

**A02**

**L/TH/17/0964**

PROPOSAL: Erection of railings to quay edge

LOCATION: Quay Edge Military Road RAMSGATE Kent CT11 9LG

WARD: Central Harbour

AGENT: No agent

APPLICANT: Thanet District Council

RECOMMENDATION: Approve

Subject to the following conditions:

1 The works to which this consent relates shall be begun not later than the expiration date of three years beginning with the date on which this permission is granted.

GROUND:

In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawing numbered 3598\_501B and dated 30 November 2017.

GROUND:

To secure the proper development of the area.

3 Prior to the commencement of development hereby approved, details, including elevational plans, of the connection between the new railings and the existing sections of railings, shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

### 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

## SITE, LOCATION AND DESCRIPTION

Ramsgate Harbour is the only Royal harbour in the UK, sited within the Ramsgate conservation area, the newly designated Heritage Action Zone and contains numerous listed buildings and structures. The areas subject to this application include the inner and outer harbour edge, extending from the slipway on Military Road to the south of the harbour, both sides of the East and West Cross Walls and part of the Western Pier. The Harbour cross walls, sluices, bollards, dry dock, basin gates, wing wall and Dundee steps are grade II\* listed and the Inner basin wall, slipway, steps, West Pier, bollards, iron crane and fairleads are grade II listed. All of these individual listings include the Granite walls with the Granite coping stones that extend around the inner and outer marinas.

## RELEVANT PLANNING HISTORY

F/TH/17/0843. Units 19 and 32 Military Road - Retrospective application for the change of use of retail and restaurant/cafe (Use Class A1 & A3) to a mixed use retail, restaurant/cafe and bar (Use Classes A1, A3 and A4) outside seating area. Granted 29 November 2017.

L/TH/17/1033. East Cross wall. Application for listed building consent for the erection of 2No. pitched roof plant buildings either side of the dock gate and removal of existing redundant structures. Granted 21 September 2017.

F/TH/15/0569. 9 Military Road - Erection of platform to facilitate use of land for the siting of tables and chairs, together with insertion of gate to existing fence. Granted 03 September 2015.

L/TH/15/0090 and F/TH/15/0089. 15 Military Road - Application for Listed Building Consent for internal alterations including installation of mezzanine to facilitate change of use of building to Restaurant/Cafe (Use Class A3). Granted 18 May 2015. Change of use from light industrial/storage to Restaurant/Cafe (Use Class A3) together with external seating. Granted 18 May 2015.

F/TH/14/0377. 17 Military Road - Change of use from light industrial and storage (B1 and B8) to retail, restaurant and cafe (A1 and A3), siting of tables and chairs to front, installation of new doors to front elevation and installation of flue. Granted 08 July 2014.

F/TH/13/0762. Units 19 and 32 Military Road - Change of use from light industrial and storage to retail and cafe use, and use of forecourt for the siting of table and chairs. Granted 12 November 2013.

F/TH/13/0577. 9 Military Road - Change of use to mixed Retail, Restaurant/Cafe and Storage. Granted 04 October 2013.

F/TH/00/694. 24-25 Military Road - Change of use from workshops/store to the sale of food or drink (use class a3) and external alterations. Granted 05 October 2000.

## PROPOSED DEVELOPMENT

The proposed development is the erection of white powder coated three bar railings around the harbour edge, infilling the spaces between the existing railings to provide a continuous barrier for pedestrians and vehicles. Originally the proposed railings would have extended along the full length of Military Road, the inner and outer sides of the East and West Cross walls, and partway along the West Pier.

Following concerns raised by the Conservation Officer regarding the design and extent of the railings and their impact upon the designated heritage assets an amended plan has been submitted. The amended plan includes the installation of railings along Military Road and between the existing galvanized steel vertical bar 8ft fence, shown in black and the existing steel welded tube 2 bar railings shown in purple at the south western end of the harbour. 200mm deep holes will be cut 300mm from the harbour edge in the Granite coping stones to allow for the railings to be installed.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Policies**

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. No individual letters of representation have been received in relation to this application.

**Ramsgate Town Council** - Strongly objects to the original application which proposes such a change to a listed structure in the town's newly recognised Heritage Action Zone.

