

Development Management Committee Report



Committee Date: 12 June 2024

Application Number	06/24/0088/LB– (Click here to see application webpage)
Site Location	Gorleston Pavilion, Pavilion Road, Gorleston, Great Yarmouth, NR31 6PP
Proposal	Proposed works to storm damaged copper sheet roof covering on the Small Hall roof to match the roof on the Main Hall. Make good the south side gutter, strap down the clock tower roof turret and screw fix the bottom edge of copper sheets on the four largest turret roofs. Take down defective and loose gutters on the Turrets. Removed grey boarding on the east Gable of the Small Hall roof and replace with WPB ply and bitumen felt. Wrap 15 decayed balusters around the building with geo textile fabric and waterproof tape.
Applicant	Mr Alex Youngs, Gorleston Pavilion Trust Limited
Case officer	Lucy Smith
Parish & Ward	St Andrews Ward, Great Yarmouth
Date Valid	03-04-2024
Determination Due	29-05-2024
Reason at committee	Connected application – the application site is owned by the Borough Council.
Procedural notes	This application was reported to the Monitoring Officer as an application submitted for development on land owned by the Borough Council. The application was referred to the Monitoring Officer for their observations on 4 June 2024, to afford the Monitoring Officer an opportunity to check the file and ensure they are satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council’s processing of the application other than staff employed within the LPA as part of the determination of this application. Any discrepancies will be raised by the Monitoring Officer prior to the meeting.

SUMMARY OF RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS

1. The Site and Context

- 1.1 The Proposal site consists of the Grade II Listed Gorleston Pavilion Theatre, located within the development limits of Gorleston. The site is bordered by Pier Gardens, Pavilion Road and Pier Road, west of the Pier and north of the beach. The area has a mix of uses including cafes,

residential dwellings and an amusement park, with many visitors visiting the area for the beach and surrounding facilities.

- 1.2 The building is a late Victorian brick and terracotta clad Art Nouveau inspired building. It is listed grade II, built 1901 by JW and OH Cockrill. The building's listing is as below:

“Theatre and pavilion. 1901. By JW Cockrill assisted by OH Cockrill. Red brick with terracotta decoration. Copper roofs. EXTERIOR: 2 storeys. Plan is of an auditorium running north-south with a lower aisle on the west side. Towards the south end is a higher rectangular block arranged transeptally with 4 corner towers, and abutting the south of this is a single-storey narthex with a balustraded terraced roof. The narthex has a mid C20 entrance fascia under a hood. Claspings side pilasters. The towers of the transept block have 2-light casements to the principal faces under terracotta arches with shell designs. Balustrades below 4 domes with decorative iron cresting. The west return with 3 arched doors and one blind door formerly the principal entrance. Main south face at first-floor level with four 2-light windows with a vesica. The west side and the west aisle each have 3 segmental windows filled with modified Perpendicular tracery designs and there is a fourth to the north return. 3 paired lancets to the main north wall. East flank of 7 bays, 6 of which have 2-light windows with vesicae. The north bay has an entrance porch. INTERIOR: not inspected.”

2. The Proposal

- 2.1. The application proposes to carry out a number of external alterations, as listed below:

- To replace storm damaged copper sheet roof covering on the Small Hall roof with fully adhered bitumen felt to match the main hall;
- To make good the south side gutter, strap down the clock tower roof turret and screw fix the bottom edge of copper sheets on the four largest turret roofs;
- To take down defective and loose gutters on the Turrets, carefully set aside the decorative copper roof vent/cowl;
- To remove grey boarding on the east Gable of the Small Hall roof and replace with WPB ply and bitumen felt; and
- To wrap 15 of the existing balusters around the building with geo textile fabric and waterproof tape.

- 2.2 The works are part of the first stage of a longer-term programme to fully restore the building, and therefore some of the works are only proposed on a temporary basis until additional funding is secured.

- 2.3 The proposed works require listed building consent only, and does not require full planning permission.

3. Site Constraints

- 3.1. The site is located within the development limits defined by GSP1.

- 3.2. The application site is located within the No.17 Conservation Area and the building is Grade II Listed.

3.3. The application site is located within Flood Zone 2, a Flood Warning Area and a Water Management Area.

3.4. The site is located within the Orange 400m-2.5km Indicative Habitat Impact Zone.

4. Relevant Planning History

4.1. There is planning history on the site, with a number of applications relating to external lighting, although none is directly applicable to this application. A full list of the planning history can be found on the Council's website.

5. Consultation responses

5.1. Historic England

No comments

5.2.1 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

5.2. Conservation Officer

No objection subject to conditions

5.2.1 Following the submission of further detail, the Conservation Officer raised no objection subject to conditions to; allow for the LPA's Conservation Officer to inspect the balusters once the boarding has been removed, restrict the approval of the temporary felt roof to 5 years, restrict the approval of all other temporary removal works to 5 years and that all items removed from their current location (window, lantern etc.) shall be stored at the Pavilion until their reinstatement.

5.3. Theatres Trust

No objection

5.3.1. The Theatres Trust had initially urged the submission of a Heritage Statement to properly analyse and justify the works the proposed works. Although a full Heritage Statement had not been submitted, the specific works are were described through the submission of a "Clarifications" document, received on the 9 May 2024 which provides additional information and the Trust have since confirmed they are happy to support the granting of listed building consent.

6. Publicity and Representations

6.1. Consultations undertaken: Site notices and Press advert as Listed Building and development within a Conservation Area. The overall expiry date for the consultation process on the revised plans was the 3 May 2024.

6.2 Ward Members – Cllr Wright and Cllr Upton

6.2.1 No comments received.

6.3 Public Representations

6.3.1 No public comments have been received.

7. **Relevant Planning Policies**

7.1 The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS8: Promoting tourism, leisure and culture.
- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS10: Safeguarding local heritage assets.
- Policy CS15: Providing and protecting community assets and green infrastructure.

7.2 The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy A1: Amenity.
- Policy E5: Historic environment and heritage.
- Policy C1: Community facilities.

8. **Other Material Planning Considerations**

8.1 National Planning Policy Framework (Dec 2023)

The policies in the Framework are material considerations which should be taken into account in dealing with applications.

- Section 4. Decision-making
- Section 12. Achieving well-designed and beautiful places
- Section 16. Conserving and enhancing the historic environment

8.2 Supplementary Planning Documents

- Great Yarmouth Design Code (adopted January 2024)

9. **Planning Analysis**

9.1 Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

9.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to—*

- (a) the provisions of the development plan, so far as material to the application,*
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
- (b) any local finance considerations, so far as material to the application, and*

(c) *any other material considerations.*

- 9.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 16(2) states that in 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. Any listed building consent shall (except in so far as it otherwise provides) endure for the benefit of the building and of all persons for the time being interested in it.

Main Issues

- Principle of Development
- Impact on Historic Environment

10. Assessment

Principle of Development

- 10.1 The site is located within the Gorleston Development Limits, and would involve the upgrading of a valuable historic building. Policy CS8 states that to ensure the tourism sector remains strong, the Council will Safeguard key tourist, leisure and cultural attractions and facilities, including Gorleston Pavilion Theatre. Core Policy CS15 and Policy C1 also support the upgrading of community facilities.
- 10.2 In view of the above, the principle of repairing and upgrading the existing building is supported by the adopted development plan. However, as this proposal relates to listed building consent only, the main consideration would be the impact on the designated heritage asset.

Impact on Historic Environment

- 10.3 The application site is located within the No.17 Gorleston Extensions Conservation Area and the building is Grade II Listed.
- 10.4 As the building is a listed building and sited within the Conservation area, both Section 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant. Section 66 states that in considering whether to grant planning permission for development which affects a listed building or its setting, 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 72 of the Act directs that with respect to any buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.5 In addition to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS09 requires that proposals should respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, reinforcing the local identity. Policy CS10 requires that proposals conserve and enhance the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value. An approach which is expanded upon by policy E5.

