

## ADDITIONAL HEARING

### MATTER 3: THE PRINCIPAL DEVELOPMENT PROJECTS - THE MARINA

**Key Issue:** Is its development appropriate, feasible and deliverable, having regard to harbour operations and any environmental or heritage constraints? Are all stakeholders and landowners committed to the proposals? Is there sufficient flexibility in the AAP on this matter?

**Question 3: How would the character or appearance of the conservation area be preserved or enhanced?**

#### I Introduction

- I.1 Over the few past months, the Council has undertaken a considerable amount of work to better understand the character of the Bridlington Quay Conservation Area and, in particular, to assess which elements contribute to, or detract from, its significance. Although at this stage in the development of the scheme, it is difficult to ascertain, precisely, what impact the Marina and the Harbour Top development might have upon those elements, as far as it is possible, in its Heritage Impact Assessment, the Council has sought to evaluate the likely effects which the scheme might have upon the character and appearance of the area.
- I.2 It is intended that these assessments will inform the revision of the Town Centre and Marina SPD, the document which will set out the detailed design considerations for the future development of this area. In conjunction with the Proposed Changes which have been put forward by the Council to the policy framework for the Harbour Top and Marina, English Heritage considers that the Area Action Plan and its associated SPDs (which will include the Conservation Area Assessment once Adopted) will provide an appropriate framework within which to develop a scheme which will not only preserve those elements which contribute the character and appearance of the Conservation Area but also potentially enhance several parts of that part of the town which currently detract from its special architectural and historic interest. Although aspects of the scheme may result in harm to the significance of certain parts of the Conservation Area, this harm is likely to be less than substantial harm in terms of the advice in the NPPF.

- 2 The assessment of the character and appearance of the Conservation Area and the impact which development would be likely to have upon it
- 2.1 This Bridlington Quay Conservation Area was designated in 2010. Although an initial assessment of the area was undertaken by the Council prior to its designation, this document did not articulate, in any great detail, the elements which were considered to contribute to the area's special architectural or historic interest.
- 2.2 The Draft Bridlington Quay Conservation Area Character Assessment (BQCACA) (March 2012) provides a far more comprehensive analysis of the Conservation Area than its predecessor and now provides the level of detail necessary to understand and articulate exactly why the area is considered to be special and the elements which contribute to, or detract from, this special quality. This includes important views within and towards the Conservation Area. The approach used in this Assessment reflects the guidance which is set out in the English Heritage publication "*Understanding Place: Conservation Area Designation, Appraisal and management*" [English Heritage, March 2011]. Consequently, English Heritage would endorse this draft Assessment as a means of analysing and understanding the Conservation Area and would concur with conclusions reached in the document regarding the elements which are considered to contribute to, or detract from, the significance of the area upon which the Marina and Harbour Top development might have an impact.
- 2.3 The Heritage Impact Assessment [Document ED55] has considered the likely effects which the Marina and Harbour Top development might have upon each of the elements which are identified as contributing to the character or appearance of this part of the Conservation Area in the Draft BQCACA. For each, it has set out ways by which the adverse impacts might be reduced or the benefits maximised. We consider the approach to be both robust and methodical.
- 2.4 Given that there are no detailed proposals for the Marina or the Harbour Top development and that, as a result, it is virtually impossible to state with any certainty exactly what its impacts are likely to be, insofar as it is possible, we would concur with the conclusions about the likely effects which the scheme might have upon the character of the Conservation Area. We also welcome the identification of means by which the adverse impacts might be reduced. This will greatly assist those preparing schemes to mitigate any adverse effects and maximise possible benefits.

- 3 The means by which the Policy framework for the area can ensure that the character of the Conservation Area is preserved or enhanced
- 3.1 Underpinning the Area Action Plan, it is intended that the Council will have in place:-
- An up-to-date Conservation Area Appraisal which clearly identifies which elements contribute to its significance. This will be adopted by the Council as SPD.
  - A Heritage Impact Assessment which sets out ways by which the harm to these elements can be minimised or, where appropriate, the benefits maximised.
  - A revised Town Centre and Marina SPD [Document CD06] which will have been informed by the work undertaken on the BQCACA and the Heritage Impact Assessment
- 3.2 The Area Action Plan recognises the important role which the town's historic environment can play in the regeneration of Bridlington and the DPD sets out a good framework for the conservation of its heritage assets - the conservation of its historic character is one of the six Strategic Objectives [Paragraph 2.25]; one of its enabling objectives is to protect and enhance its historic character [Paragraph 2.28(vii)]; and preserving and enhancing the historic fabric of the town centre is one of the Criteria of the overarching Town Centre Regeneration Strategy [Policy BridTC1(g)].
- 3.3 More specifically, the detailed Policies for the Burlington Parade and the Marina seek to ensure that the character of that part of the Conservation Area will safeguarded through the following:-
- It is proposed that one of the ten Objectives for the Burlington Parade should be to protect and enhance the heritage interests of the parts of that development which lie within the Conservation Area [Proposed Change No 33];
  - It is proposed that Policy BridTC3 includes an additional Criterion to protect and enhance that part of the Conservation Area [Proposed Change No. 38];
  - The Council has put forward amendments to Criterion 1(e) of Policy BridTC4 requiring the development to conserve those elements which contribute to the significance of the listed piers and their roots [Proposed Change No. 51]
- 3.4 Policy BridTC4 Criterion 5 sets out a requirement that development of the Marina should *"take into account"* the detailed design guidance set out in the Town Centre and Marina SPD. Whilst not the most onerous of requirements (it would, on reflection, have been better to make it a requirement that

