

**Reference: 06/21/0591/F and 06/21/0592/LB**

**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 exterior lighting: 1. Installation of 1no. Linear LED floodlight (below railing line) on the Tolhouse Street elevation;  
2. Installation of 1no. linear LED floodlight and 1no. square spotlight above entrance canopy on the Tolhouse street elevation  
3. Installation of 1no. floodlight within the covered porch at first floor level

**Site:** Tolhouse Gaol, 12 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** These specific applications are for planning permission and listed building consent for lighting attached to the museum building as described.

- 2.4 The museum is a Grade 1 listed building (27/06/53) - The abridged listed building description: 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.
- 2.7 The Tolhouse currently has no external lighting.

### **3. Proposal**

- 3.1 The proposal introduces a 12 x 3W Linear LED floodlight (below railing line) on the Tolhouse Street elevation; a 12 x 3W linear LED floodlight with a 30 degree vertical beam and of 2700 lumen output and a 20W square spotlight of 12 degree beam above the entrance canopy on the Tolhouse street elevation illuminating the coat of arms and a 20W floodlight of 80 degree beam within the twin arch fronted covered porch at first floor level. (There are steps up to this upper level entrance reflecting the fortified character of the original building).
- 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.
- 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**

06/01/0073/LB, Internal alterations to museum and adjustments to fire and security systems.

#### **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 should be 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.

5.4 **Historic England** - 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.

##### **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 does not apply to this application as the lighting here considered is not of the projected form.

## **Residential amenity**

- 6.8** 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. The application includes an "intrusive light report".

## **Highways**

- 6.9** 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**

- 6.10** 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.
- 6.11** 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. 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.
- 6.12** 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.
- 6.13** Emergent Policy E5: "Historic environment and heritage" also seeks to conserve and enhance heritage assets and positively contribute the character of the area.
- 6.14** 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.
- 6.15** Cabling for the lighting above the canopy will rest on the canopy without the need for harm and the fixtures will need limited fixings though further detail is required because this area will be water-proofed, and fixings must not penetrate

this. The light near the railings will not attach to the building.

- 6.16** The light within the canopy has had further detail as to cable routing and fixing provided. A condition nevertheless will be used to the effect that: Whenever a fixing to the external fabric of the building is required (including light fittings and cables), it should be ensured that it is screwed into the mortar joints and not into the historic fabric (including bricks, flints, stone, timber) and another that the historic features and fabric of the listed building should be preserved and protected throughout the works. Any damage should be repaired in a like-for-like manner with relevant matching materials and techniques.

### **Ecology**

- 6.17** 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 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**

- 6.18** The existing building is not floodlit so there will be some additional light in the environment however the upward washes have narrow beam angles in the vertical plane at 12 degrees for the 20W wash lights and 30 degrees for the batten lights (described as wall grazing) which have an output of 3W x 12 cells. These are low output, focussed on the façade and in a well-lit urban environment, where the additional impact is considered minimal and of little consequence in the planning balance. (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 or strobe, flicker or rotate. 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:**

- 6.20** 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, 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.
- 7.3** 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 06/21/0591/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 06/21/0592/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 model view



# Site location plan

## *Plan of Tolhouse*

The application is for works to the Tolhouse, Great Yarmouth.

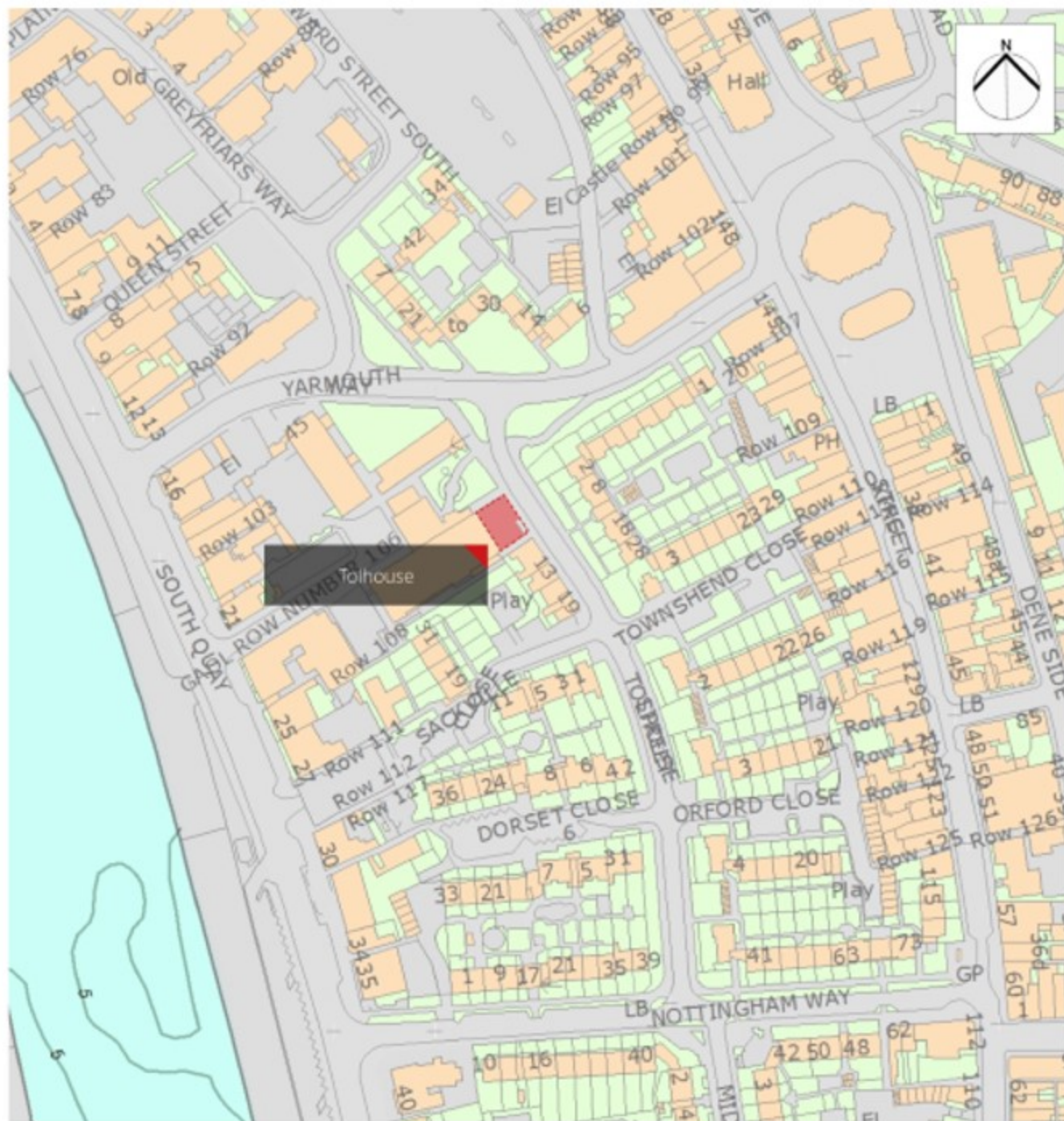
12 Tolhouse St  
Great Yarmouth  
NR30 2SQ