- 10.6 Redevelopment of the Pavilion Theatre is considered to be an opportunity to enhance the building's significance. However, it is acknowledged that some of the works proposed as part of this application would cause short term harm to the heritage asset.
- 10.7 The building's Listing refers to both roofs being copper, despite the main hall roof having already been replaced with felt. Removal of the damaged copper roof to the small hall, which is a valuable original feature, would be considered to harm the significance of the heritage asset. However, the applicant has confirmed that this will be temporary. The works are considered emergency works as they are currently causing the building to be unsafe. However, the applicant has confirmed that they intend to be underway with a full programme of restoration works within the next 5 years, and are therefore agreeable to a condition to state that the felt roof is temporary for a 5 year period, at which point the roof will be replaced with a repaired copper roof.
- 10.8 The cast iron gutting is decaying and fractured, causing the pipework to be unsafe and ineffective. The Conservation Officer has negotiated that the pipework is replaced with brown coloured Ogee plastic gutter with a matching downpipe. These works relate to only a section of damaged pipework on the southern side of the building, with the rest remaining in situ, meaning that the harm is minimised. This is a permanent proposal for the time being until a further listed building consent will be required for the replacement.
- 10.9 The screw fixing of the bottom edge of copper sheets on the four largest turret roofs is considered repair work to prevent further damage occurring to the roof and turrets. The replacement of the grey boarding on the east Gable of the Small Hall roof with WPB ply and bitumen felt is also considered minimal work to ensure the integrity of the building on a temporary basis.
- 10.10 The decorative vent/cowl is very characteristic of the building. This application proposes to remove this with the intention to reinstate this along with other lost features such as the pinnacle lanterns/finials. This is temporary remedial work and as such we would look to condition that the vent/cowl is reinstated within 5 years. The agent has confirmed that the vent/cowl will be stored on site, in order to prevent potential damage or loss.
- 10.11 The temporary geotextile fabric wrap around the 15no. balusters is also temporary in order to provide waterproofing, and is considered to cause a level of temporary harm. The proposed material is a white cloth woven material which is proposed to wrap around the features in order to contain loose material from falling off and provide thermal protection from frost.
- 10.12 Given that the proposals are temporary works for the long-term improvement of the building, the harm is considered to be less than substantial, rather than substantial harm. The NPPF states 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. In this case, the proposals are considered to make the building safe and to prevent elements falling into the street or decaying further through exposure or water ingress. Overall, the proposal is considered to present the public benefit of securing the optimum value of the building, which is considered a community facility as well as heritage asset. The temporary works protect the integrity of the building and will enable the further programme of works which will enhance the significance of the heritage asset.

- 10.13 In regard to the setting of the conservation area, whilst the temporary works, such as the felt covering of the roof, removal of the cowl and fabric wrapping of the balusters would be considered to impact the setting of the Conservation Area, overall the proposal would preserve the significance of the wider conservation area. As these elements will be secured on a temporary basis until the further works are funded and progressed, it is considered on balance that the Conservation Area will be enhanced in the long-term.
- 10.14 The Conservation Officer has been consulted on the application and raises no objection subject to appropriate conditions requiring that the temporary elements are only given consent for a period of 5 years.
- 10.15 Historic England were consulted and provided no comments. The Theatres Trust had originally requested a heritage statement. Whilst a standalone document was not submitted as part of the application, the submission included a Design and Access statement with some level of assessment of the significance of the asset, and a further heritage statement was not considered necessary. Following the submission of further information relating to the proposals, the Theatres Trust had confirmed that they raise no objection.

11 Conclusion

- 11.1 Having considered the details provided, the application is considered to comply with policies CS8, CS9, CS10, CS15 from the adopted Core Strategy, and policies A1, E5 and C1 from the adopted Local Plan Part 2. As the works are mainly temporary in order to aid a longer-term restoration programme, the impact on the historic significance of the Grade II listed building can be minimised through appropriate conditions.
- 11.2 It is considered that there are no other material considerations to suggest the application should not be recommended for approval.

12. Recommendation

- 12.1 It is recommended that application 06/24/0088/LB should be APPROVED subject to the proposed conditions listed below.

Conditions

Time Limit

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

In accordance with plans

2. The development shall be carried out in accordance with the following revised plans received by the Local Planning Authority on the 1 April 2024:
- Block Plan
 - Location Plan
 - Design and Access Statement; (Statement of Significance & Report on the Condition of the Roofs)
 - Small Hall Roof Identification
 - Small Hall Roof Repairs Correspondence

And the following document submitted on the 9 May 2024:

- Clarifications document

Reason: For the avoidance of doubt.

Replacement guttering

3. The section of guttering to be replaced on the south side of the building shall be replaced with brown coloured Ogee plastic gutter with a matching downpipe, as confirmed by the "Clarifications" document submitted on the 9 May 2024.

Reason: For the avoidance of doubt.

Inspection of Balusters

4. At the point at which the grey boarding is removed from the east elevation, the applicant must inform the Local Planning Authority to allow for an inspection of the balusters prior to the replacement with WPB ply and bitumen felt.

Reason: To secure and safeguard the provision for inspection and recording of matters of architectural/archeological/historical importance associated with the building/site that may be lost in the course of works.

Replacement copper roofing

5. The proposed replacement of the copper roof of the small hall with bitumen felt shall only be approved on a temporary basis. Within 5 years of the date of this permission, full details of the replacement of the roof with a copper replacement shall be installed following the granting of an additional listed building consent application.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Replacement decorative vent/cowl

6. The proposed removal of the decorative vent/cowl shall only be approved on a temporary basis. Within 5 years of the date of this permission, full details of the replacement of the repairs and reinstatement of the decorative vent/cowl shall be installed following the granting of an additional listed building consent application.

