

App.No: 160872	Decision Due Date: 22 September 2016	Ward: Devonshire
Officer: Neil Holdsworth	Site visit date: Various	Type: Listed Building Consent
Site Notice(s) Expiry date: N/A Neighbour Con Expiry: N/A Press Notice(s): 30 August 2016		
Over 8/13 week reason: N/A		
Location: Eastbourne Pier, Grand Parade, Eastbourne		
Proposal: Retrospective Listed Building Consent for the following works to Eastbourne Pier; Painting Lion detailing on 49no. lamp posts (primer undercoat layer and gold metallic outer layer); Painting 13 Domes and Pinnacles (primer undercoat layer and gold metallic outer layer).		
Applicant: Mr Sheikh Abid Gulzar		
Recommendation: Approve conditionally		

Executive Summary:

This application is reported to Committee at the discretion of the Senior Specialist Advisor given the level of interest in the site/application and the Borough/Regional significance of the proposal.

This retrospective application was revised following a site visit attended by officers of the Council, Historic England and the owner of the pier whereby it established the owners commitment not to paint any further parts of the pier gold without first seeking listed building consent.

It was also agreed that the roof of the waterfront bar at the rear of the pier, which has been the cause of significant objection, would be repainted a neutral colour.

Because of the choice of colour and method of application the works that have taken place involving the painting of the rear dome (Camera Obscura) of the pier are considered to have resulted in some harm to the character and appearance of this Grade 2* listed building. On balance, and having given consideration to the context of the works taking place as part of a significant programme of investment in the pier, it is considered that listed building consent should be granted for retention of the works in question.

Planning Status:

Eastbourne Pier is a grade 2* listed pier comprising a mixture of retail and entertainment uses.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies

Policy B2 Creating sustainable neighbourhoods
Policy D10: Historic Environment.

Eastbourne Borough Plan Saved Policies 2007

Policy UHT1: Design of new development
Policy UHT17: Protection of Listed Buildings and their settings.

Relevant Planning History:

Numerous historic applications for listed building consent the most recent/relevant applications are listed below.

141413

Dismantle the existing fire-damaged Arcade frame, together with the removal and replacement of the affected timber deck and deck support steelwork. Removal, refurbishment and reinstatement of existing cast iron balustrade, lighting columns and wind-breaks. Replacement of the Arcade building itself will be subject to a separate application.

Listed Building Consent Approved conditionally
11/12/2014

150285

Installation of rides and stalls upon the decking at the location of the former Blue Room at Eastbourne Pier for a temporary period of at least 18 months prior to redevelopment. (Amended description).

Planning Permission Refused
04/06/2015

Proposed development:

Retrospective Listed Building Consent is sought for the following works to Eastbourne Pier

- Painting Lion detailing on 49no. lamp posts (primer undercoat layer and gold metallic outer layer);
- Painting 13 Domes and Pinnacles (primer undercoat layer and gold metallic outer layer).

Consultations:

Historic England

Historic England would not object to the application if no further works of painting take place including the two remaining fish scale domes in the centre of the pier, and the waterfront cafe is repainted a neutral colour. Further comments from their response are summarised below:-

Historic England recognise that the current owner has stepped in to acquire the pier when it was facing an uncertain future and is now investing in it.

However, the painting of the larger domes and other areas of the roofs of the pier does cause some harm to the historic character and appearance of the pier.

This is because these large sections, painted in bright yellow gold paint are overly dominant, particularly in medium and long views, drawing them to the eye and interfering with the appreciation of the consistent colour and celebrated silhouette of the roofscape of the pier.

Overall, the works have created a modest amount of harm and that continuing to paint the roof of the shingled domes would create more harm.

Eastbourne Chamber of Commerce

- Eastbourne Chamber of Commerce is a membership organisation representing the interests of 600 businesses across the district.
- Concerns have been expressed by members of the public and visitors that works that have taken place to the pier are not in keeping with the Victorian heritage of the pier and are unattractive.
- Concerns have also been made about the 'amateurish' look of the paint work undertaken on the decorative lion heads on the lamppost.
- Concerns that work taken place without planning consent and without prior consultation with the local planning authority and Historic England given heritage status of the site.
- Concern that works are not sustainable. Any works should use materials that can withstand high salt levels and severe weather conditions.

Eastbourne Society

- Eastbourne Society regret that works have been undertaken without planning consent.
- Most of the painting is acceptable in the public domain and, whilst reversible, does not constitute damage to the structure.
- Objection raised to painting of the roof of the waterfront bar and of the turret on top of the camera Obscura.
- Oriental appearance of the pier is consistent with historic pier architecture. 49 lampposts are understood to be 1980's or 1990's additions to the pier.

Neighbour Representations:

65 comments received from members of the public.

