

Reference: 06/21/0588/F and 06/21/0528/LB

Parish: Great Yarmouth

Officer: Chris Green

Expiry Date: 13-9-21

Extension of time: 22-09-21

Applicant: Great Yarmouth Borough Council

Proposal: Installation and replacement of existing exterior lighting for the Minster

Site: The Minster Church of St Nicholas, Church Plain, Great Yarmouth

REPORT

This application is brought before committee as the Borough Council is the applicant.

1. Background

- 1.1** This application is brought before Committee as the Borough Council is the applicant

2. Site and Context

- 2.1** The site is situated within the Great Yarmouth Development boundary.
- 2.2** The premises associated with this application are a church (place of worship) in use Class D1, but now in Class F1(f).
- 2.3** The site is within the No 5 St Nicholas/Northgate Street Conservation Area. The minster is not identified in policy and on mapping as a key tourism attraction.
- 2.4** The church is a Grade 2 starred listed building. This building is a medieval monastic foundation, heavily rebuilt after 1957, as a result of second world war bomb damage which had left only the masonry structure standing. It is (presumed) for this reason that it is not grade 1 listed.
- 2.5** The whole site is on slightly higher ground and shows as flood zone 1, the lower risk zone.

2.6 The building is presently floodlit by a combination of 250W discharge lamps of 22000 lumen output each, 2 illuminating the façade in green coloured weatherproof enclosures and 6 on the roof illuminating the tower and two more recent single colour 240W Light emitting diode (LED) lights of 26000 lumen output, illuminating the facade, also set in weatherproof enclosures painted green and banded by earth in the graveyard.

2.7 There are flats on the east and north side of Priory Plain, and other dwellings around the substantial graveyard, so nothing is closer than 40 metres from the illuminated building. The remains of the town wall screen the houses 80m to the north of the minster, though the tower illumination will be visible as it is too at present.

3. Proposal

3.1 The proposal utilises three existing vandal proof enclosures to illuminate the west façade and three existing to illuminate the south façade with RGBW colour LED wash lights of 45-degree beam and 270W of 9816 lumen output.

3.2 On the south side one of the enclosures will contain a 250W gobo projector of 11667 lumen output (focused) in addition.

3.3 The four uplighters to the existing tower are replaced by four 62W narrow 20-degree white beam lights of 2858 lumen output.

3.4 A further 270W LED spotlight of 10-degree beam angle and 9437 lumen output is provided on the transept roof behind the parapet to illuminate the clock.

3.5 It should be noted that the outputs quoted are measured not at the building plane but at 1m from the luminaire centreline.

3.6 Following a request to the agent a computer modelled lighting survey has been submitted showing existing and proposed light intensities at the “object” surface i.e. the illuminated church. It should be noted that the survey assumes values where the proposed lighting is set to maximum intensity, as it is able to be dimmed via DMX (digital multiplex), whereas the existing lighting is not operated by dimmers. While it is entirely possible with such systems to introduce strobe or rippling effects, there is no intention here to do this.

3.7 The lights will be timed to illuminate at dusk and turn off at 12:00 (midnight). There will be an over-ride operated by the Council’s staff for special events.

3.8 Accompanying the proposal are the following documents:

- Planning Application Forms and Certificates of Ownership;
- Application drawings as detailed on the Drawing Register;
- Heritage Statement;
- Computer modelled light spillage survey

4. Relevant Planning History

None

5. Consultations:-

All consultation responses received are available online or at the Town Hall during opening hours

5.1 No neighbour or public comments have been received.

Consultations – External

5.2 **Norfolk County Council – Local Highways Authority** – No objection

5.3 **Norfolk County Council – Ecology Service:** No in time comment received. No roost assessment asked for.

5.4 **Historic England -**

No comments. The LPA should seek advice from its conservation team.

Consultation - Internal to GYBC

5.5 **Environmental Health – (contaminated land, noise, air quality)**

No objections or comments:

5.6 Conservation officer's comments are within the report body.

6. Assessment of Planning Considerations:

6.1 Section 38(8) of the Town and Country Planning Act 1990 (as amended) and paragraph 47 of the National Planning Policy Framework state that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Relevant Policies:

Borough Local Plan 2001:

- BNV27 – Laser and high intensity light projection systems

Core Strategy 2013:

- CS8 – Promoting tourism, leisure and culture
- CS9 - Residential Amenity

- CS10- Safeguarding local heritage assets

Other material considerations:

National Planning Policy Framework (2021):

- Section 16

Emerging policies of the draft Local Plan Part 2 (Final Draft)

The following draft policy should be noted as some degree of weight can be attributed to them in the planning assessment, given the stage of their preparation:

Policy C1: Community facilities

Policy E5: Historic environment and heritage

Principle of development

- 6.2** The proposal is considered to meet with the requirements of the National Planning Policy Framework as it applies to the economic and cultural wellbeing of place where paragraph 8 sets out that sustainable development is defined by the economic objective , the social objective - to support strong, vibrant and healthy communities and cultural well-being; and the environmental objective - to contribute to protecting and enhancing built and historic environment; including moving to a low carbon economy. The proposal is considered to meet these objectives and the use of LED lighting delivery illumination around five to six times more efficiently than tungsten lighting, on average for a given colour.
- 6.3** Paragraph 189 requires sufficient detail to be provided to describe the significance of the heritage asset proportionate to the assets' importance and the submitted report does provide this information.
- 6.4** Paragraph 192. In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. The improved lighting is considered to achieve this.
- 6.5** Paragraph 193 requires the significance of a designated heritage asset to be measured against the weight to be given to the asset's conservation, irrespective of harm. In this instance there is considered no harm, and the physical lighting infrastructure does no harm to the building rectifies past insensitive installation. The areas lit have been lit in the past and the new up-lighters on the lead flat sections are held in place by their self-weight rather than fixed. The floodlights around the site use in the main existing flood light housings, with one new housing replacing the existing to house the gobo projector and floodlight. All the building mounted lights use wireless DMX signals to receive instructions and existing power cable routes.
- 6.6** Paragraph 196. 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, while it is difficult to see the proposal as anything but positive, there is public benefit to improved lighting of this building, in terms of demonstrating its architecture.

