

**A05**

**F/TH/23/1278**

PROPOSAL: Installation of replacement steel crittall windows, concrete repairs and redecoration works

LOCATION: East Pier Building East Pier Ramsgate Kent

WARD: Central Harbour

AGENT: No agent

APPLICANT: 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 development hereby approved shall be carried out in accordance with the submitted drawings numbered CR/23-24/102/02 and the Heritage Statement received on 25th September 2023.

**GROUND;**

To secure the proper development of the area.

3 Prior to the installation of the windows hereby approved, details of the specific designs to be used and colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**GROUND**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE02 of the Thanet Local Plan and advice as contained within the National Planning Policy Framework

4 Prior to the application of any external painting hereby permitted details of the type, colour and finish of the paint to be applied to the building shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.

## GROUND

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE02 of the Thanet Local Plan and advice as contained within the National Planning Policy Framework.

## INFORMATIVES

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

## SITE, LOCATION AND DESCRIPTION

The site is located to the end of the East Pier which forms part of the Grade II\* Listed Royal Harbour, and by virtue of its setting, the East Pier Building is considered to be Curtilage Listed. The East Pier provides the only access route to the East Pier Building and is accessible to both pedestrians and vehicles, and the East Pier Building is visible in long views across the Royal Harbour, the beach and from the surrounding Cliff tops.

## RELEVANT PLANNING HISTORY

There is an extensive planning history for the East Pier. There is one other current applications being considered for same works to East Pier Building as proposed as this application under application reference:

LTH/23/1277 Listed Building Consent for the installation of replacement steel crittall windows, concrete repairs and redecoration works.

As well as two current applications for works to the East Pier being:

F/TH/23/1002 Erection of artwork/sign featuring 1.2m high copper letters on aluminium frame attached to wooden fenders on harbour wall.

L/TH/23/1003 Application for Listed Building Consent for the erection of artwork/sign featuring 1.2m high copper letters on aluminium frame attached to wooden fenders on harbour wall.

### PROPOSED DEVELOPMENT

The proposed development is for Listed Building Consent for the installation of replacement steel crittall windows, concrete repairs and redecoration works.

### DEVELOPMENT PLAN POLICIES

SP04 - Economic Growth  
SP11 - Ramsgate  
SP26 - Landscape Character Areas  
SP30 - Biodiversity and Geodiversity Assets  
SP35 - Quality Development  
SP36 - Conservation and Enhancement of Thanet's Historic Environment  
SP37 - Climate Change  
SP38 - Healthy and Inclusive Communities  
HE01 - Archaeology  
HE02 - Development in Conservation Areas  
HE03 - Heritage Assets  
CC01 - Fluvial and Tidal Flooding  
CC02 - Surface Water Management  
QD01 - Sustainable Development  
QD02 - General Design Principles  
QD03 - Living Conditions  
TP02 - Walking  
TP03 - Cycling  
TP06 - Car Parking

### 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 newspaper.

No responses have been received.

**Ramsgate Heritage Design Forum** - The forum noted that given the harsh location, the Crittall windows are treated to withstand coastal conditions. No objection.

**Ramsgate Town Council** - No comment received

### CONSULTATIONS

**TDC Conservation Officer** -

The East Pier Building is part of the complex of the Grade II\* listed Ramsgate Royal Harbour.

Under the Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 it states In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.

NPPF Section 16, Paragraph 197 states, In determining applications, local planning authorities should take account of (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Thanet's Local Plan, policy HE02, states within Section 7 'The character, scale and plan form of the original building are respected and the development is subordinate to it and does not dominate principal elevations.'

As well as Section 8 which states 'Appropriate materials and detailing are proposed and the development would not result in the loss of features that contribute to the character or appearance of the conservation area.

New development which would detract from the immediate or wider landscape setting of any part of a conservation area will not be permitted.'

The main aspect of work proposed as part of this application is the replacement of the existing windows with like for like crittall but they would be double glazed. Elsewhere the scheme includes large scale repairs and general redecoration.

