

A06

F/TH/22/1628

PROPOSAL: External works including the erection of galvanized steel and timber flood gates, walls to slipway, highway and carpark areas and extension to the footpath.

LOCATION: Land Adjacent To Harbour Masters Office And Public Toilets
Harbour Street BROADSTAIRS Kent CT10 1EU

WARD: Bradstowe

AGENT: Ms Nea Antao

APPLICANT: Mr Chris Glover, Thanet District Council

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 22.1924.PL04 Rev A and 22.1924.PL05 Rev A received 13, January 2023, 3700_205 received 27 January 2023, 22.1924.PL06 received 23 February 2023 and 22.1924.PL07, received 14 March 2023

GROUND;

To secure the proper development of the area.

SITE, LOCATION AND DESCRIPTION

The site is located at the northern end of Broadstairs Harbour and extends from the public toilets and the Harbour Masters Office and from the Harbour Masters Office to the northern side of Harbour Street. The area between the public toilets and the Harbour Masters Office extends along the southern side of Harbour street and comprises a ramp onto the beach and the main pedestrian access onto the harbour. There are a variety of different barriers along this section of the road including a metal fence, chain barrier and timber fences and posts. The area between the Harbour Masters Office and the northern side of Harbour Street is an open public road.

The Harbour Masters Office (Look Out House and Stores), telephone kiosk, Admiralty House and the Tartar Frigate are grade II listed buildings and structures that are located in close proximity to the site. The site is also located within the Broadstairs Conservation Area.

RELEVANT PLANNING HISTORY

There is no planning history for the areas specifically affected by the proposed works, but there is planning history for the surrounding area as set out below.

L/TH/22/1629 - Application for Listed Building Consent for external works including the erection of galvanised steel and timber flood gates and walls to slipway, highway and carpark areas. Pending consideration.

The following applications relate to the Look Out House and Stores.

L/TH/09/0207 - Application for Listed Building consent for internal alterations to facilitate the conversion to a unit for the preparation and wholesale of fresh fish and shellfish. Granted 20 May 2009

L/TH/05/1071 - Internal alterations to facilitate the conversion to a wet fish shop. Granted 20 October 2005

F/TH/05/0901 - Change of use from office and workshop to wet fish shop. Granted 20 October 2005

The following applications relate to other areas around the pier in close proximity to where works are proposed as part of this application.

F/TH/11/0545 - Change of use of land for retail use (mobile fish unit). Refused 16 September 2011

F/TH/10/0390 - Change of use of land for retail use (mobile fish unit). Granted 23 July 2010

F/TH/10/0037 - Erection of smoking shelter. Refused 09 March 2010

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 13 January 2010

F/TH/09/0191 - Change of use of land for retail use (mobile fish unit). Granted 08 May 2009

F/TH/08/1003 - Change of use of land for the siting of market stalls. Granted 03 October 2008

F/TH/09/0670 - Erection of staircase enclosure to create access to balcony. Granted 31 January 2010

F/TH/09/0311 - Change of use of land for the siting of a kiosk for the sale of refreshments/sea food. Refused 08 July 2009

F/TH/09/0284 - Erection of side and rear extension to existing cafe unit, within the existing shelter. Granted 18 June 2009

M/TH/01/0266 - Removal of sand to control beach levels. Raise no objection 03 August 2001

PROPOSED DEVELOPMENT

The proposed development is the erection of galvanised steel and timber floor gates, walls and railings on the southern side of Harbour Street between the public toilets and the Harbour Masters Office and across the entrance to the car park at the end of the pier between the Harbour Masters Office and the northern side of Harbour Street.

Adjacent to the public toilets the footpath would be extended and a precast concrete flood wall would be erected to replace the existing steel railings. Galvanised steel and timber floor gates would be erected across the slipway. The existing timber railings at the pedestrian entrance to the pier would be replaced with timber railings with timber up to the middle rail and a storage rack would be erected at the rear of this fence for the flood boards that would infill the pedestrian access to the west when required. These gates and walls would have a maximum height of 1.1m. The existing railings adjacent to the Harbour Masters Office would be retained.

A pre-cast concrete flood wall would be erected on the northern side of Harbour Street along the side of the existing motorbike parking space and a galvanised steel and timber floor gate would be attached to this wall. A galvanised painted post would be provided for this gate adjacent to the Harbour Masters office for this gate to attach to when closed. These gates and walls would measure 1m in height. The entrance to the car park would be resurfaced with asphalt.

The proposed gates and barriers would remain open unless severe weather conditions are forecast.