**Ramsgate Heritage and Design Forum (RHDF)** raised the following concerns on the original proposal:

- o The proposed railings have a low quality industrial design.
- o The offset of the railings from the harbour edge increases the likelihood of pedestrians walking in the road.
- o The railings will have a detrimental visual impact on the listed harbour structure and the visual amenity of the harbour itself. If traffic safety is the primary reason for installation, a barrier should be concentrated to Military Road only.
- o The large diamond cut holes would damage the granite stones.

## CONSULTATIONS

### **Conservation Officer -**

#### *(Final Comment)*

Further to my previous comments, I accept that the reduction on the extent of the railings which would now only be confined to Military Road would reduce their impact on the heritage assets. But although I welcome this amended scheme, I still have the view that overall, the proposed railings would harm the significance of the heritage assets and I give the harm to the heritage assets much consideration. As such I consider that the proposal conflicts with the statutory duty to give special regard to the desirability of preserving the heritage assets, their setting, features of architectural or historic interest. It also conflicts with the core planning principle as set in the NPPF "to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".

As provided in my previous comments, the railings would undermine the particular quality of the heritage assets which include the Harbour Cross Wall, Sluices, Bollards, Basin Gates, Wing Wall and Dundee Steps (listed grade II\*); The West Pier, bollards, iron crane and fairleads; and the Inner basin walls, bollards, slipway and steps (listed grade II) within the quay and the contribution they make to the distinctive character of the Conservation Area.

Paragraph 132 of the National Planning Policy Framework makes it clear that, when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

I acknowledge the key reason of the development is the mitigation on public safety risk. However I am not clear whether other options have been explored whereby such risks could be minimised or mitigated. These heritage assets may appear a safety risk but what may make them more of a theoretical risk is also what makes them historically important, attractive and interesting meriting their preservation. The proposed railings could be unsightly and could seriously disfigure and clutter the view of the quay.

#### *(Original Comment)*

I have concerns with this proposal. The proposed railings would be too dominant and visually intrusive to satisfy national and local historic heritage objectives for the harbour.

In my opinion, because the silhouette of the harbour is such a key part of its significance, the sweep of the proposed railings around the Marina would be both visually prominent and obtrusive. Their modern appearance would appear as an unsympathetic feature, detracting markedly from the traditional appearance of the harbour and the heritage assets within it. In addition, the coring of the Granite coping blocks for setting the new railings posts due to the extent and amount could be damaging to the historic fabric.

Whilst recognising the need to avert a potential risk of injury to people due to falling from height into deep cold water or pontoon/watchcraft as indicated on the application, I am not persuaded that sufficient attention has been paid to the impact of the proposal on the heritage assets within the harbour mostly the grade II\* listed features. Equally I presume that the pedestrian/vehicles conflict is mainly along Military Road. I would therefore support the installation of the railings on Military Road only and not all around the Marina.

Apart from the assumption of risk, in my view, the application lacks justification on the proposal and I am not convinced that other means of avoiding the risk to happen or control of the area have been fully explored. I am also not convinced that the development will preserve the historic character of the harbour and that the benefits of the proposal would outweigh the impact on the heritage assets as indicated on the D & A statement.

I therefore have the opinion that the proposed railings would fail to preserve the listed features and would neither preserve nor enhance the character or appearance of the Conservation Area.

**Historic England** - On the basis of the information available to date, we do not wish to offer any comments.

## 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 listed structures and highway safety.

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when 'considering whether to grant listed building consent for any works the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 131 of the National Planning Policy Framework (NPPF) requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage asset, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused.

## **Design and Location**

Currently there are sections of railings around Ramsgate harbour where vehicular and pedestrian traffic are highest, along Harbour Parade, and to provide secure access to pontoons and slipways. The areas where this application proposes to install railings are generally considered to be the working areas of the harbour with the exception of Military Road, which has recently changed in character through the opening of a number of restaurants and cafes. The submitted plan indicates that there are currently six different types of railings around the harbour which vary in design, with more ornate railings along

Harbour Parade and the eastern end of the harbour, and sections of simpler railings in the working areas and along the eastern section of Military Road. This application proposes to introduce 'keylock' railings with a three bar design that differs to the other railings currently in situ around the harbour.

