

Reference: 06/21/0586/F

Parish: Great Yarmouth

Officer: Chris Green

Expiry Date: 13-9-21

Extension of time: 22-09-21

Applicant: Great Yarmouth Borough Council

Proposal: Proposed installation of 1no. 6 metre tall heavy duty steel column and associated feature lighting projection apparatus

**Site: 145 King Street and Yarmouth Way (Corner of)
(Opposite St. Georges Theatre) 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 in use as a theatre formerly in use Class D1, but now a “Sui Generis” use.
- 2.3** The site is within the King Street Conservation Area No 4. The theatre building is identified in policy and on mapping as a key tourism attraction
- 2.4** The building being lit (the theatre) is a Grade 1 listed building (27/06/53) (abridged). The listed building description is summarised as: Church up to 1959, restored 1974 and opened as a theatre 1979. Wren inspired based on St Clement Danes, London.
- 2.5** The building on the west side of King Street, adjacent to where the post is to be located, is 145 King Street which is also listed grade 2 and was built as church

rooms, later furniture retail. Dates to 1891. Partly rebuilt 1953. Composite Order columns arranged in 2 pairs in the centre and single columns at the ends.

2.6 There are flats on the west side of King Street.

3. **Proposal**

3.1 The proposal introduces a Gobo projector mounted on a new column on the corner of Yarmouth Way and King Street in front of 145 King Street (Gobo means Goes Before Optic, describing the position of the projected image in relation to the projection lens).

3.2 Following a request to the agent a computer modelled lighting survey has been submitted showing existing and proposed light intensities. 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.

3.3 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.

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 comments have been received.

Consultations – External

5.2 **Norfolk County Council – Local Highways Authority** – No objection providing a condition is attached for compliance with the lighting plan details as it will not cause glare beyond the site boundaries, in the interests of highway safety. The proposed column will not utilise existing street furniture or carry highway equipment and would be supplied by a direct electrical board supply. The erection will be subject to a Section 50 licence (New Roads and Street Works Act 1991) being applied for and granted by the Highway Authority, which in this case this is considered acceptable. The location and future private maintenance of the columns and lighting units will need to be agreed and approved with the LHA.

- 5.3 Norfolk County Council – Ecology Service:** A preliminary Ecology Assessment should be prepared to assess the suitability of the building as a bat roost.

5.4 Historic England - (abridged)

The light projector pole (this application 06/21/0586/F) could be a somewhat unsightly addition to the street scene in a prominent location. Rationalisation of street furniture is one of the principles of good management of historic spaces so we would suggest that while this project is being developed alternative ways of mounting the projector are considered. It might be less prominent if fixed to the side wall of number 145 King Street, a building currently in the process of being acquired by the Council for transfer to the Great Yarmouth Preservation Trust. This should be discussed with the Council's Conservation Officer.

Consultation - Internal to GYBC

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

No objections or comments:

- 5.6** Conservation Officer 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.
- 6.3 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.
- 6.4 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.
- 6.5 This proposal will support the sustainable tourism sector in creating a modern and exciting environment that will attract more visitors to the Borough.
- 6.6 Emergent Policy C1: Community facilities - reinforces the core strategy policy by seeking the retention of existing community facilities.
- 6.7 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.
- 6.8 The gobo projector proposed is not a laser device. It is a focussed projector that can project a pattern onto a surface. The policy as written seeks to prevent the employment of laser devices completely and raises concerns which are considered to be satisfied.

Residential amenity

- 6.9 Policy CS9 - "Encouraging well-designed, distinctive places" also considers matters of amenity both for existing and future residents. This relatively modest work to add controlled lighting is considered to offer minimal additional light spillage to residential receptors (as seen in the computer generated illustration images provided).

Highways

- 6.10** No objection is made with a suggestion that a compliance condition referring to the submitted lighting design information be added. There is no intent to change the projected image during hours of illumination; in other words in terms of intensity and pattern it will not introduce movement. No objection is made, with a suggestion that a compliance condition referring to the submitted lighting design information be added. A condition will ensure static-state lighting is used – i.e. the illumination shall remain static not moving / flickering / rotating.

Historic Environment

- 6.11** Historic England have raised concerns about the proliferation of street furniture. This proposal will require a single additional item of street furniture. The benefit of this in highlighting and interpreting the building is considered to outweigh this slight increase in overall numbers of street furniture. There has been a suggestion that the projector might be affixed to the listed 145 King Street, currently under acquisition by the Council on behalf of the building preservation trust, but without a timescale for this there has to be uncertainty as to the plausibility of this. A projector could be underhung beneath the entablature of the building, but this application must be determined on its own merits.
- 6.12** Officers have raised this concern with the applicant and seek to negotiate if a more sympathetic solution can be found to address Historic England's concerns, and will report the results to the Development Committee, for contextual information only. The outcome of these discussions should not affect the assessment of this application, but could in time provide a pleasing alternative.
- 6.13** As the proposal stands therefore it has no fabric impact on any listed structure but affects the setting of the two identified, to a minor extent. Considered against the National Planning Policy Framework (2021) section 16 "Conserving and enhancing the historic Environment": Paragraph 197(a) 2 directs LPAs to seek in applications the sustaining and enhancing the significance of heritage assets. The additional lighting is considered to achieve this and goes some way to facilitate the economic vitality of the theatre. Paragraph 202 states "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". The proposal is regarded as positive overall, as there is public benefit to improved lighting of this building, in terms of demonstrating its architecture and encouraging theatre goers, which is considered to outweigh the harm to the conservation area and streetscene brought about by the increased use of street furniture.
- 6.14** Policy CS10 Conservation of the Historic Built Environment expects applications 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.
- 6.15** Emergent Policy E5: "Historic environment and heritage" also seeks to conserve

and enhance heritage assets and positively contribute the character of the area.

