

<b>App.No:</b> 170221	<b>Decision Due Date:</b> 20 April 2017	<b>Ward:</b> Devonshire
<b>Officer:</b> Neil Holdsworth	<b>Site visit date:</b> Various	<b>Type:</b> Listed Building Consent
<b>Site Notice(s) Expiry date:</b> 30 March 2017		
<b>Neighbour Con Expiry:</b>		
<b>Press Notice(s):</b> 6 <sup>th</sup> March 2017		
<b>Over 8/13 week reason:</b> To meet committee cycle.		
<b>Location:</b> Eastbourne Pier, Grand Parade, Eastbourne		
<b>Proposal:</b> To paint the remaining 2 domes in the middle of the Pier in gold colour to match the existing 13 domes. To paint the roof on the entrance mall with a white 'weather proof' sealant paint.		
<b>Applicant:</b> Mr Sheikh Abid Gulzar		
<b>Recommendation:</b> Approve conditionally		

### **Executive Summary:**

This application is reported to planning committee at the discretion of the Senior Specialist Advisor given that similar recent cases relating to this building have been heard at planning committee.

This application proposes to paint the two remaining domes at the centre of the pier gold and to paint the main roof of the entrance pavilion white.

Historic England consider that the works would result in some harm to the character and appearance of the Grade 2\* listed building. However, it is considered this harm is less than substantial and the principle of changing the colour scheme of the pier has already been established in previous permissions. The works form part of a credible programme of investment in the structure, and officers consider that the public interest of assisting in keeping this high status tourist asset open for all is served in permitting the alterations proposed.

Application is recommended for conditional approval.

## **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

160872

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).

Approved conditionally

September 2016

### **Proposed development:**

Listed building consent is sought to paint the two remaining central domes on the pier gold, and to paint the existing roof of the entrance pavilion white.

### **Consultations:**

#### Internal:

Specialist Advisor (Conservation): Recognises the importance and leading role that the Pier holds within the borough's heritage portfolio; in this regard supports the unifying visual role that the painting of the domes would have and recommends that the applicant explores the potential use of a transparent sealant for the entrance building.

Conservation Area Advisory Group: Considered at meeting on 4<sup>th</sup> April 2017. The Group could not support the proposal and reiterated their comments made at the previous meeting on the 23 August 2016...' *The Group objected to any further painting of the building, including the fish scale domes in the centre of the Pier.*'

#### External:

Historic England: Summary of their response below

#### *Gold domes:*

*"We think that the painting that has taken place so far has caused modest harm to the significance of the pier and that painting the remaining shingled domes would cause further harm as a result of the loss of detail and maintenance issues created. However, we acknowledge that the painting of the majority of the domes has now been approved and will remain for the foreseeable future. The last two unpainted domes arguably present an unfinished and inconsistent appearance to the pier within this context. Your authority must judge whether the further harm that would arise is justified in the terms of the NPPF paragraph 132, and offset by any public benefits that you might identify (para 134). "*

#### *Entrance pavilion*

*"We advise... against a uniform white washed paint over the structure because of the visual impact this would have, resulting in no clear distinction between the roofs and walls of the structures on the pier. The result of this would be to cause harm to the attractive and historic appearance of the*

*pavilions and kiosks on the pier, and the public's appreciation and understanding of the details and materials of their construction.*

*... If consent is granted for one large zinc roof to be painted in white, we would have concerns that it would establish a precedent for others to be painted in a similar way... The painting of this roof and others in this way would, in addition to the points raised above, interfere with the appreciation of the distinctive and celebrated silhouette of the roofscape of the pier in longer distant views. We can see no strong justification for this change".*

Eastbourne Society: Objection

Gold domes

*"The society fully objects to the two remaining domes... The two domes are clad in 'fish-scale' zinc tiles, known as shingles and are completely different in style to all the other domes on the pier buildings which are lined in zinc and not clad in shingles. To paint them in gold would destroy the original look of the saloons, which dates from 1901, as they are the only structures on the pier to have survived completely intact from that time. Furthermore the gold paint would be extremely difficult to remove from the shingles if a decision was made to do so in the future"*

Entrance roof

- Object to the choice of white and recommend instead that a clear weather proof sealant used instead to enable the colour of the zinc lining to show through.

### **Neighbour Representations:**

One objection received on grounds that gold paint detrimentally impacts upon the character and design of the pier and its surroundings.

### **Appraisal:**

The works involve painting the two fish scale zinc domes in the centre of the pier gold, and the roof of the entrance pavilion white.

Both sets of works are reversible and do not relate to the removal of any features of this listed building.

The pier is located within a difficult marine environment and requires constant repainting, maintenance and adaptation. The works proposed to the entrance roof are a reflection of this reality. The painting of the central domes, whilst regrettable for the reasons expressed by consultee responses, can also be seen in this context.

The main impact of the works is on the overall appearance of the pier, and how it relates to the surrounding seafront townscape. In this regard, the cumulative effect of the works already undertaken to the pier and further works now proposed is to change the colour scheme of the pier from (blue, white and grey) to (blue, white and gold). The principle of this was established with the granting of retrospective listed building consent for the painting of the thirteen other domes on the pier. When compared against the existing position, the painting of the remaining two domes in the centre of the pier gives some additional consistency to the appearance of the entire Pier building.

The works involving the painting of the entrance roof does raise some concern over the loss of a traditional feature, however it is considered that the painting of this part of the pier white is consistent with its broader colour scheme of blue, white and gold.

The advice of Historic England is that the alterations cumulatively result in less than substantial harm for the purposes of paragraph 132 of the NPPF. Paragraph 134 of the National Planning Policy Framework states that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

As with the previous application, the works proposed can be seen in the context of a credible programme of improvements in the pier, including the refurbishment of the rear platform, the Piers' substructure and the recent improvement works to The Waterfront Bar. Given that the pier falls within private ownership and there are no realistic alternatives to this position, it is considered that the public interest is served in permitting the alterations to help secure its optimum viable and continued use as an open and publically accessible heritage asset. As the harm is less than substantial, it is considered that this position is consistent with paragraph 134 of the NPPF.

The application is therefore 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.

**Conclusion:**

The proposal is considered acceptable in listed building terms.

**Recommendation:**

Grant conditional listed building consent.

**Conditions:**

1. This approval relates only to the painting of the roof of the entrance building in white, and the painting of the two remaining domes in the centre of the pier in gold colour.

**Informatives:**

1. Historic England advise that an etch primer should be used on zinc surfaces such as this prior to the application of paint.

**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**.