During the application process amended plans have been submitted altering the design of the timber flood gates to include black painted timber and detailed plans have been provided confirming that the fencing would be painted to match the existing fencing.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP12 - Broadstairs

SP26 - Landscape Character Areas

SP28 Protection of International and European Designated Sites

SP29 - Strategic Access Management and Monitoring Plan (SAMM)

SP35 - Quality Development

SP36 - - Conservation and Enhancement of Thanet's Historic Environment

SP37 - Climate Change

SP43 - Safe and Sustainable Travel

CC01 - Fluvial and Tidal Flooding

GI01 - Protection of Nationally Designated Sites (SSSI) and Marine Conservation Zones (MCZ)

HE02 - Development in Conservation Areas

HE03 - Heritage Assets

QD01 - Sustainable Design

QD02 - General design Principles

QD03 - Living Conditions

TP06 - Car Parking

Broadstairs and St Peters Neighbourhood Plan

BSP2 - Important Views and Vistas

BSP4 - Seafront Character Zones

BSP6 - Sustaining Community Facilities

BSP8 - Local Heritage Assets

BSP9 - Design in Broadstairs & St. Peter's

BSP10 - Shopping Areas

BSP14 - Sustaining Leisure and Tourism Assets

NOTIFICATIONS

A site notice was posted close to the site, letters were sent to neighbouring property occupiers and an advert was posted in the local paper.

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

- No consultation has been completed with Broadstairs Harbour and Seafront CIC
- Applications have been submitted for property that is not in the applicants ownership
- Support reducing flood risk
- Impact upon the listed building
- Impact upon the character and appearance of the area
- Where will water go when flood gates are closed

Broadstairs and St Peter's Town Council - Updated comments received 15 March 2023

Following a meeting with Thanet District Council Officers, the Town Council Planning Committee have reconsidered their original comments and are confident that the application as a whole will assure that the flood defences within this area are reliable for the future. The Planning Committee therefore have no objection to this application.

Initial comments received 10 January 2023

The Committee unanimously recommends REFUSAL for this application until they have received a comprehensive presentation by the applicant of the benefits of the work proposed. The Committee have serious concerns of the devastating effects that this application will bring to the harbour.

Broadstairs Society - *Further comments received 21 March 2023*

Whilst the Society has no objections to the proposed work it is still not clear whether the neighbours and the CIC are content. Unless and until there is proof that has happened we can only object.

Updated comments received 16 January 2023

The Society had assumed the CIC had been consulted hence the earlier message of support. However, unless and until the Society knows that has happened we can only object.

Initial comments received 23 December 2022

Supports this application

CONSULTATIONS

Environment Agency -

Final comments

We have no objection to this proposal and have no further comments to make in respect of the proposed development.

Initial comments received 16 December 2022

We cannot find a flood risk assessment (FRA) with the submitted documents.

As the required FRA has not been provided we are unable to assess this application. The application site lies within Flood Zone 2 defined by the Environment Agency Flood Map as having a medium probability of flooding. Paragraph 163, footnote 50 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit a Flood Risk Assessment (FRA) when development is proposed in such locations.

An FRA is vital if the local planning authority is to make informed planning decisions. In the absence of an FRA, the flood risk resulting from the proposed development is unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission.

Historic England - Thank you for your email of 15th December regarding the above application for planning permission. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

KCC Highways - I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

TDC Conservation Officer - Updated comments received 02 May 2023

Following further amendments to this scheme I would still consider that I have no objections to the proposed works and consider there to be a less than substantial implication to the setting of the listed property or the surrounding conservation area.

Initial comments received 09 January 2023

Following a review of the proposed application I would like to state that I have no objections and believe the integrity of the setting and appearance of the surrounding conservation area is protected.

COMMENTS

This application is brought before members as the application has been made by Thanet District Council.

Principle

The site is located within the urban confines of Broadstairs and relates to works to reduce flood risk. There are no policy objections to the principle of the proposal and therefore the application needs to be determined in accordance with the National Planning Policy Framework (NPPF) and Local Plan Policies. The principle of development is therefore considered acceptable subject to the assessment of material considerations.

The principle of development is therefore considered acceptable subject to the assessment of material considerations.

Flood Risk

Following the initial submission, additional information and documents have been submitted with the application outlining the flood risk in the area and the need for the development. There are both residential and commercial properties in this section of Harbour Street, a number of which have basements below the level of the road.

The proposed scheme is part of wider works to maintain the pier and its aim is to reduce the flood risk to the properties at the southern end of Harbour Street from wave overtopping from the east and tidal inundation from the south. The proposed gates and walls would compartmentalise this section of Harbour Street and direct water away from these properties providing protection against 1 in 200 year storm events.

The flood gates across the slipway are designed to hold back high tides and would therefore be watertight, however the gates across the entrance to the car park, combined with the regarding of the highway, are designed to redirect water that overtops the pier, mainly by wave action. These gates are, therefore, not required to be watertight as there is unlikely to be a build up of water in this location.

