

Reference: 06/21/0593/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: Tolhouse Gaol (Land to North West of) Tolhouse Street, 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 to be lit are in use as a museum formerly in use Class D1, but now within Class F1(c) Museums. The site is within the Hall Quay/South Quay Conservation Area No 3.
- 2.3** This specific application is for a free-standing column to carry a lighting installation and is set in the garden to the east of the library and north of the Tolhouse Museum.
- 2.4** The museum is a Grade 1 listed building (27/06/53). The abridged listing description is: A merchant's fortified house. Begun c1150 and altered c1250. Purchased by the borough in 1552. And used as a prison (1261-1875), town hall (to 1882), police station, courthouse and toll office. Bombed April 1941 and restored 1960-1. Used as a museum and library from the 1880s. Fortified first-

floor hall house illustrating early adaptation of military architecture to domestic purpose. The basement retains gaol house cells dating from 1796.

- 2.5 The building is not specifically identified in policy CS8 as a key tourism attraction, it is however a major attraction of cultural significance.
- 2.6 There are Council owned flats on the east side of Tolhouse Street, there is a Salvation Army Citadel to the north of the green area immediately north of the Tolhouse. To the south there is a shop which appears to have domestic accommodation.

3. **Proposal**

- 3.1 The proposal introduces a 250W LED Gobo projector and 240W RGBA LED wash light, with 40 degree beam angle modified by a snoot to limit upward light spill, mounted on a new column on the foot-way at the corner of the gardens to the library just to the north of the museum. (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). 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.
- 3.4 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**

06/91/1185/SU, Alterations and formation of new main entrance to library

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 conditions are attached for compliance with the lighting plan details as it will not cause glare beyond the site boundaries, in the interests of highway safety. Ongoing maintenance shall be agreed before commencement and no works shall occur before a legal agreement is concluded under section 50 of the Highways Act, for positioning and a further condition for the implementation of the maintenance to the agreed scheme. Finally a condition preventing additional lighting without further approval.
- 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** - On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Consultation - Internal to GYBC

- 5.5 Environmental Health – (contaminated land, noise, air quality)**
No objections or comments:
- 5.6** Conservation comments 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 met as demonstrated by the associated computer modelling.

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 light column is an item of street furniture that will require agreement with the highway authority for power provision. 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 projected image or intensity of the wash light during hours of illumination; in other words in terms of intensity and pattern it will not introduce movement. No objection is made by the County Council Highways, however conditions are suggested to prevent development before the conclusion of legal agreement with the County Council. This is considered to fail the planning test of necessity, in that the County as landowner can compel this before allowing work on their land. Other conditions are suggested for a compliance condition referring to the submitted lighting design information. A condition will ensure static-state lighting is used – i.e. the illumination shall remain static not moving / flickering / rotating.

Historic Environment

- 6.11** This proposal is considered to be enhancing the area and setting of the listed building, with no additional harms occasioned to the listed building's fabric by the 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) 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 museum. 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 museum visitors.
- 6.13** 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.
- 6.14** 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 lights are in a location not so far directly lit and although in a lit urban environment there is some potential to disrupt the patterns of use by any bats that might use the building. For this reason, a Preliminary Ecology Assessment was requested specifically to check the building for bat presence. One has been conducted and results received on 08.9.21 show no bats to be present nor further survey work recommended. The informative note with regard to unexpected discovery shall be attached.

Light pollution

- 6.17** The projector as a focused device introduces little light spill into the environment beyond the flank wall of the Tolhouse that is illuminated by it. The associated wash light features a snoot to reduce upward light spill. (see computer model diagram).

“Static state” lighting

- 6.18** 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 harm to the character of the conservation area.

Local Finance Considerations:

- 6.19** 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, and minimises light spillage by directionality. The equipment involved offers energy efficiency.

- 7.2 The proposal will increase public awareness of the venue and potentially custom and tourism interest.
- 7.3 Although a minor negative impact appears to occur from the use of the pole in the public realm and conservation area, and setting of the listed building, 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 and business offer.