The Granite coping stones are a key feature of the harbour being located on the edge of the quay and extending around both the inner and outer marinas. This application would require holes to be drilled into the listed granite coping stones every 2.2m to allow for the installation of the railings. The physical incursion into the historic granite coping stones would result in harm to their historic fabric along Military Road and the south-western end of the harbour by altering their structure and appearance.

The listed bollards are situated at varying intervals around the harbour on the inner edge of the Granite coping stones and are painted white with a domed top. In addition to the listed structures along Military Road and the south western end of the harbour, there are numerous other features located adjacent to the granite coping stones, including road signs, utility boxes and bollards. The submitted plans indicate that the location of the railings would be adjusted by +/-10mm to allow for clearance around any obstructions, however in the areas covered by the amended plan there a few items of street furniture situated on the granite coping stones, or on the harbour edge, and therefore it is likely that a consistent line would be achieved. Details of how the proposed railings will be joined to the existing railings would need to be secured by condition to ensure an acceptable finish.

Whilst the proposed railings are similar in appearance to some of the sections of railings around the working areas of the harbour, the design does not match any of the existing sections of railings and, with the exception of the more ornate railings along Harbour Parade, the proposed railings would therefore detrimentally affect the significance of the designated heritage assets in terms of its visual appearance. The Conservation Officer has raised significant concerns regarding the installation of railings around the harbour and their impact upon the visual appearance and historic fabric of the harbour. He has noted that whilst the amended plan would reduce their impact of the railings on the heritage assets, they would still result in harm through the physical damage to the quay, and their unsightly appearance. The areas covered by the amended plan along Military Road and the south western end of the harbour are not as prominently sited as the outer areas of the harbour. Due to the locations proposed in the amended plan, the railings would not be immediately visible from the clifftop or longer views from Harbour Parade due to the existing built development, and furthermore, when viewed from the outer harbour and the East and West Piers the railings would be viewed against the Military Arches and the substantial neighbouring buildings, limiting their prominence.

Therefore it is considered that there is harm to the character and appearance of the designated heritage asset from the proposed railings. This however must be weighed against any public benefits resulting from the proposal.

## **Public Safety**

The design and access statement notes that the arches along Military Road and the area surrounding the inner basin form a popular tourist attraction, and when the harbour access

tunnel is closed, traffic has to use Military Road to access the port, creating potential safety issues. It is acknowledged that the character of the harbour along Military Road has changed in recent years, with a number of restaurants and cafes replacing the workshops, stores and other harbour related industry which were located in the arches.

Information has been submitted during the application process showing the location of seven incidents involving pedestrians, cyclists or vehicles leaving the quay, and falling into the marina or onto pontoons since July 2014. Three of these incidents have occurred along Military Road and four on the harbour cross walls. These new uses along Military Road have increased the amount of pedestrian and vehicular traffic to this area and the external seating along Military Road has reduced the available space. As a result of this change in character, it is clear to see that there is an increased risk to pedestrians and vehicles without railings in this area. This change in character and risk has been recognised by the Ramsgate Design and Heritage Forum and the Conservation Officer, however it has been noted that from the submitted application it is not clear whether other options have been explored to minimise or mitigate these risks and it is these features of the heritage assets that contribute to their historical and architectural significance. Military Road continues to move away from its working character, with the most recent application for a mixed use development granted on the 29th November 2017 and therefore the risk to members of the public within this immediate area is only likely to increase.

## **Conclusion**

The design and form of the railings, and the works required for their installation, is considered to result in less than substantial harm to the grade II listed structures, and therefore the NPPF requires that this harm must be weighed against the public benefits of the proposal. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The installation of railings along Military Road and the south-western end of the harbour is considered to have a clear public benefit due to the obvious change of character in this area, however the design and physical contact of the railings with the grade II listed structures does result in harm to the historical and architectural significance of the designated heritage assets. When this harm is weighed against the increased risk of vehicles and pedestrians falling into the harbour, which has resulted from the change in character of the area, the public benefit of the proposal is considered to outweigh this harm, and therefore it is recommended that having special regard to the provisions of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the amended plan is approved in accordance with paragraph 134 of the NPPF.

## **Case Officer**

Duncan Fitt

Project Quay Edge Military Road RAMSGATE Kent CT11 9LG

Scale:





