

A03

L/TH/23/0079

PROPOSAL: Application for Listed Building Consent for the temporary installation of security screens and fencing (retrospective application)

LOCATION: Winter Gardens Fort Crescent MARGATE Kent CT9 1HX

WARD: Margate Central

AGENT: No agent

APPLICANT: Thanet District Council

RECOMMENDATION: Approve

Subject to the following conditions:

1 At the expiration of the date 16th August 2026, unless further permission has been granted, the temporary fencing works and shutters hereby approved shall be removed, and the land/building restored to its former condition.

GROUND;

In view of the temporary nature of the proposal in accordance with policies SP36 and HE03 of the Thanet Local Plan and paragraphs 127 and 196 of the NPPF.

SITE, LOCATION AND DESCRIPTION

The site comprises the Winter Gardens, a Grade II listed building built in 1911 in a Neo-Grecian style which lies inside the Margate Conservation Area. The building lies on the northern side of Fort Crescent and is set in an excavated hollow with the entrance at higher street level. There is also access available from Fort Lower Promenade to the rear of the site.

The property, an entertainment venue, is currently vacant.

RELEVANT PLANNING HISTORY

F/TH/98/0019 - Erection of railings to site boundary and rebuilding of boundary wall and steps (Regulation 3) - granted 17/02/1998

L/TH/12/0412 - Application for Listed Building Consent for the insertion of two pairs of fire doors, following the removal of one set of doors - granted 25/07/2012

There is also a Full Planning Application, reference F/TH/23/0080 which accompanies this application and is due for determination.

PROPOSED DEVELOPMENT

The scheme seeks consent for the temporary installation of metal security screens to the external openings of the building together with the erection of metal fencing to public access points. These works have already been undertaken and as such this is a retrospective application.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

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

NOTIFICATIONS

Letters were sent to neighbouring occupiers, a site notice was posted and an advert placed in the local newspaper.

No representations have been received in response.

CONSULTATIONS

TDC Conservation Officer: I would like to state that I have no objections on the basis that this application is temporary. A time limit should be advised through the condition of when these shutters should be removed or their continued use extended.

COMMENTS

The application is brought before Members as the applicant is Thanet District Council on land owned by the Council.

The only consideration required in this instance is the impact of the works on the listed building.

The proposal involves the temporary installation of metal security shutters to the windows and doors of the Grade II Listed Building and the temporary installation of metal security fencing to public access points around the site to prevent unauthorised access to the vacant building and grounds.

In line with the Planning (Listed Building and Conservation Areas) Act (1990), there is a legal duty to protect listed buildings and their setting. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990) states: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority should have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historical interest which it possesses.'

Paragraph 197 of the National Planning Policy Framework states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

National Planning Policy Framework Paragraph 199 states 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 202 outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

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. Thanet Local Plan Policy HE03 states that the Council supports the retention of local heritage assets, including buildings, structures, features and gardens of local interest.

The proposed security measures are temporary and whilst they do not damage the fabric of the Grade II Listed Building there would be a visual impact resulting in harm to the setting of the Listed Building whilst the metal screens and fencing are in situ. It is considered that the works would result in less than substantial harm to the setting of the listed building and the harm would be temporary. The installation of the security screens and fencing are necessary to ensure that unauthorised access to the vacant site does not result in the deterioration of the listed building and negatively impact the long term viability of the designated heritage asset. The security measures would preserve the building and allow for its long term conservation through viable future use.

Conclusion

The works would result in less than substantial harm to the listed building; this harm would be temporary and the development is necessary to preserve the designated heritage asset which is of public benefit. The works are therefore considered to have sufficient regard to the Listed Building in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act (1990), Thanet Local Plan Policies SP36 and HE03 and the National Planning Policy Framework.

It is therefore recommended that Members approve the application.

Case Officer

Tanya Carr

TITLE:

L/TH/23/0079

Project

Winter Gardens Fort Crescent MARGATE Kent CT9 1HX