8. Conclusion

- 8.1 The application is recommended for approval with conditions.

9. RECOMMENDATION: -

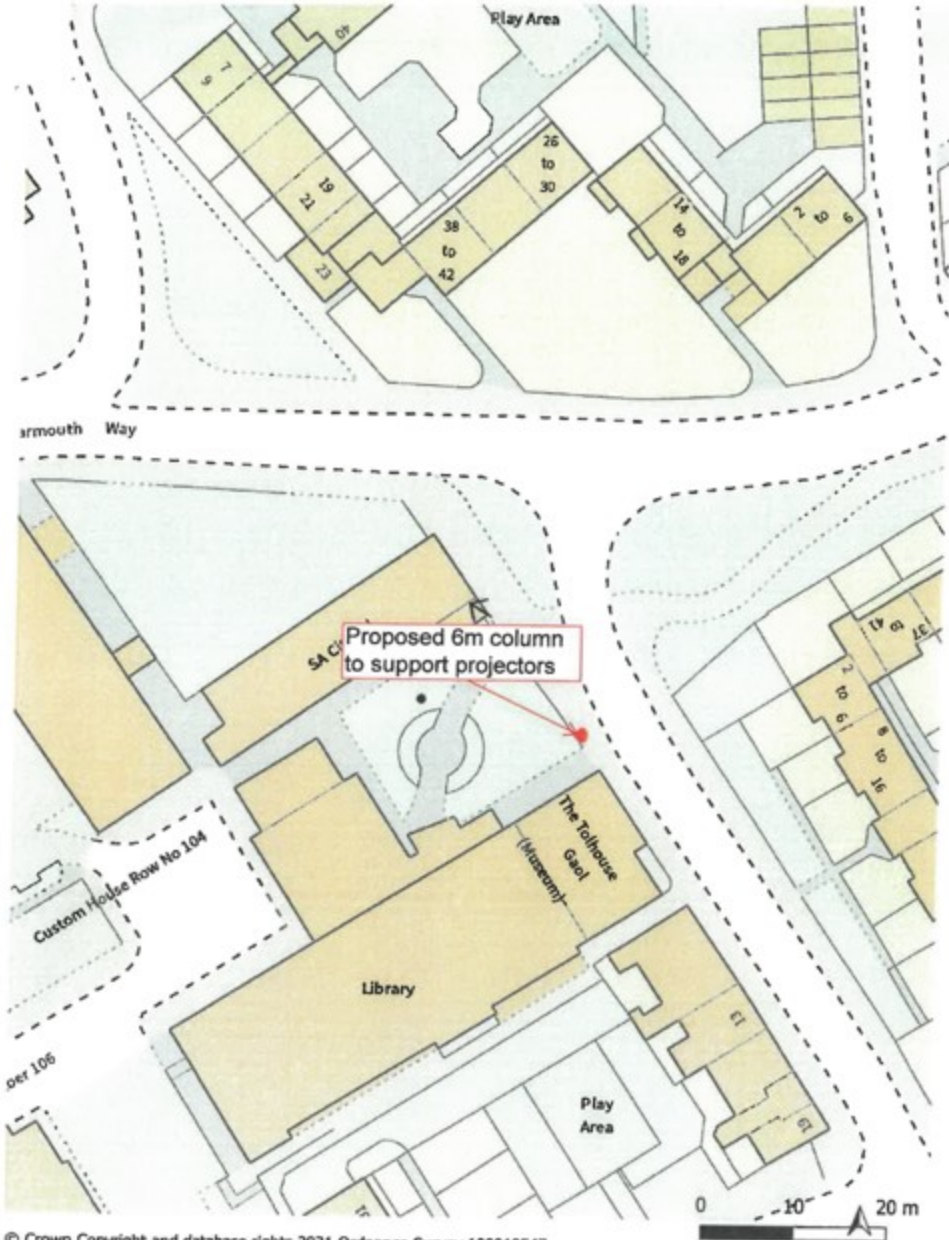
Approve subject to conditions for:

- Commence within 3 years
- Compliance with plans
- Timing of illumination
- Highways requirement to adhere to lighting specifications
- Static state lighting
- Precautionary bat protection measures.
- No additional lighting to be added.