- 6.7 Policy CS8 - Promoting tourism, leisure and culture: Encourages the upgrading and enhancement of existing visitor attractions and specifically at sub section c: Safeguards key tourist, leisure and cultural attractions and facilities.
- 6.8 This proposal will support the sustainable tourism sector in creating across the whole project, a modern and exciting environment that will attract more visitors to the borough.
- 6.9 Emergent Policy C1: Community facilities reinforces the core strategy policy by seeking the retention of existing community facilities.
- 6.10 Retained Policy BNV27: Forbids the use of high intensity laser light projections and requires that: adverts or other potentially light intrusive devices do not create glare, inappropriate colours, harm to residents, highway users or public safety, be harmful to significant nationally recognised sites with regard to nature conservation or harm dark sky character.
- 6.11 Retained Policy BNV27 does not apply to this application as the lighting here considered is not of the laser lighting form.

Residential amenity

- 6.12 Policy CS9 - "Encouraging well-designed, distinctive places" also considers matters of amenity both for existing and future residents. This relatively modest work to replace existing lighting with variable controlled lighting is considered to offer reduction in light spillage to residential receptors.

Highways

- 6.13 The material planning consideration from a highway perspective is whether the proposal is harmful to users of the highway, for example a distraction. There is no intent to change the intensity, flicker or strobe, or colour during operating hours, so it will not introduce movement. No objection is made but a compliance condition referring to the submitted lighting design information should be added.

Historic Environment

- 6.14 The proposal has no fabric impact on any listed structure but affects the setting to a minor extent. Considered against the National Planning Policy Framework (2021) section 16 "Conserving and enhancing the historic Environment": Paragraph 197(a) directs LPAs to seek in applications the sustaining and enhancing the significance of heritage assets. The improved lighting is considered to achieve this, and the proposal also accords with the advice published by Historic England for the illumination of buildings.
- 6.15 Policy CS10 Conservation of the Historic Built Environment expects

application to preserve or enhance heritage assets, here the illumination of the building is directed to highlight the architecture of the building, in a positive way.

- 6.16 Emergent Policy E5: “Historic environment and heritage” also seeks to conserve and enhance heritage assets and positively contribute the character of the area.
- 6.17 Development proposals within conservation areas should take into account the special and distinctive character of the area and have regard to the relevant Conservation Area Appraisal and Management Plan.
- 6.18 With no requirement to fix the light fixtures to the historic fabric and with the use of wireless technology for control, and with the power supply cables already in place there is no impact on historic fabric, however a condition is suggested to require the protection of historic fabric during the work against damage.

Ecology

- 6.19 The illumination by the washes and floodlights replace existing light sources into a location, which while urban is not otherwise well lit, however, the presence of the existing lighting and the more focussed design of the modern LED luminaires means that this proposal is less likely to impact on the flight paths of bats. The building is mid 20th century in terms of the works that enabled it to return to use following catastrophic fire bombing. A note is recommended informing operatives of their duty regarding bats.

Light pollution

- 6.20 The lighting is directed to the central tower with lesser upward spillage than the existing lighting and onto the south and west facades around the principal entrance, where the beam spread is more focused (see proposal details with model façade insets).

“Static state” lighting

- 6.21 The intention is that lighting will adopt a “static state” that is to say that over a period of being switched on the lights will not vary intensity or strobe, flicker or rotate and in the case of the proposed gobo projector (where a number of images on circular frames can be stored on a wheel and rotated behind the lens) the image projected will not change. A condition to specify this is recommended for any permission, to avoid driver distraction and harm to the character of the conservation area.

Local Finance Considerations:

- 6.22 Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local

finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example.

7. The Planning Balance

- 7.1 It is considered that the proposal is positive in enhancing the building.
- 7.2 The proposal will increase public awareness of the historic building and potential visitor numbers.
- 7.3 No materially significant negative impacts are considered to occur, but it is considered that any impacts from these installations are outweighed by the benefits of the increased awareness and appreciation of the listed building and subsequent tourism and business offer.

8. Conclusion

- 8.1 The application is recommended for approval with conditions.

9. RECOMMENDATION: -

(1) Approve application 06/21/0588/F and grant planning permission, subject to conditions for:

- Commence within 3 years
- Compliance with plans
- Timing of illumination
- Highways requirement to adhere to lighting specifications
- Static state lighting
- Precautionary bat protection measures
- No additional lighting to be added without permission.

And any other conditions or notes considered appropriate by the Development Management Manager.

(2) Approve application 06/21/0528/LB and grant listed building consent, subject to conditions for:

- Commence within 3 years
- Compliance with plans
- Static state lighting

- Direction of lighting to be specified.
- Requirement for submission of information regarding fixings and cable routing.
- Protection of fabric during the works and repairs exactly to match.
- Fixing details to be provided where not already provided.

And any other conditions or notes considered appropriate by the Development Management Manager.

Appendices:

- Appendix 1 site and Location plan
- Appendix 2 lighting fixture locations

Boundary of the Minster

----- Dashed red line indicates site boundary



Proposed lighting

Plan of lighting for the Minster

Plan indicating locations of lighting for the Minster.

KEY:	
M1	■ Façade lighting in existing cages
M2	■ Façade lighting in existing cages
M3	● Pinnacle uplighting
M4	▲ Clocktower lighting

