

**A07**

**L/TH/24/0040**

**PROPOSAL:** Application for Listed building consent for repairs to Nayland Rock Promenade Shelter following fire damage.

**LOCATION:** Victorian Shelter Marine Terrace MARGATE Kent CT9 1XJ

**WARD:** Westbrook

**AGENT:** Mr Michael Bedford

**APPLICANT:** Mr James Harris

**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).

2 The external materials and external finishes to be used in the Nayland Rock Shelter hereby approved shall be of the same colour, finish and texture as those on the existing property.

**GROUND:**

To safeguard the special character and appearance of the area as a Conservation Area in accordance with Policy HE02 of the Thanet Local Plan and the advice as contained within the NPPF.

3 If during development, a greater level of fabric requires intervention than is dictated in this application or unknown architectural features are uncovered on site, then work shall cease and the features assessed and fully recorded in a manner to be agreed with the Local Planning Authority. The approved method of recording shall be carried out in accordance with a timetable agreed with the Local Planning Authority and shall ensure that all features are appropriately recorded.

**GROUND:**

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with policy HE03 and the advice contained within paragraph 192 of the National Planning Policy Framework.

**INFORMATIVES**

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.

For the avoidance of doubt, the Decision has been based upon the Design and Access Statement, location plan and block plan all received 11 January 2024 and The Schedule of Repairs received 7 February 2024.

### SITE, LOCATION AND DESCRIPTION

The Victorian Shelter is situated on Royal Crescent Promenade just above the beach and is within the Margate Seafront Conservation area. It is adjacent to the roundabout serving Marine Terrace, Station Approach and All Saints Avenue.

The Grade II listed building is described by Historic England as Nayland Rock Promenade Shelter and is described as a good and particularly large example of a late Victorian/Edwardian seaside structure. It is also noted for its special literary association as the likely location where TS Eliot composed part of 'The Waste Land' in the autumn of 1921. It has group value with the adjacent Surf Boat Memorial and Buenos Ayres terrace to the rear.

### RELEVANT PLANNING HISTORY

None

### PROPOSED DEVELOPMENT

This is an application for Listed building consent for repairs to Nayland Rock Promenade Shelter following fire damage.

### DEVELOPMENT PLAN POLICIES

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

### NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No representations have been received.

### CONSULTATIONS

Conservation Officer:

Nayland Shelter, Marine Terrace Margate is an iconic Victorian Shelter situated at the forefront of Margate seafront, overlooking the bay and within Margate Conservation Area.

Guidance under the National Design Guide Section C2, Paragraph 45 highlights that when determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape and paragraph 47 which states Well-designed places and buildings are influenced positively by the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details.

NPPF Section 16, Paragraph 196 states, In determining applications, local planning authorities should take account of (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation as well as (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

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.

This application looks to undertake repair to the structure, albeit on somewhat of a large scale, following damage to the structure after a fire took place.

The schedule of work details what repair is required, all of which is important to the sheltered reinstatement back into community use and its continued sustained use moving forward. It also acts as a detailed guide of what is required to be sympathetically undertaken at the site ensuring that greater removal of fabric than required should not happen and the historic integrity of the building protected.

Given this application is for repair to an important heritage asset I do not object to the proposed and overall consider it would be positive to both the listed asset and the setting and appearance of the surrounding conservation area.

If possible, a condition should be put into place if further works are required upon removal of existing fabric or that a greater level of intervention is required.

## COMMENTS

The application is brought before members as the application has been made on behalf of 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'.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be 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.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1991 requires that 'in the exercise, with respect to any buildings or other land in a conservation area of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy SP36 sets out that the Council will support, value and have regard to the historic or archaeological significance of Heritage Assets by protecting the historic environment from inappropriate development, encouraging new uses to bring listed buildings back into use and encouraging their survival and maintenance without comprising the conservation or significance of the asset and supporting development that is of a high quality design and supports sustainable development. Policy HE03 sets out that the Council supports the retention of local heritage assets, including structures, features and gardens of local interest. Proposals that affect both designated and non-designated heritage assets will be assessed by reference to the scale of harm or loss of the significance of the asset in accordance with the criteria set out in the NPPF.

The application proposes the replacement of the ornate timber benches to the front and rear, the central screen, support framework between benches and the floor which was damaged by fire. The National Planning Policy Framework states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The Design and Access statement states that the replacement features will be replaced using the existing details present in the shelter as a template and use matching materials.

The central section facing the beach has 3No. ornate timber armrests and the 3No. central panels behind the benches which have been affected by the fire; the opposite section facing inland towards Margate Station also has three ornate timber armrests affected, however, 8 central panels have been destroyed and three steps immediately in front leading to the fire damaged section.

The Conservation Officer has stated that there is no objection to the works as it would reinstate the historic structure and enhance the conservation area. However, repairs need to be sympathetic and removal of the fabric of the building should be kept to a minimum and a condition to that effect included. .

## **Conclusion**

In conclusion, the proposed repairs and installation of 6 new armrests and 11 central panels will bring the Victorian Shelter back to its original condition which will enhance the significance of this designated heritage asset and the surrounding area. It is considered that the proposed development would not have a significant impact upon the designated heritage asset, and accords with Thanet Local Plan Policies SP36 and HE03 and the advice and guidance of the National Planning Policy Framework.

The works will enhance the listed building and the surrounding conservation area and it is therefore recommended that members approve the application, subject to safeguarding conditions.

**Case Officer**

Dawn Rollason

TITLE:

L/TH/24/0040

Project

Victorian Shelter Marine Terrace MARGATE Kent CT9 1XJ

