

Reference: 06/21/0589/F and 06/21/484/LB

Parish: Gorleston
Officer: Chris Green
Expiry Date: 13-9-21
Extension of time: 22-09-21

Applicant: Great Yarmouth Borough Council

Proposal: Proposed installation and replacement of existing exterior lighting equipment - "Light Bulb Array" to canopy ceiling; ; Ground floor entrance lighting; First floor elevation colour change wash from balcony; Second floor elevation colour change grazing effect across facade

Site: Gorleston Pavilion Theatre, Pavilion Road, Gorleston.

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 Gorleston Development boundary.
- 2.2** The premises are in use as a place of public entertainment formerly within use Class D2, but now classed as a "sui generis" use. The site is within the Gorleston extended Conservation Area No 17. The opposite side of the street to the south boundary is not within the conservation area. The building is identified in policy and on mapping as a key tourism attraction
- 2.3** This building is a very late Victorian brick and terracotta clad Art Noveaux inspired building. It is listed grade II, built 1901 by JW and OH Cockrill. The listed building description is: Copper roofs. Four corner towers and abutting the east of this is a single-storey narthex with a balustraded terraced roof. The

narthex has a mid C20 entrance fascia under a hood. Clasping 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 south return with 3 arched doors and one blind door formerly the principal entrance.

3. Proposal

- 3.1** The proposal is to light the southern (pavilion gardens) and eastern (pier gardens) facade of the Grade 2 listed Pavilion theatre.
- 3.2** The proposal introduces five colour mixing (Red/Green/Blue RGB or RGBW) LED luminaires to replace simple flood-lights to the balustraded upper flat roofed area on the east side and 6 x 40 number yellow LED lightbulbs to the underside of the modern felted flat roofed projecting canopy on the east side.
- 3.3** On the south side there are four first floor windows, the inner two with arched heads the outer two with flat heads surmounted by blind arches forming Tympani. These are to be lit by "COB" (where the source colours are mixed in proximity to give better colour rendition) type LED colour mixing batten lights of 1.2m length, where the upward wash of light is described as "grazing" the surface of the wall and the architectural features.
- 3.4** Below this at ground floor level are four arches with doors in the three to the west and the easternmost arch being blind. The arched areas above the doors are infilled with sign-written panels with the theatre's name.
- 3.5** The door heads feature a projecting moulding running from springing point to springing point. Here the proposal is to use a aluminium rectangular section to mount two down-lighters either side of each door and up-lighting onto the signs using a flexible mixing led bead strip.
- 3.6** Bulkhead lights on this facade are shown as removed and made good.
- 3.7** The wiring runs for the lights on the east facade can be within the modern canopy and above the balcony where not visible. On the southern facade the wiring is concealed from ground level in the case of the upper floor by the projecting moulding, with two wiring drops on the surface but within an internal return, and then laterally on top of the moulding at arch spring/capital to feed the arched doorways either side.
- 3.8** 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.

3.9 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.

3.10 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**

No relevant history is showing, this bespoke theatre building appears to have had this use since before 1948.

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 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.

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. (This has been conducted)

5.4 **Historic England** - Grade 2 buildings are treated as delegated matters to local advice. We refer the LPA to the advice given on the lighting of historic buildings on our website and make no comment other than that you seek the views of your specialist conservation and archaeological advisers, as relevant.

5.5 **Theatres Trust:** The trust welcomes the investment in the building, which will better express the significance of the listed building after dark and raise its profile. We support the proposals providing fixings avoid harm to historic fabric.

Consultation - Internal to GYBC

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

No objections or comments:

5.7 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, such as.... Gorleston Pavilion Theatre.
- 6.5 The proposal will assist in encouraging the early evening and night-time economy, in an appropriate location that contribute to the vitality of the borough.
- 6.6 This proposal will support the role of the arts, creative industries and sustainable tourism sectors in creating a modern and exciting environment that will attract more visitors to the borough.
- 6.7 Emergent Policy C1: Community facilities reinforces the core strategy policy by seeking the retention of existing community facilities
- 6.8 Retained Policy BNV27 does not apply to this application as the lighting here considered is not of the projected form.

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 replace existing lighting with variable controlled lighting is considered to offer reduction in light spillage to residential receptors.

Highways

- 6.10 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

- 6.11 This proposal is considered to be enhancing the building with no additional harms occasioned to the listed building's fabric by the very minor physical works.
- 6.12 Considered against the National Planning Policy Framework (2021) section 16 "Conserving and enhancing the historic Environment" : Paragraph 194 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. Paragraph 197(a) 2. Directs LPAs to seek in applications the sustaining and enhancing the significance of heritage assets. The improved 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, there is public benefit to improved lighting of this building, in terms of demonstrating its architecture and encouraging theatre goers, and the installation will rectify the mistakes in the earlier installation, where insensitive routing of cables is to be improved.

- 6.13 Policy CS10 Conservation of the Historic Built Environment expects application to preserve or enhance heritage assets, here the illumination of the building rather than the existing lighting which serves in the main to simply provide a degree of lighting at night time generally for access and safety, though the balcony lighting is directed to the building, the proposal scheme however will highlight the architecture of the building, in a positive way.
- 6.14 Emergent Policy E5: “Historic environment and heritage” also seeks to conserve and enhance heritage assets and positively contribute the character of the area.
- 6.15 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

- 6.16 The new window uplighters introduce lights in a location not so far lit and have the potential to disrupt the patterns of use by bats. For this reason, a Preliminary Ecology Assessment was requested and has been conducted on 31st August, no bat presence was reported nor further survey work recommended. A note is recommended reminding operatives of their duty regarding bats.