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
- Appendix 3 Lighting plans



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Great Yarmouth Borough Council
Town Hall Hall Plain Great Yarmouth
NR30 2QF

The Tolhouse
Projector Column

Proposed lighting

Lighting for Tolhouse gable end

The gable wall of the Tolhouse will be illuminated with two new projectors mounted to a new column that will directly replace the existing streetlighting column beside the Tolhouse.

Type T1 is a gobo projector which can project images. This will be used to convey the narrative.

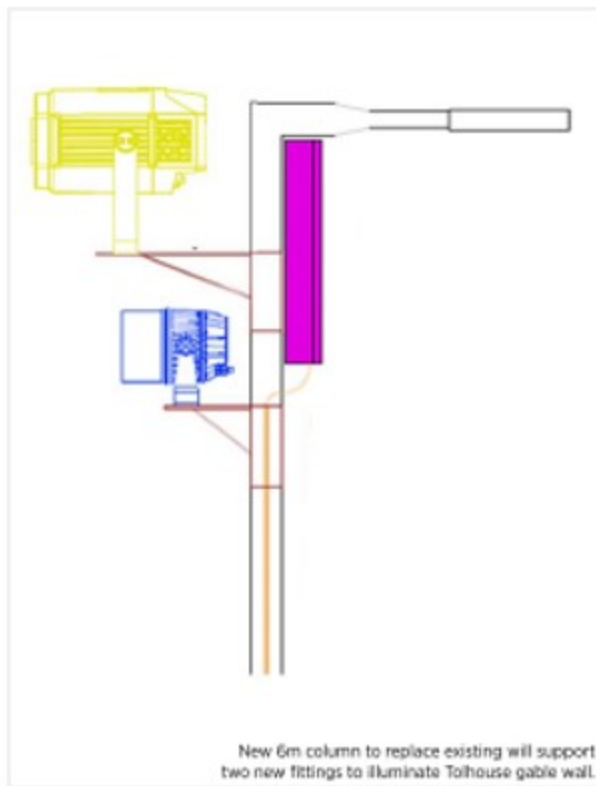
Type T2 is an RGBA floodlight. This will wash the gable wall with light. The projector will be supplied with a full snoot to reduce glare.



