

AGENDA NO

DELEGATED

PLANNING COMMITTEE

7 SEPTEMBER 2016

REPORT OF DIRECTOR OF ECONOMIC GROWTH AND DEVELOPMENT SERVICES

16/1929/LBC

**Newport Bridge, Tees Newport Bridge Approach Road, Stockton-on-Tees
Listed building consent for a new LED lighting scheme**

SUMMARY

Listed Building Consent is sought for the provision of a LED lighting system to the bridge. The scheme has been designed which splits the bridge into key areas for illumination. Careful positioning and detailed selection of equipment ensures the whole structure will view as one coherent and harmonious lighting scheme and wherever possible the illumination source will be invisible from the key viewpoints. A control system will allow any individual luminaire to be independently changed to provide any almost any required colour palette and also create dynamic 'moving' effects.

Statutory consultees have raised no objections to the scheme.

Concern has been raised that this bridge is at the junction of two river wildlife corridors and multi-coloured LED lighting is inappropriate as it may affect insects such as moths and may disturb the nocturnal environment for animals such as bats. Tees Valley Wildlife Trust have considered the scheme of lighting and raised no concerns

Concern has also been raised by a resident that this location already has a problem with people climbing this structure and lighting the bridge may increase risk. Whilst noted, this is a matter which would need to be dealt with under separate legislation.

RECOMMENDATION

That Listed Building Consent application 16/1929/LBC be approved subject to the following conditions and informatives;

01 The development hereby approved shall be in accordance with the following approved plan(s);

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>A10723/2700/001 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/002 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/003 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/004 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/005 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/006 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/007 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/008 REV P0</i>	<i>27 July 2016</i>
<i>10723/2700/009 REV P0</i>	<i>27 July 2016</i>

Reason: To define the consent.

02 Fixing method and cable routes

The scheme of lighting shall be undertaken in accordance with a scheme of fixing and cabling which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising impact to the integrity and appearance of the listed building.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

BACKGROUND

In 2015 a desktop study was undertaken into the feasibility of renewal of the in-operational decorative floodlighting scheme originally installed in 2003. Following this study, it became apparent the existing lighting methodology was no longer appropriate and the existing equipment was in poor condition. A decision was made to undertake a more substantial feasibility exercise into potential complete replacement and re-design of the decorative lighting.

In early May 2016 a number of night-time trials were undertaken to look at lighting options, visual effects and impact from a number of key approaches. This process concluded with a client demonstration of the promoted solution.

The supporting information states that the feedback from this demonstration was positive and it was decided the scheme should be developed into a deliverable scheme.

Prior to submission, advice was sought from the Councils Historic Buildings Officer who had no objections to the proposal and gave advice on the methods of fixing.

SITE AND SURROUNDINGS

The Newport Bridge spans the boundary between Stockton-On-Tees and Middlesbrough Borough Councils and carries the A1032 (Newport Bridge Approach Road) over the River Tees. The bridge is a notable landmark and in July 1988 was designated Grade II Listed Building.

The bridge spans from commercial areas of both sides of the river and residential development is in relative close proximity.

The bridge is viewable from a considerable distance from both Middlesbrough and Stockton boroughs.

PROPOSAL

Listed Building Consent is sought for the provision of a LED lighting system to the bridge. The scheme has been designed which splits the bridge into key areas for illumination. Careful positioning and detailed selection of equipment ensures the whole structure will view as one coherent and harmonious lighting scheme and wherever possible the illumination source will be invisible from the key viewpoints.

The scheme will utilise a Light Emitting Diode (LED) solution throughout and each fitting contains a mix of Red, Green, Blue and White LED chips which will colour mix to make a huge array of colours including pastel shades which also includes a 'pure white' LED channel. A control system

will allow any individual luminaire to be independently changed to provide any almost any required colour palette and also create dynamic 'moving' effects.

CONSULTATIONS

Consultations were notified and any comments received are set out below:-

Natural England

Natural England has no comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development. We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England.

Middlesbrough Borough Council Planning Department

No Objection

Historic England

Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. Recommendation: This application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

Environmental Health Unit

I have assessed the impact of the development and have considered the likelihood of light intrusion arising from the proposal. The site lies a significant distance away from sensitive receptors i.e. residential dwellings that could be affected by either the proposal or its construction. I have also assessed the design and access statement provided by the applicant and note that the proposed lighting is of low wattage; pointing generally in a downward direction and none of which is pointed directly toward properties. As such I have no objection in principle to the development and do not feel that conditions need to be imposed from an Environmental Health perspective.

Highway England

No Objection

Tees Valley Wildlife Trust

We would normally expect a lighting scheme to assess the impact on wildlife and in particular, on bats because of their European protected status. The NPPF (para 125) says that planning decisions should limit the impact of light pollution on nature conservation and the Natural Environment and Rural Communities Act places an obligation on Public Bodies such as LPAs to have due regard to the purpose of conserving biodiversity.