27 Objections received on the following grounds:

Conservation and design:

- Use of gold is inconsistent with Eastbourne 'aesthetic' of blue and white.
- Use of gold is inconsistent with Victorian appearance and detracts from the character of grade 2* listed building.
- Use of gold contributes to a commercial character which is out of character with the seafront area of the town.
- Use of gold resembles religious buildings thereby changing the character of the pier.

Other grounds

- Concern that work was undertaken without seeking listed building consent.
- Concern that use of gold will easily discolour and show stains/marks over time.

38 letters of support

Conservation and design

- Use of gold is typical on domes of Victorian buildings and within the nature of pier architecture.
- Use of gold will 'further celebrate the achievements of the athletes in the Olympic games'.

Other grounds

- Support for works undertaken by the owner in restoring the pier.
- Works appear to be locally popular resulting in more visits to the pier.
- Gold is used elsewhere on the seafront e.g. litter bins and lampposts.

Appraisal:

This retrospective application for listed building consent was submitted following the painting of a number of domes on Eastbourne Pier in July 2016.

It also seeks retrospective approval for the painting of the lions located on lampposts on the pier itself, undertaken in the course of 2015. Following amendment it does not now include the painting of the final two domes in the centre of the pier which retain a 'fish-scale' appearance nor the retention of the gold paint applied to the roof of the waterside café.

Eastbourne Pier is widely acknowledged as being the finest remaining example of Eugenius Birch's seaside Victorian piers which is reflected in its designation as a grade 2* listed building. The pier began as a promenade pier and was subsequently adapted to a pleasure pier, with the kiosks and entertainment pavilions constructed on the pier itself being built and adapted over time to reflect the changing demands of customers and owners. As such the pier in its current form represents a building that is constantly evolving and changing and cannot necessarily be fixed in a certain point of time. As an example of this evolution the lampposts on the pier, which incorporate ornamental lions, are understood to date back to the 1980's. Given this background, painting parts of these lampposts gold is not considered inappropriate in historic buildings terms.

Many respondents to the consultation exercise draw attention to the distinctive blue and white colour scheme which has come to be associated with Eastbourne and the pier. The domes on the pier, of which there are 15 in total are clad in zinc which had weathered to create a grey appearance which complements the blue and white colour scheme. In this context, the painting of these domes gold is seen by many respondents as creating an unfortunate juxtaposition to the blue and white colour scheme associated with the pier, and therefore harming the overall appearance of the Grade 2* listed building.

Historic England have inspected the works and consider that painting of small areas of the pier may be considered appropriate. However the painting of the larger areas could be considered to have materially altered the character of the pier.

Historic England consider that these sections are particularly dominant, particularly in medium and long views, drawing attention to them and interfering with the appreciation of the consistent colour and celebrated silhouette of the roofscape of the pier. As such, they consider that the works have changed the character of this grade 2* listed building. Their overall assessment is that some harm has occurred to the heritage asset as a result of the works, although at present the harm is less than substantial and they do not object to the proposal as long as the roof of the waterside café is repainted a neutral colour, which the applicant has agreed to do.

Paragraph 134 of the National Planning Policy Framework states that where a development proposal will lead to less than substantial harm of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The applicant, along with many respondents to the consultation exercise draw attention to the investment that has been made in to the pier. This includes works to repair the substructure and platform of the pier, works to provide additional seating and general repair and decoration which will help sustain the pier as a viable commercial enterprise which is an important asset to the town and integral to its appeal as a tourist destination. In this context the owner sees the painting of the domes as being integral to these works and his long term vision for the pier.

Having given consideration to the tests set out in the NPPF it is considered that on this occasion the public interest in the ongoing viability of the pier outweighs the identified harm, and the application is recommended for approval.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Recommendation:

The application is recommended for approval subject to a condition specifying precisely which works have been approved as a result of the decision.

An informative has been added to the decision reminding the applicant that the roof of the waterside bar is not approved by this permission and comprises a breach of listed building controls, and to seek the advice of the local planning authority prior to undertaking any further painting of this grade 2* listed building.

Conditions:

1. This listed building consent hereby authorises the retention of the following works that have been undertaken at Eastbourne Pier as of 20th September 2016:
 - a. Painting of 49 ornamental lions on lampposts.
 - b. Painting of 13 domes.

Reason: For the avoidance of doubt.

Informatives:

1. As per the email exchange between Manasdeep Singh and Neil Holdsworth dated 31st August 2016, this listed building consent does

- not authorise the retention of the gold paint on the roof of the waterside bar at the rear of the pier. This constitutes a breach of listed building consent and must be rectified immediately by painting it a neutral colour. If you are in doubt about what you are required to do to rectify this breach, please contact the local planning authority.
2. The two remaining domes in the centre of the pier which are clad in fish scale zinc must be retained in that condition and not altered without obtaining listed building consent.
 3. You are advised that any further painting of the pier may require listed building consent. You are advised to approach the Council for advice prior to proceeding with any further works.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.