It can be feasible under some circumstances to consider double glazing in listed properties depending on the age of the windows and their context against the site itself. East Pier Building has been adapted at many stages in the past, this is likely due to the position of Port Control on the roof which too has been largely adapted to the requirements of its functional nature as a working port. The Port Control level was approved in 1950 when looking at previous applications. The East Pier Head was redeveloped in 1938 to include the cafe and a sundeck. This would mean that the East Pier Building is considered to be curtilage listed as well as being physically attached to the Grade II\* listed asset.

The age of the windows in question is unknown and it is not clear whether they have been replaced in the past, it is very likely that they have given their proximity to the marine environment and how quickly they would have degraded.

Given the building's curtilage listed status, rather than being part of the original development of the East Pier which is considerably older, it would be considered that the harm caused by the presence of double glazing is less than substantial in the context of the rest of the royal harbour. As well as its specific details of the listing of this area of the port and its more recent and understood development history. Ultimately I would consider the setting and appearance of the East Pier Building to be protected and preserved whilst its main features and their outlook into the Royal Harbour are protected.

Longer views of the cafe from the surrounding conservation area may be implicated by this change of window construction, however this would be considered to be less than substantial and therefore acceptable.

Overall, in this instance, the implication to the setting and appearance of the listed harbour is considered to be less than significant, as such meeting with Listed Buildings and Conservation Areas Act 1990, Section 16 Paragraph 2 by preserving the properties setting or features. As such I do not object to the application proposed.

### **Historic England:**

Ramsgate Harbour is listed grade II\* as a good example of an 18th century harbour with later additions. It's substantial basin, cross wall, the use of innovative sluices to remove sediment build up from the basin and its impressive scale all add to its significance. Association with leading Engineers of the day including John Smeaton, Samuel Wyatt and John Rennie Sr and Jr also adds to its significance.

The East Pier Building, constructed at the southern end of the pier, appears to date to the 20th century and was possibly built to house a café. In the 1950's consent was granted to adapt the building to incorporate a Port Control. The Local Authority consider that the building is curtilage listed.

It is proposed to replace existing single glazed windows with double glazed crittall windows. The age of the existing windows is unclear. However, it is entirely possible they are modern replacements (but with a slim profile of the sort associated with earlier 20th century buildings) given the building's exceptionally exposed position and the effect of a marine environment.

If the detail and appearance of the replacement windows maintain the slim profile of the existing windows (which is characteristic of earlier 20th century modernist style buildings like the East Pier Building), it is possible the proposal would cause no harm to the significance of the building.

Historic England therefore has no concerns with the proposed replacement windows if they are sympathetic to the architectural character of the building.

We note that some representative sample details have been submitted but that the elevations note that the fine detailed design of replacement windows including their colour, would need to be agreed and approved. We therefore recommend, that if your Council is minded to approve this application, you may wish to add conditions requiring agreement of the window design, detail, finish and colour.

### **Recommendation**

Historic England supports the application on heritage grounds provided that appropriate conditions are used to control the fine detail of the replacement windows to maintain the architectural character of the curtilage listed East Pier Building.

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

## COMMENTS

This application is brought before members as the applicant is Thanet District Council.

### **Principle**

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

The main considerations in relation to the proposal are the impact on the character and appearance of the area (including the setting of listed buildings and structures and the Ramsgate Conservation Area), and on the living conditions of neighbouring occupiers.

### **Character and Appearance**

As part of the site is located within the Ramsgate 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.'

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 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.

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 also located within the Ramsgate and Broadstairs Cliffs Landscape Character Area as defined by policy SP26 of the Thanet Local Plan. Within these areas development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas. All development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea, and proposals should demonstrate how the development will take advantage of and engage with these views.

Development proposals that conflict with the above principles will only be permitted where it can be demonstrated that they are essential for the economic or social well-being of the area. In such cases, landscape impacts should be minimised and mitigated as far as possible.

*Replacement steel crittall windows at Restaurant Level.*

It is not known if the existing windows are original to the building and date back to 1938, however given the impact from the salts, wet weather and direct sunlight due to their exposed location, they are assumed to be replacements. Nevertheless, their design and material remains in keeping with the age of the structure and they have clearly been in situ for many years.

