

A07

L/TH/22/1629

PROPOSAL: Application for Listed Building Consent for external works including the erection of galvanized steel and timber flood gates and walls to slipway, highway and carpark areas

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 works hereby permitted shall be begun before the expiration of three years from the date of this permission.

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).

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.

F/TH/22/1628 - External works including the erection of galvanised steel and timber flood gates, walls to slipway, highway and car park areas and extension to the footpath. 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 shell fish. 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/seafood. 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

SP36 - Conservation and Enhancement of Thanet's Historic Environment
HE03 - Heritage Assets

Broadstairs and St Peters Neighbourhood Plan

BSP8 - Local Heritage 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.

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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
- Increased pressure of water upon the listed building

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

KCC Public Rights of Way - No comment

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.

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 197 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, 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.

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 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 to, the significance of the heritage asset in accordance with the criteria in the National Planning Policy Framework."

Following the submission of the amended plans and documents it has been confirmed that the proposed development would not be connected to, or alter any listed buildings or structures. The proposed gates, barriers and posts would be in close proximity to the listed buildings, most notably the Harbour Masters Office (Lookout House and Stores), however there are a variety of barriers and structures in the area and following the submission of the amended plans altering the design of the gates and fences, this proposal is not considered to result in any significant harm to the designated heritage assets.

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 which is considered to be a public benefit.

Concern has been raised regarding the potential for the gates to result in a build up of water and increased pressure against the listed Harbour Masters Office. 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. It is therefore considered that this proposal would reduce the flood water coming into contact with this building.

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

Given that the proposed works do not result in any alterations to the listed buildings and that there are clear public benefits to the development it is considered that this proposal would comply with policy HE03 of the Thanet Local Plan and the National Planning Policy Framework.

It is therefore recommended that members approve this application.

Case Officer

Duncan Fitt

TITLE:

L/TH/22/1629

Project

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