*“Development of this area should accord with the principles set out in the Town Centre and Marina SPD”*) nonetheless, in conjunction with the requirements already set out (or proposed) in the Area Action Plan to safeguard those elements which contribute to the significance of the Conservation Area, overall English Heritage considers that the Plan sets out an appropriate framework to help secure the preservation of the Conservation Area in line with national policy guidance and Primary legislation.

#### 4 Conclusions about the impact on the Conservation Area

- 4.1 Although the precise details remain to be determined, it is clear that the Marina and the associated Harbour Top development will impact upon a number of elements which contribute to the significance of the Bridlington Quay Conservation Area. Some aspects could, quite conceivably, result in harm to elements which contribute to the special architectural or historic interest of the area.
- 4.2 However, for the first time, there is in place a document which clearly articulates what it is about the Bridlington Quay Conservation Area which is important. The Town Centre and Marina SPD, which is to be redrafted to include the work which was undertaken in the Heritage Impact Assessment, will set out how those elements should be safeguarded within the development proposals for the harbour top.
- 4.3 Together with the policy framework which is proposed to be set out in the Area Action Plan, English Heritage considers that these documents will provide a robust framework for the development of a scheme which, as far as is practicable, will preserve or enhance the architectural and historic interest of this part of the Bridlington Quay Conservation Area.

#### **Question 5: Proposed marina – effect on listed pier, slipway etc**

##### I Introduction

- I.1 The Listed Building Assessor to the 2002 Inquiry set out a number of elements which she considered contributed to the special architectural or historic interest of the two Grade II Listed Piers. As has been stated above, at this stage in the development of the scheme and without the benefit of detailed drawings which show the extent of the proposed works, it is difficult to ascertain, precisely, what effect the Harbour Top and Marina developments might have upon those elements which contribute to the significance of these structures.

1.2 Nonetheless, insofar as it is possible, the Heritage Impact Assessment has evaluated the likely effects which the proposals might have upon the special architectural and historic interest of these Listed structures. The Heritage Impact Assessment considers that the proposal is likely to result in harm to a number of elements which contribute to the significance of both the North and South Pier. Overall, it concludes that this is likely to amount to less than substantial harm in terms of the advice set out in the NPPF. English Heritage would concur with that assessment.

## 2 Elements which contribute to the significance of the Listed Piers

2.1 In her Report to the 2002 Bridlington Marina Inquiry [Document LD15b], the Listed Building Assessor set out a detailed analysis of the design and historical development of the two Listed Piers together with a considered assessment of the elements which she felt contributed to their special architectural and historic interest. This included an evaluation of the contribution which their setting made to their special interest. Since that Report, there has been no substantial changes to either the Piers or their setting which would cause English Heritage disagree with any of the conclusions reached by the Assessor.

2.2 Consequently, in terms of the elements which contribute towards the significance of these assets, it is not considered necessary to repeat, in detail, the Assessor's conclusions here. In summary, the Piers have historic significance as a significant industrial monument of the early Victorian period, the North Pier being the first to use cast iron sheet piling; the South coming about as a result of a House of Commons Select Committee Report and designed by one of the leading Civil Engineers of the period. As massive industrial structures which combine an effective engineering response as sea defences with considerable architectural subtlety in the design of their plan form and cross-section profile, they also have architectural significance. Their setting is a key contributory element of their significance with striking views down narrow alleys leading from Queen Street and Prince Street and from the root of the North Pier of the harbour and, especially, in views looking out to sea along seaward length of South Pier from South Cliff Road.