The proposed replacement of the existing crittall windows with replacement steel crittall windows within the existing openings on the south eastern and north western elevations, to match the existing design, is welcomed. Whilst the addition of double glazing is considered to cause an element of harm to how the light reflects on the panes, it is acknowledged that the building is curtilage listed and subject to slightly less rigidity in the need to replace the glazing exactly as before.

It is also understood that given the building's unique setting that is fully exposed to extremely hostile weather conditions for long periods of time on all sides, the building is not conducive to the retention of heat. As such both the working occupants and members of the public that patronise the restaurant space could suffer from the extreme coldness when dining and / or working here. Therefore, the introduction of double glazing would improve the overall thermal comfort level of the restaurant during the colder months and enable it to remain fully occupied, ultimately contributing to the long term preservation of the building.

Furthermore, it is acknowledged that the historic addition of double glazing to the port control area immediately above has already altered the overall effect of the light reflection on windows within the wider structure.

Taking this all together, with the fact that the building is not listed in its own right, but curtilage listed, the overall benefits provided by the introduction of double glazing with steel crissall frames within the existing openings are considered to outweigh the element of harm from the change in the reflection of light. Therefore, the use of double glazing is considered acceptable in this specific instance despite its location within a Conservation Area. However, as noted by Historic England, window frame details still need to be supplied and will be conditioned.

#### *Concrete repairs and redecoration works*

Various areas of concrete have been identified as in need of repair, across the whole East Pier Building which includes the Restaurant, Port Control and the stores, using mortar to match the existing. Following this, the structure will be redecorated in a light grey paint, to be conditioned.

Given the concrete repairs are necessary for the continued upkeep of the curtilage listed building, allowing it to be maintained to a high standard and prolonging its life span in such a harsh environment, using materials to match, the works are considered to be acceptable.

Furthermore, the redecoration of the whole building with a light grey paint (the shade and make of which is yet to be confirmed but will be conditioned as part of any permission issued), is considered to be an essential part of the proposed works, returning the structure back to a good state of repair and appearance, especially given its status and prominent location.

Whilst the works would cause some harm to the curtilage listed heritage asset and the historic environment through the alteration of the window glazing and repair works, Council's Conservation Officer considers this harm to be limited.

Therefore, the proposed work is considered to be of benefit for the long term maintenance, outweighing the harm to the historic environment and character and appearance of the area, and is considered to comply with the overall aims of policies SP26, SP36, HE02 and QD02 of the Thanet Local Plan, and the National Planning Policy Framework.

#### **Living Conditions**

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 130 states that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users. Policy QD02 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, and should be



inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

The site is located a significant distance from the closest residential property and does not represent a significant projection beyond the side of the pier. No moving parts or illumination is proposed as part of the window replacement or structural repairs. It is therefore considered that this development would have no significant impact upon the living amenity of the neighbouring property occupiers.

#### Transportation

The proposed work is not considered to result in any significant harm to highway safety.

#### **Flood Risk and Drainage**

Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from those areas at highest risk (whether existing or future).

The site is located within flood zone 3 and has a high risk of flooding, however, given the nature of the development this proposal is not considered to result in a significant increase in flood risk.

#### **Biodiversity**

The proposed development involves alterations and repairs to the existing east pier building and would not significantly alter the scale of the pier or increase activity in the immediate vicinity, except during the short programme of works.

As such, it is not considered to create any long term harm to the biodiversity of the area.

#### **Conclusion**

Overall the site is very sensitively located, being within the Ramsgate Conservation Area, a listed structure and highly prominent.

The works would not cause any significant or material harm to nearby occupiers, highways safety, biodiversity or flood risk. There would be some harm through the physical replacement of the windows and the structural repairs, however this is considered to be limited.

Where harm is identified the NPPF requires a balancing exercise with any public benefit that might outweigh the harm caused. In this case, the works would allow for the much needed maintenance of the East Pier Building and help to ensure its longer term survival through its continued occupation and use, as well as allowing access to members of the public who

either patronise the establishment or simply appreciate its historic merit, walking up to and around it.

These benefits are considered to outweigh any harm and therefore it is recommended that this application be approved.

**Case Officer**

Tanya Carr

TITLE:

F/TH/23/1278

Project

East Pier Building East Pier Ramsgate Kent