Following the submission of the additional information and plans it is considered that the proposed development would help reduce the flood risk to these properties.

Character and Appearance

As the site is located within the Broadstairs Conservation Area the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

Policy SP36 of the Thanet Local Plan states that "The Council will support, value and have regard to the historic or archaeological significance of Heritage Assets.."

Policy HE02 of the Thanet Local Plan states that 'within conservation areas, development proposals which preserve or enhance the character or appearance of the area, and accord with other relevant policies of this Plan, will be permitted'. For extensions the policy requires that the 'character, scale and plan form of the original building are respected and the extension is subordinate to it and does not dominate principal elevations'; and that 'appropriate materials and detailing are proposed and the extension would not result in the loss of features that contribute to the character or appearance of the conservation area'.

Policy HE03 of the Thanet Local Plan states that proposals that affect both designated and non-designated heritage assets, will be assessed by reference to the scale of harm, both direct and indirect, or loss and the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework.

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible.

Policy QD02 of the Thanet Local Plan states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

The site is located in seafront character zone 1 as defined by policy BSP4 of the Broadstairs and St Peters Neighbourhood Plan. This policy states "All development applications that are located within a seafront character zone must accord with the development principles set out in Appendix 1 and provide a statement setting out how this has been achieved."

Policy BSP9 of the Broadstairs Neighbourhood Plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

On the southern section of the site the proposed flood gates would extend across the slipway when closed. When open the gates would rest against the harbour wall and the side of the public toilets. The existing metal fencing to the entrance of the gents toilets would be replaced with a precast concrete wall to allow a seal to be created when the gates are shut.

A new footpath would be formed across the slipway and the asphalt and top section of the slipway would be resurfaced.

A precast concrete column would be installed between the slipway and the pier and the existing section of open timber fencing on the western side of the pier entrance would be replaced with a timber fence of a similar design, however the lower section would be solid in design to prevent water flowing onto Harbour Street. Flood boards would be provided that could be installed in the gap between this fence and the edge of the pier when required and would be stored on the rear of this fence.

At the eastern end of the site a precast concrete flood wall would be erected extending from the existing wall between the public footpath and the car park and to the rear of the visitor information sign. A folding flood gate would be attached to this wall and would extend across the entrance to the car park when required. A post would be installed on the southern side of the entrance to the car park for this gate to be attached to when closed. A detailed drawing of this post has been provided confirming that it would not be attached to the listed building. The road at the entrance to the car park would be resurfaced and regraded to help water fall back towards the sea and away from Harbour Street.

The proposed precast concrete walls would have a functional appearance, however these are limited in size and would be viewed against existing structures. The amended plans have altered the design of the flood gates to include black timber sections set within the galvanised steel frames and the proposed replacement section of fencing would be painted black and white to match the existing and remaining section of fencing.

It is acknowledged that there would be some harm to the character and appearance of the conservation area and the setting of the nearby listed buildings and structures, however following the submission of the amended plan this harm is considered to be less than substantial and must be weighed against the public benefits of the development.

Living Conditions

The closest residential properties are located on the northern side of Harbour Street. The proposed flood barriers and walls would have a maximum height of 1.1m and would be located away from these properties. The resurfacing and regrading of the roads and pavements is not considered to significantly alter the arrangement of the street.

This development is, therefore, not considered to result in any significant harm to the living conditions of the neighbouring property occupiers.

Transportation

The development would be wholly located on Council land and when the barriers are open they would be folded away to avoid impeding the movement of traffic.

The proposed barriers and structures are located in similar locations to the existing barriers and resurfacing and alterations to the road levels would not significantly alter the arrangement of the highway. Following the submission of the amended plans KCC Highways

have raised no objection to the development. This development would not significantly alter the arrangement of the highway or parking in the area and is, therefore, not considered to result in any significant harm to highway safety in the area.

Other Matters

Following the initial consultation the address of the application was altered and additional plans were submitted confirming that this development does not propose any works to the listed building. A further consultation was then completed.

Conclusion

The proposed development would alter the appearance of the area through the introduction of additional walls, fences and barriers, however following the submission of the amended plans, and given that the barriers would be open most of the time, this alteration is considered to result in less than substantial harm to the character and appearance of the conservation area and listed buildings.

The submitted documents indicate that there is a clear flood risk to the properties in this section of Harbour Street through wave overtopping and tidal inundation and the reduction in this risk is considered to be a public benefit.

Due to the limited harm resulting from the installation of the amended barriers and gates, the public benefits of reducing the flood risk in this area are considered to outweigh the harm and it is recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE:

F/TH/22/1628

Project

Land Adjacent To Harbour Masters Office And Public Toilets Harbour Street
BROADSTAIRS Kent CT10 1EU