## 3 Assessment of the impact which the Harbour Top development and Marina would have upon the significance of the Listed Piers

3.1 Whilst it is accepted that Plan 3.3 of the Marina in the Area Action Plan (page 50) only provides a preferred outline layout, several aspects of the scheme could, potentially, impact upon elements which contribute to the special interest of the Listed Piers. These include:-

- The demolition of a section of the southern pier.
  - Enclosing the easternmost part of the south pier by “made land”.
  - The area of reclaimed land to the south of the southernmost pier could impact upon the slipway which is attached to the south pier.
  - The proposed new additions which are physically attached to the north and south piers could affect the significance of the Listed structures.
- 3.2 The Heritage Impact Assessment has not set out, explicitly, what impact the scheme would have upon each of the elements that the Assessor considered contributed to the special interest of the piers. However, in its analysis of what effect the various components of the Harbour Top and Marina developments might have upon the special architectural and historic interest of each of the Piers, it has, nonetheless, evaluated the degree of harm that might be caused to each significance. Insofar as it is possible given the stage of the proposals, English Heritage would concur with the conclusions reached in that Assessment regarding the likely impact which each of the scheme’s elements might cause to the significance of the Listed structures.
- 3.3 Where harm has been identified, the Heritage Impact Assessment has set out ways by which these adverse impacts might be lessened. English Heritage welcomes this approach. This will greatly assist those who are drawing-up the detailed designs for the scheme to develop proposals which will minimise the harm to the Listed structures and safeguard (and potentially, enhance) those elements which contribute to their special architectural and historic interest.
- 3.4 However, despite this, it is clear that the Harbour Top and Marina development is likely to result in harm to a number of elements which contribute to the significance of the two Listed Piers. Although the degree of harm is likely to be greatest to the southernmost structure, on the evidence available, English Heritage considers that this would be likely to amount to less than substantial harm in terms of the advice set out in the NPPF.
- 4 How the plan can help to ensure that the special architectural or historic character of the Listed Piers are safeguarded
- 4.1 The Heritage Impact Assessment is intended to inform the revision of the detailed design guidance on the development of this area which is to be set out in the Town Centre and Marina SPD.
- 4.2 The detailed Policies for the Burlington Parade and the Marina both seek to conserve the special architectural and historic character of the Listed Piers though the following:-

- It is proposed that one of the ten Objectives for the Burlington Parade should be to protect and enhance the heritage interests of the parts of that development which lie within the Conservation Area [Proposed Change No 33];
- It is proposed that Policy BridTC3 includes an additional Criterion to conserve the significance of the listed south pier [Proposed Change No. 38];
- The ten Objectives for the Marina include one that its design and construction should protect the Listed pier in line with national policy guidance;
- One of the overarching requirements of Policy BridTC4 is that the development conserves those elements which contribute to the significance of the Listed Piers;
- The Council has put forward amendments to Criterion 1(e) of Policy BridTC4 requiring the development to conserve those elements which contribute to the significance of the Listed piers and their roots [Proposed Change No. 51]
- An additional amendment has been proposed that development affecting the south pier or its slipway satisfy the tests in PPS Policy HE9.1 (now embodied in NPPF Paragraph 132).

4.3 Policy BridTC4 Criterion 5 sets out a requirement that development of the Marina should “*take into account*” the detailed design guidance set out in the Town Centre and Marina SPD. Whilst not the most onerous of requirements (it would, on reflection, have been better to make it a requirement that “*development of this area should accord with the principles set out in the Town Centre and Marina SPD*”) nonetheless, in conjunction with the requirements already set out (or proposed) in the Area Action Plan to safeguard those elements which contribute to the significance of the Listed Piers, overall the Plan sets out an appropriate framework to help secure the protection of the special architectural and historic interest of the Piers.

## 5 Conclusions

5.1 The proposals for the Marina and the associated Harbour Top development will, almost certainly, result in harm the elements which contribute to the significance of the Listed Piers. There is, however, the possibility of removing some of the more recent accretions and alterations which detract from the special interest of the structures. The most significant impact is likely to be towards the westernmost end of the South Pier where harm could be caused to the fabric of the pier itself as well as to its setting. However, in terms of the structure as a whole, the main elements which contribute to its special architectural and

historic character would remain largely unaffected. Consequently, English Heritage considers that the degree of harm to both the North and South Piers is likely to be less than substantial harm in terms of the guidance in the NPPF.

- 5.2 National policy guidance makes it clear that great weight should be given to the conservation of designated heritage assets. Harm to an asset needs to be weighed against the public benefits of the proposal. In their evidence in support of the Marina, the local planning authority has outlined what is considered to be the public benefits that would derive to Bridlington and its community as a result of this proposal. Whilst English Heritage does not wish to comment upon whether or not the public benefits are sufficient to outweigh the harm, a more buoyant local economy is likely to result in considerable benefits for the historic environment within this part of Bridlington.