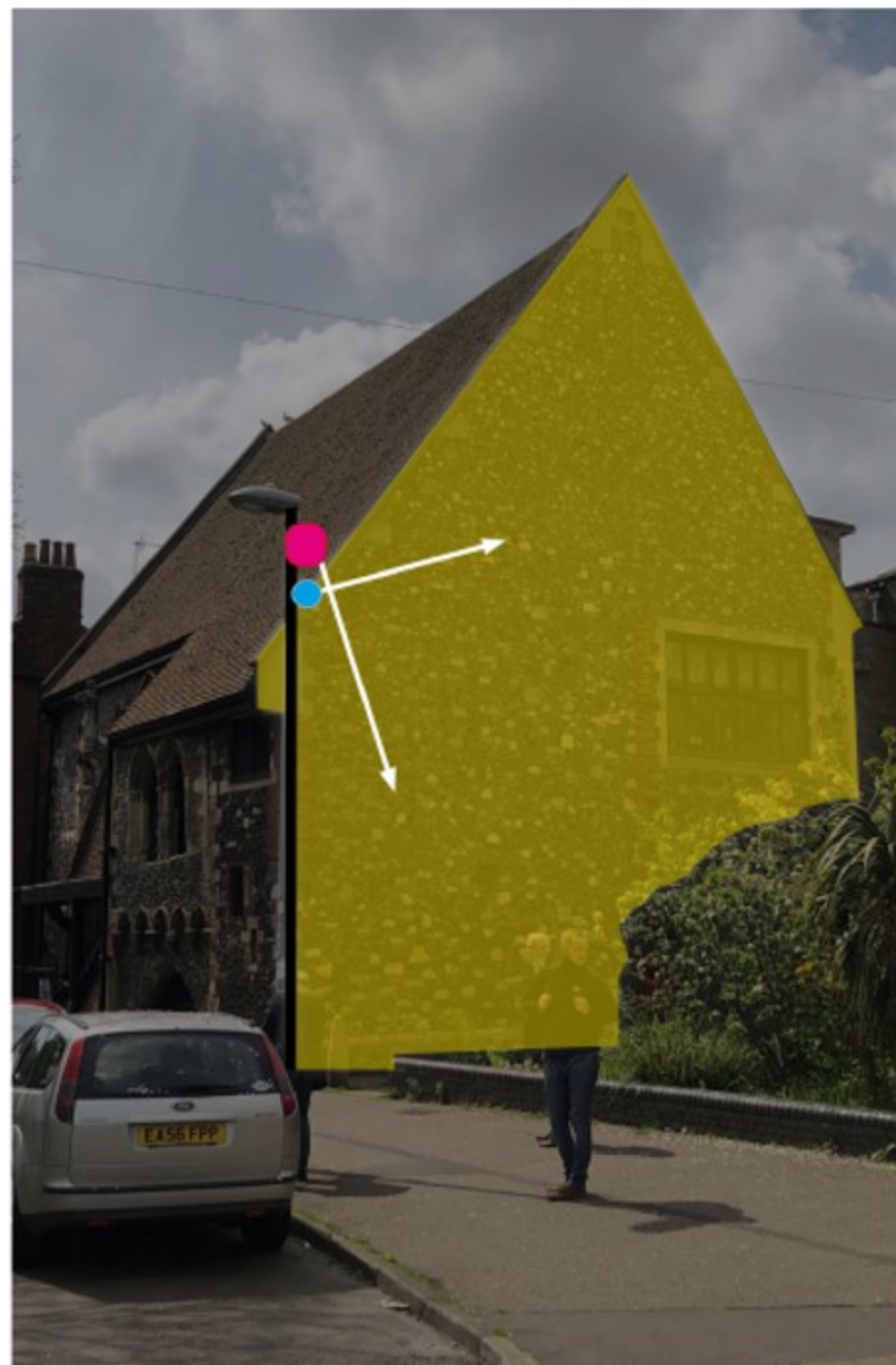
Type T1 - Prolights Mosaico gobo projector