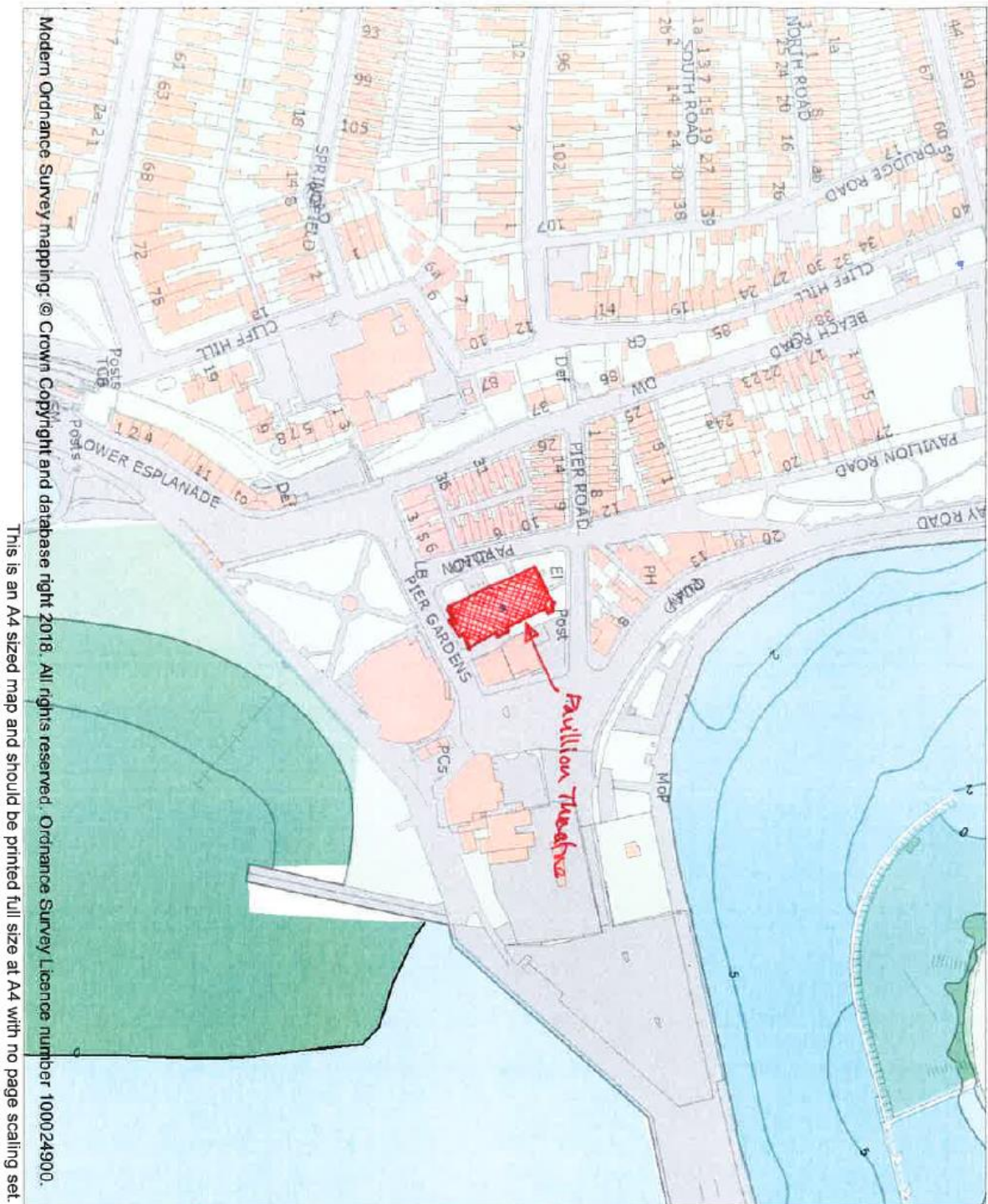
Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Storage of items

7. All items removed from their current location, including the decorative vent/cowl shall be stored on site at the Pavilion until their reinstatement.

Reason: To secure and safeguard the provision for inspection and recording of matters of architectural/archeological/historical importance associated with the building/site that may be lost in the course of works.

APPENDIX 1: Site Location Plan



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This is an A4 sized map and should be printed full size at A4 with no page scaling set.