Solid red indicates building location



Dashed red line indicates site boundary



# Existing lighting

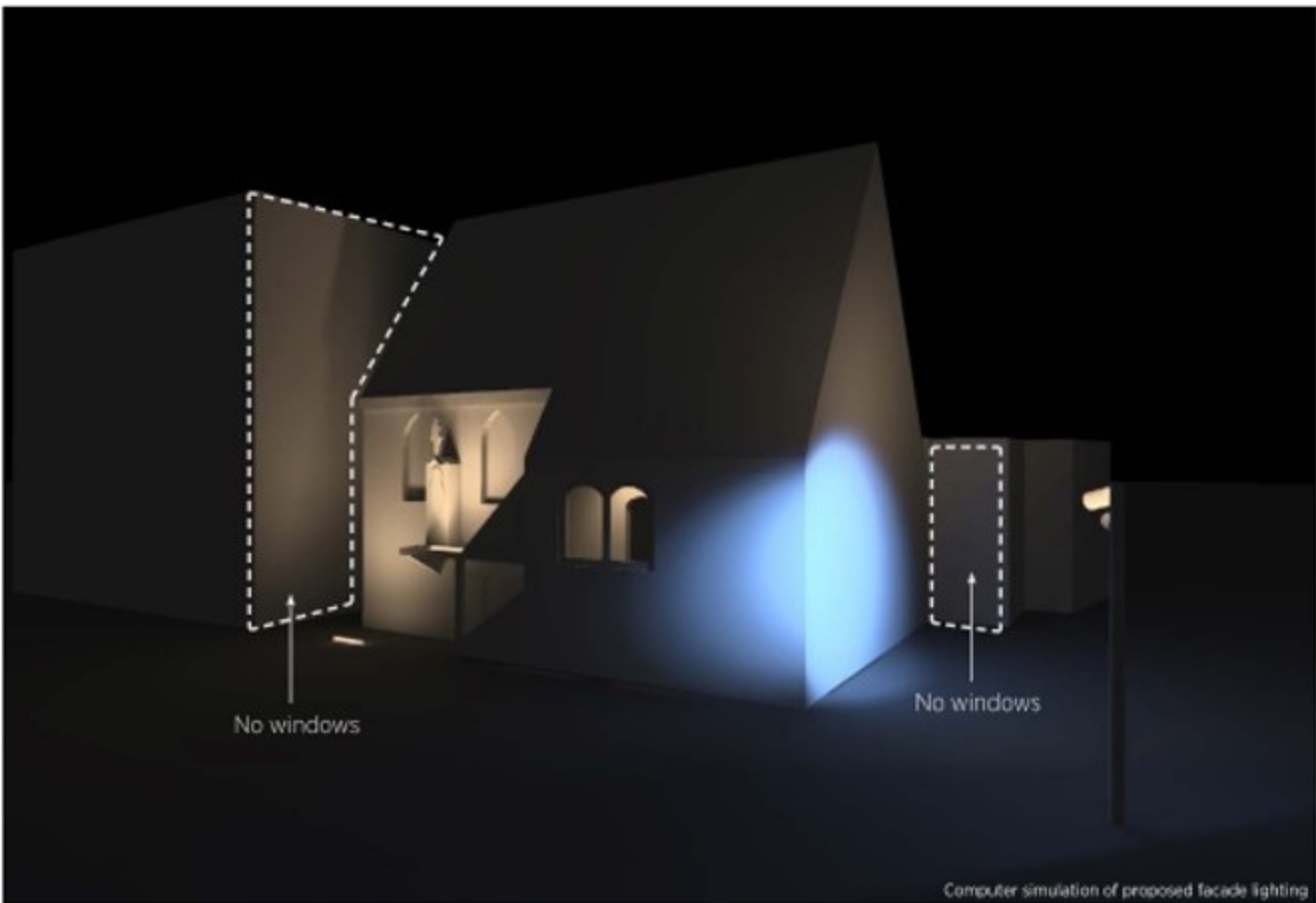
## *Plan of Tolhouse*

- The existing surface-mounted bulkhead illuminates inside the 1st-floor porch with diffuse white light.
- The power is located within the Tolhouse
- There are no existing controls, the lighting circuit is switched.



Existing bulkhead light inside the covered 1st floor porch.





Computer simulation of proposed facade lighting