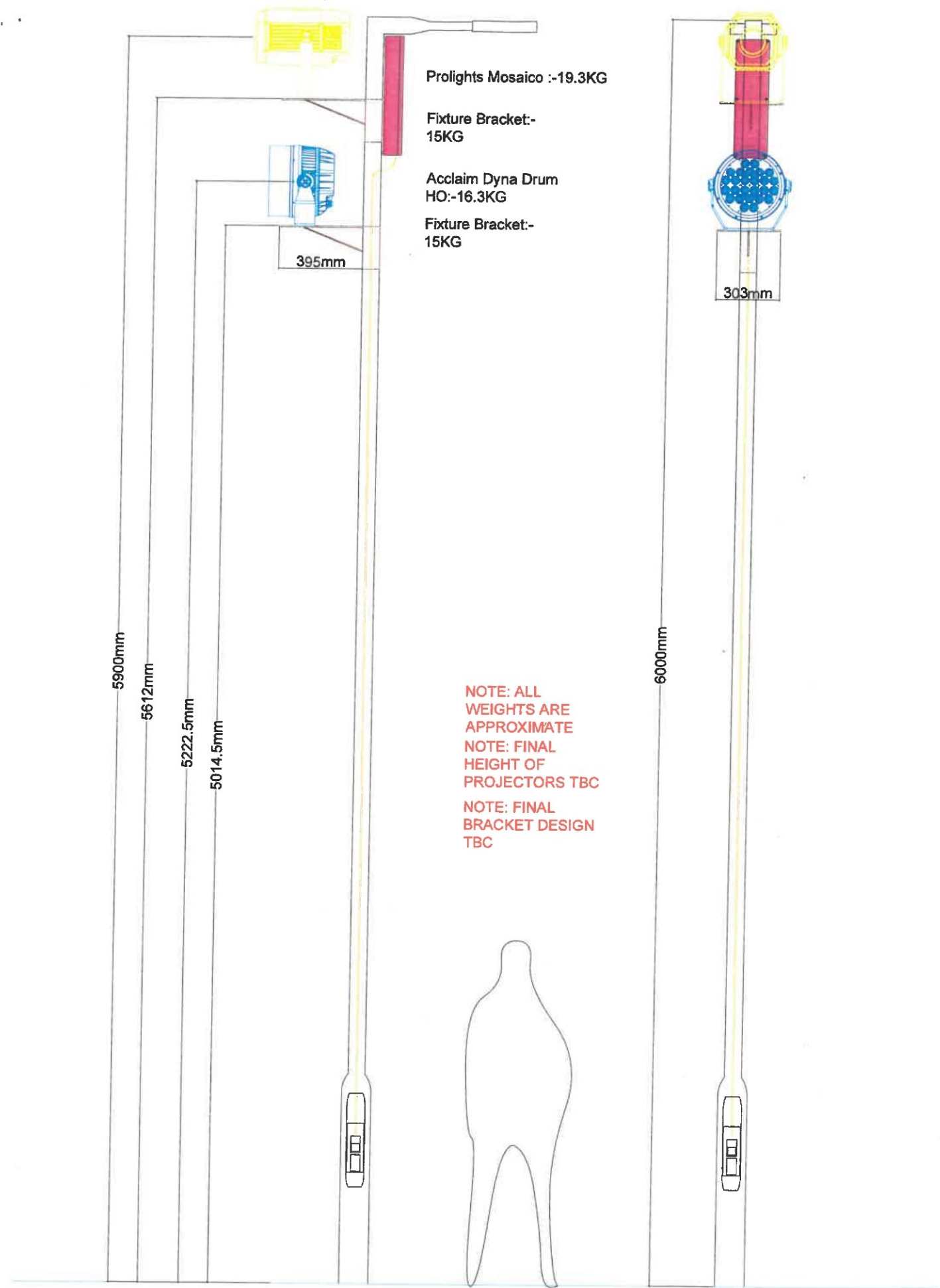
Type T2 - Acclaim Dyna Drum HQ SCS G2



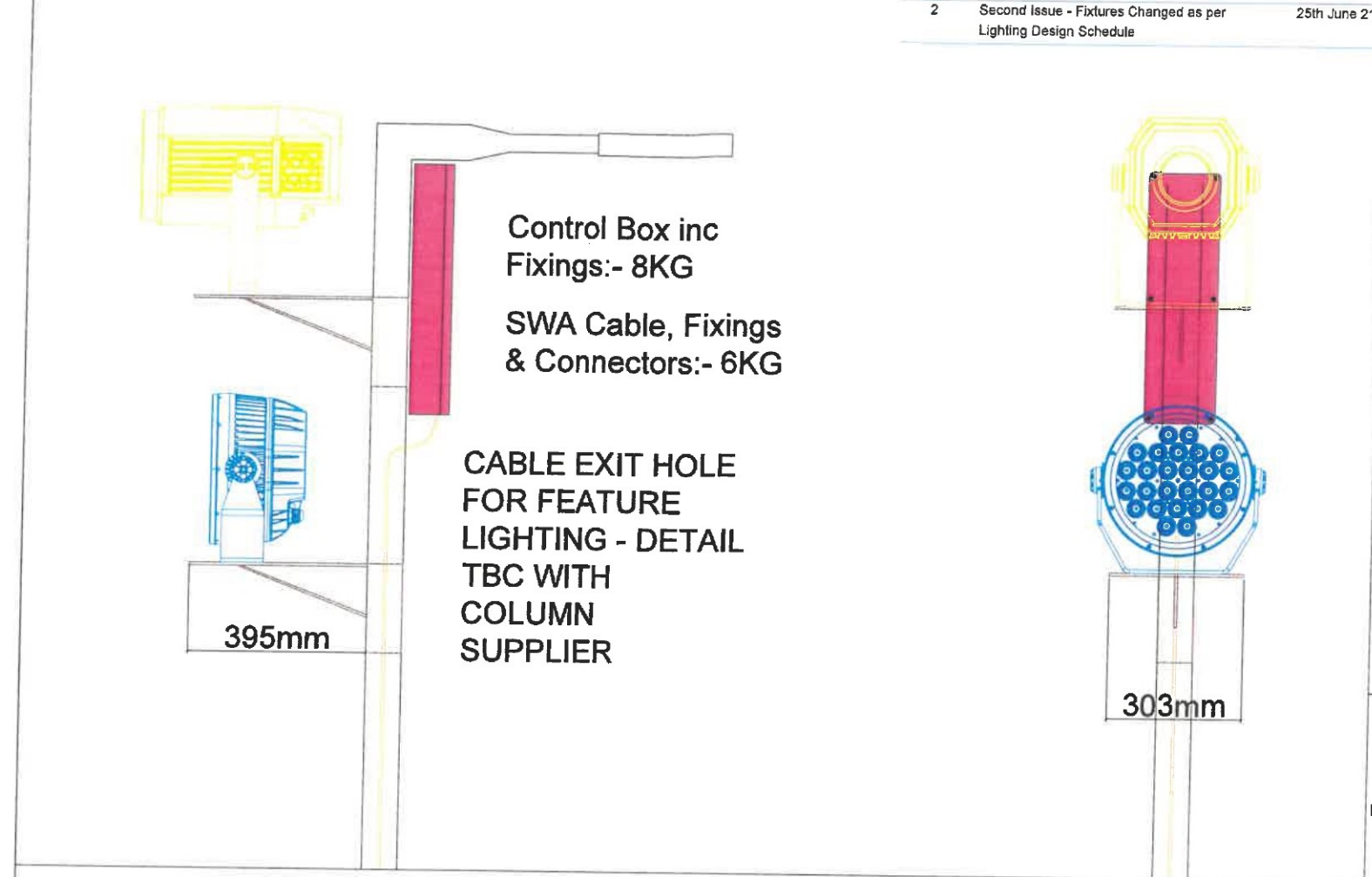
New 6m column to replace existing will support two new fittings to illuminate Tolhouse gable wall.



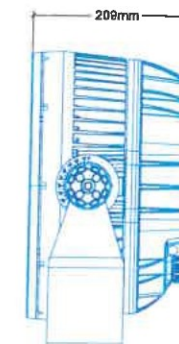
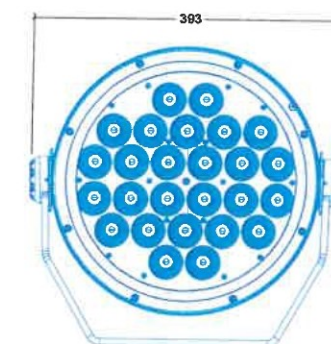
Rev	Notes	Date
1	First Issue - DRAFT	10th May 21
2	Second Issue - Fixtures Changed as per Lighting Design Schedule	25th June 21



NOTE: ALL WEIGHTS ARE APPROXIMATE
NOTE: FINAL HEIGHT OF PROJECTORS TBC
NOTE: FINAL BRACKET DESIGN TBC



ACCLAIM DYNA DRUM HO



Dyna Drum HO fitted with Full Snoot

PROLIGHTS MOSAICO