Light pollution

- 6.17 The balcony lighting is directed to the building but there might be some upward spillage however this will be an improved situation as the existing 50W luminaires have an 120-degree beam angle and the proposed 90W units a 60-degree beam angle, reducing spillage, and because these are RGB light sources the luminosity at the surface is almost identical. (see computer model diagram).

Local Finance Considerations:

- 6.18 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, reduces light spillage by directionality and offers some better cable routing. The equipment involved offers energy efficiency.
- 7.2** The proposal will increase public awareness of the venue and potentially custom and tourism interest.

Although a very minor negative impact would occur from the fixing of the apparatus to the listed building fabric, it is considered that any impacts from these 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 applications are both recommended for approval with conditions.

9. RECOMMENDATION: -

(1) Approve application 06/21/0589/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 06/21/0484/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 Location plan
- Appendix 2 Site plan
- Appendix 3 Computer visualization view

Site location plan

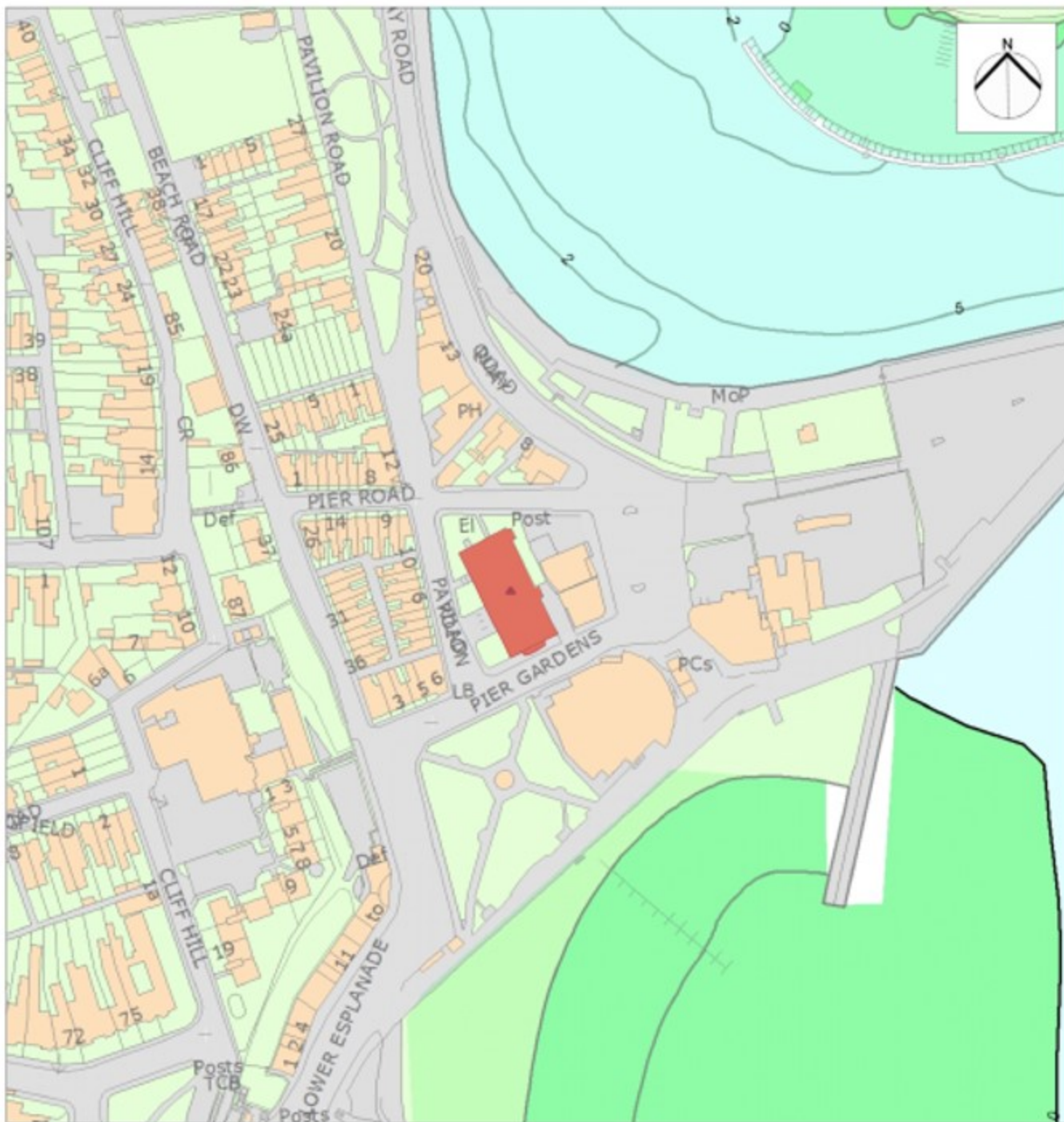
Plan of Gorleston Pavilion

- This application is for works to Gorleston Pavilion

Key:



Solid red indicates building location



Site boundary

Boundary of Gorleston Pavilion

--- Dashed red line indicates site boundary

 Solid red indicates building location





Visualisation of proposed lighting scheme for Garlestone pavilion