings.

Highway and Pedestrian implications

19. Members should note that the roads around the proposed site are extremely narrow and used by a variety of traffic moving around the town centre. Whilst the Divisional Transportation Manager had no objections in principle to the use of the site (see observations outline in paragraph (11) above) he had concerns about the potential for a high number of vehicle movements and the position of the gates into the site. In particular these related to the visibility splays for vehicles entering and leaving the site and across the junction between Guilford Lawn and Effingham Street. The details of the proposal have now been amended to address these concerns by using chain-link fencing on the frontage splayed back in accordance with the advice given by the Divisional Transportation Manager to allow appropriate visibility. In addition the applicant has removed the originally proposed double vehicle access gates from the fence along Effingham Street and replaced them with a single pedestrian only access gate in the Guilford Lawn boundary hoarding.
20. There are three main sites involved with the reconstruction of the Library building, these being the main library site itself, the contractors compound on the corner of Effingham Street and Guilford Lawn and the Meeting Street car park. It should be noted that the Meeting Street car park will be solely used for the parking of contractors vehicles, and there will be no storage of materials or temporary structures on this site. Secondly, the contractors compound will be solely used for temporary portakabins to house site personnel's for health and welfare facilities that include a meeting room, toilets, staff room and offices. To clarify there would be no vehicle parking allowed on this compound site and the only access is proposed to be a pedestrian access gate from Guilford Lawn.

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Thirdly, the main library site will be used for the storage of all materials required during the rebuilding of the library. As detailed on the site plan shown on page (2), all deliveries to the main library site will be via Clarendon Gardens.

21. Bearing in mind the latest amendments to the proposal as set out in paragraph (5) above, including the removal of vehicle access gates from the compound, and the informal advice of the Divisional Transportation Manager I do not now anticipate an objection on the grounds of highway safety. However the report is written subject to receiving the final views of the Divisional Transportation Manager.

Impact on residential amenity

22. I note that the site chosen is a cramped site, between narrow roads with terraced housing fronting the main highway. Therefore, the location of a contractors compound with a double stacked Portakabin unit may give rise to overlooking issues on the surrounding residential properties. To overcome possible overlooking issues, the applicant has agreed to install obscured glazing to all first storey windows of the double storey portakabin and to all ground storey windows of the portakabin elevations fronting Effingham Street.

23. On balance, when considering the temporary nature of the site, and the requirement for obscure glazing to mitigate any potential overlooking issues, I would not raise an objection to the proposal in terms of the potential impact on residential amenity.

Proposed operation hours

24. As outlined in paragraph (6) above, the applicants have proposed working hours from 0730 to 1830 Monday to Friday, and 0830 to 1300 on Saturdays to allow the working hours for the Ramsgate Library rebuilding (as approved under planning reference TH/06/221) to be maximised. It is therefore necessary to consider whether the proposed working hours are acceptable, given the 'tight site' and close proximity to nearby residential properties.
25. It should be noted that the working hours proposed would allow the contractor to open up the site half an hour earlier and half an hour later than the permitted working hours of the main Ramsgate Library site, between Monday to Friday. It should also be noted that on Saturdays, the proposed working hours of the compound would allow an extra half an hour of operations prior to the permitted working hours of the main site.
26. By allowing the contractor to operate for these further periods, outside those already approved by the earlier permission, this could have the potential to cause an additional disturbance to local residents, over and above the hours already established under the main library permission. However, given that this additional time will be used to unlock the site and to brief personnel, the amount of disturbance generated by the site on nearby residents should be kept to a minimum. In addition, given that there will not be any vehicle movements to the site, given that contractors vehicles will be parked in the nearby Meeting Street car park, the noise disturbance of allowing the additional working hours would be relatively minor on surrounding properties.
27. Accordingly, whilst I acknowledge the concerns from local residents relating to the extended operation hours of the compound, I consider the temporary nature of the use of the site, along with the use of the site as meeting rooms and staff facilities, and no vehicle movements to the site, I do not consider it necessary to raise an objection to the extension of the operating hours as set out in paragraph (6) above.

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Lighting

28. The issue of site lighting within and around the site compound is of particular importance here, given the close proximity of the compound to nearby residential properties. The application as made does not include lighting details although in my view given the working hours, some form of lighting may be required during parts of the year. As such, should Members be minded to grant planning permission I would recommend a condition be attached to the effect that should site lighting be required during winter months then the details of these will need to be submitted to and approved by the County Planning Authority prior to any lighting being erected on site.

Land ownership and loss of car parking

29. I acknowledge the concerns relating to the land ownership of the application site from local residents. After seeking further advice from the applicant, I can advise that the land in question is a derelict plot of land which is owned by Thanet District Council in which local residents and visitors to the town centre use as an 'unofficial' car park. With regard to the concerns raised regarding the loss of an informal area of car parking, whilst I acknowledge the resident's concerns, I note that parking services are dealt with directly by Thanet District Council, the landlord, who are fully aware of the local car parking situation. As such, the issue regarding residential parking around the proposed site is a matter between local residents and the District Council in this case.

Future use of the site

30. The long-term plan for the site is not a question that influences this application. The plot is not owned by Kent County Council and therefore beyond the duration of the above application the applicant is unable to make comment. However, should permission be granted, I recommend that a condition be attached to ensure that the site is restored to a clean flat surface when the contractors compound is removed prior to the first occupation of the reconstructed Ramsgate Library.

Other potential sites

31. The local residents raised the question of other potential sites for this proposed facility. It is my understanding that the applicant has been in consultation with Thanet District Council in bringing this proposal forward and would have considered a number of options in the locality before submitting the application. It should be noted that the application which is to be determined relates solely to the use of the Guilford Lawn and Effingham Street site and the use of alternative sites is not a material consideration in this case and is outside of the direct control of the applicant.

Conclusion

32. In conclusion, whilst I acknowledge that the Effingham Street and Guilford Lawn site is not ideal in terms of its location within the Ramsgate Conservation Area and adjacent to Grade II Listed Buildings, I acknowledge the short-term arrangements for the compound and the necessity of finding a suitable site within a close proximity to the main library site. The amendment to the application to remove the vehicle access gates from the compound and the splaying back of the fence on the corner of Effingham Street and Guilford Lawn is likely to remove the previous objection by the Divisional Transportation Manager. In my opinion, given that the consent applied for would be on a temporary basis, I am minded to raise no objections to the proposed development, on the grounds that any adverse impacts on residential amenity would be limited to a temporary basis only. Subject to the final views of the Divisional Transportation Manager, I recommend

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that planning permission be granted for a temporary period only subject to the imposition of conditions as set out in paragraph (33) below.

Recommendation

33. SUBJECT TO the final views of the Divisional Transportation Manager, I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions, including conditions to cover the following aspects:

- temporary use of the compound during the rebuilding of the Ramsgate Library site;
- restoration of the site to a clean flat surface following the removal of the compound prior to the first occupation and use of the rebuilt Ramsgate Library;
- hours of operation limited to those applied for;
- details of any lighting shall be submitted to and approved by the County Planning Authority prior to their erection and use on site;
- prior to the use of the site obscured glazing be fitted to all first floor Portakabin windows and ground floor windows fronting Effingham Street;
- no vehicular access shall be created into the site, and only a single pedestrian access gate to be erected along Guilford Lawn

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| Case officer – Julian Moat | 01622 696978 |
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| Background documents - See section heading |
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