- 6.16** 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.

Ecology

- 6.17** The illumination by the gobo projector introduces a light source into an already lit urban environment and this proposal is not considered to create additional impact on the flight paths of bats. For this reason, a Preliminary Ecology Assessment is not requested in association with this specific lighting column proposal. A precautionary condition is suggested.

Light pollution

- 6.18** The lighting from the pole is directed to the ground floor entrance to the building with little upward spillage (see computer model diagram).

“Static state” lighting

- 6.19** 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, flicker, rotate or strobe and in the case of the proposals involving gobo projectors (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 unacceptable harm to the character of the conservation area.

Local Finance Considerations:

- 6.20** 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 venue and potentially custom.

- 7.3 Although a minor negative impact appears to occur from the use of the pole in the public realm, it is considered that any impacts from the siting of the pole as may affect the conservation area are outweighed by the benefits of the increased awareness and appreciation of the listed building and subsequent tourism offer.

8. Conclusion

- 8.1 The application is recommended for approval with conditions.

9. RECOMMENDATION: -

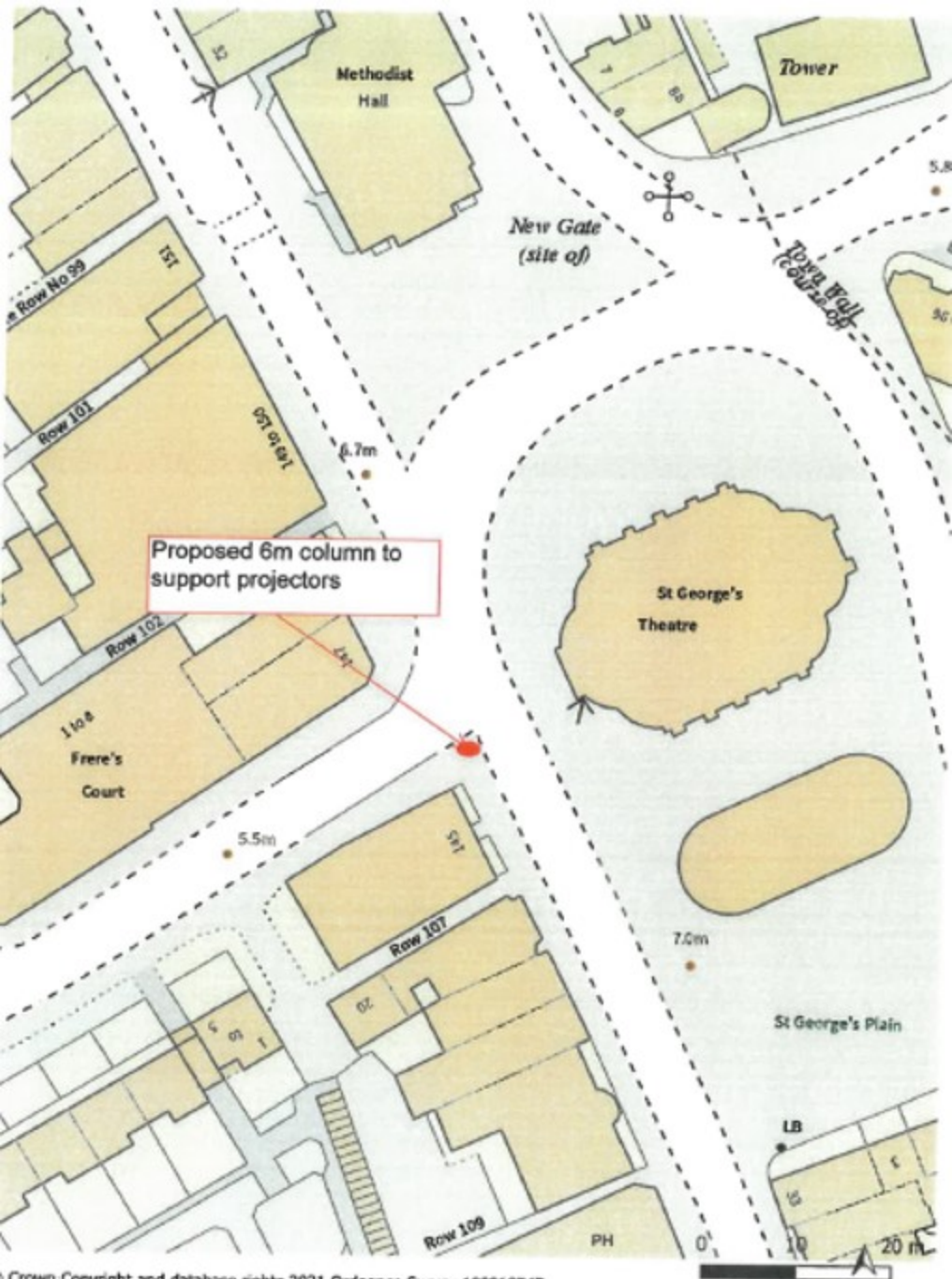
Approve subject to conditions for:

- Commence within 3 years
- Compliance with plans
- Timing of illumination
- Highways requirement to adhere to lighting specifications
- Static state lighting
- Precautionary bat protection measures.

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

Appendices:

- Appendix 1 Site and Location plan
- Appendix 2 Computer model view



Proposed 6m column to support projectors

Proposed lighting

Gobo lighting for St Georges entrance

The entrance of the St Georges will be illuminated by a new gobo projector mounted to a new column that will directly replace an existing signage column opposite St Georges.

Type G1 is a gobo projector which can project images. This will be used to convey the narrative.



Type SG1 - Prolights Mosaico gobo projector