Because of its construction, the Newport Bridge is unlikely to provide bat roosting habitat. However, the River Tees and its associated vegetated corridors might be used by bats for feeding or to move between their roosts and feeding areas.

We have looked at the Design and Access Statement submitted with the planning application and note the following statements -

- There will be very little spill light as the majority of lighting units being used have maximum 50 watts

- The impact of the lighting scheme on the environment should be minimal... and should be significantly better than the current lighting
- The ability of LED to be easily dimmed allows the final on-site commissioning to make subtle changes to reduce environmental impact

We have concluded that the proposal is unlikely to have a significant adverse impact on bat populations or other nocturnal wildlife. In fact, because it replaces an existing lighting scheme, it may offer some improvement for biodiversity. On this basis we do not object to the application.

PUBLICITY

Neighbours were notified by letter, site notice and a press advert notice (in addition to the Applicants own publicity) and the following comments have been received from an interested party

- 1) This bridge is at the junction of two river wildlife corridors. Multi-coloured LED lighting is therefore inappropriate. It will have a detrimental impact on insects such as moths. And disturb the nocturnal environment for animals such as bats. The appropriate lighting for a bridge on a wildlife river corridor is - minimal and functional - i.e. the lighting scheme that is there already. Increased night viewing of the bridge would also impact on the currently quiet nocturnal environment for wildlife in this area.
- 2) This location already has a problem with people climbing this structure - at great personal risk to themselves, and with closure of an important route way, and costs to the emergency services resulting. This includes climbing attempts at night. This lighting - using this bridge as a display structure, and increasing it's profile - will potentially attract more of this.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

National Planning Policy Framework

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

The application will be considered in line with the Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Local Planning Policy

The following planning policies are considered to be relevant to the consideration of this application.

Saved Policy EN26 of the adopted Stockton on Tees Local Plan

Alterations, extensions and changes of use to listed buildings will be permitted where the proposals are in keeping with the character and appearance of the original building, and its architectural or historic interest is not adversely affected.

MATERIAL PLANNING CONSIDERATIONS

Sections 16, 66 and 72 of the Listed Buildings Act requires the Local Planning Authority to give special consideration to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and to the desirability of preserving or enhancing the character or appearance of that area.

Development decisions should accord with the requirements of Section 12 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasizes that they should be conserved in a manner appropriate to their significance.

The main planning consideration in regards to this application is the effect of the proposed lighting scheme on the fabric of the grade II Listed Building and the appearance of the Bridge.

The supporting information states that the scheme will require a number of varied installation solutions to mount the luminaires. In order to minimise the impact on the fabric of the structure the applicants are proposing to use a mix of bespoke clamping arrangements, free-standing units and proprietary girder clips and clamps. Where appropriate, a long-lasting butyl type rubber strip may be used to protect the steelwork or paintwork. It is not intended to drill into the bridge.

The applicant states that the control solution is not finalised, however it will require the addition of a control cable network likely to be DMX. DMX cables are small in diameter (typically 5mm diameter) and should follow a similar route to the power cables in almost all cases and therefore should cause little impact to the historic fabric of the listed structure

It is considered that with the careful installation of the lighting system in accordance with the submitted details that the lighting scheme itself will not have an adverse impact on the listed building.

No objections have been raised from statutory consultees, and therefore it is considered that the lighting scheme will not have an impact on river, air, road or rail users.

Concerns have been raised regarding ecological impacts. Advice was sought from Tees Valley Wildlife Trust who consider that the impacts on ecology is likely to be limited partly due to the structure being an unlikely place for bats to roost and partly due to the lighting being focused.

Concerns over using this bridge as a display structure, and increasing its profile potentially encouraging people to climb is not a material consideration in this application, however it should be noted that this prominent structure is already illuminated.

Concerns over closure of the bridge is again not a material consideration, however the works will be undertaken with lane closures where necessary which will allow the free flow of traffic.

CONCLUSION

Overall it is considered that the lighting scheme as proposed is considered acceptable, and the submitted photographs demonstrate that the scheme will be visually acceptable and not harmful to

the special interest of the bridge which is primarily in its unique design as a lasting symbol of industrial history and an iconic structure on the Tees.

Director of Economic Growth and Development Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward	Billingham South
Ward Councillor	Councillor Mrs J. O' Donnell
Ward Councillor	Councillor M. Smith

IMPLICATIONS

Financial Implications: There are no known financial implications in determining this report

Environmental Implications: Environmental impacts relate to the change to the appearance of the site and the impacts on ecology. There are no known significant environment impacts.

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications: The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Planning (Listed Building and Conservation Areas) Act 1990
Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010
Application File