

COMMITTEE REPORT

Team: East Area
Date: 15 June 2006

Ward: Fulford
Parish: Fulford Parish Council

Reference: 06/00784/FUL
Application at: St Oswalds C Of E Primary School Heslington Lane York YO10 4LX
For: External and car parking lighting
By: Sewell Education
Application Type: Full Application
Target Date: 22 June 2006

1.0 PROPOSAL

This application seeks retrospective planning permission for external lighting at St Oswalds Church of England Primary School which is off Heslington Lane in Fulford. The lights under consideration are four flood lights which are on each corner of the car park, a triple bulb lamp post style light on the turning island, lamp post style lighting on the western boundary of the school, and bulkhead lights (44 plus 29 emergency lights) attached to the school itself.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

DC Area Teams East Area (1) 0003

City Boundary York City Boundary 0001

Schools Multiple (Spatial)

2.2 Policies:

CYGP1
Design

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - No objections. Condition Highway 37 should be attached to any permission.

Environmental Protection Unit - The environmental protection unit have concerns with this application, these focus around the loss of amenity to local residents through light.

Initial involvement in St Oswalds C of E Primary School was through the investigation of statutory nuisance through complaints from residents. Investigations have been unable to determine that a statutory nuisance exists.

The site was originally used as a school before re-development. However the lighting used in that original school was not to the scale seen in the new development. This lighting has significantly changed the appearance of the site although it's use is still the same. The lighting does extend beyond the site boundary and project onto peoples property. Another factor to consider is that the vegetation around the school is now in leaf, thus restricting some light, in the winter months this leaf cover will not be present exposing properties especially down School lane to more light.

Installing a timing device would be a useful way of controlling the car park lighting the timer could be set to turn these light off at a time when no vehicles will be in the car park, we understand this to be about 23:00. It would also be useful if the school perimeter lights be set to dim after 23:00, maybe by 30%. This would still light the perimeter of the building but will reduce the amount of light reaching local residents properties.

Street Lighting - The proposed lights are satisfactory and do not create undue glare outside the premises,

Safer York Partnerships - The school was given a Secure by Design Award, the lighting was one of the factors which contributed to this. No objections.

External

Fulford Parish Council - Objections as detailed below:

- * The application is retrospective and the applicants should have waited until planning permission was granted before installing the lights.
- * The lights make the car park look like a football stadium. The council feels that the light pollution from these lights will dwarf the problem of bulkhead fittings. During winter months the glare or reflection of the lights on the parked cars will exasperate the situation.
- * The lights are not environmentally friendly as they use a lot of power. Also the lights have thrown the synchronization of the wildlife.
- * The school borders the Fulford Conservation Area.

Response to neighbour consultation letters and site notice (posted 16th May 2006) - Ten pieces of correspondence received from local residents. The following points were raised:

- * Lighting an unused car park is a waste of energy, the cost of which is met by council tax payers
- * The council needs to set the right example in the light of growing concerns over global warming.
- * Light pollution is a growing problem to which these lights add. The problem would be worse in the winter with longer nights and minimal screening from trees.
- * The lights should be turned off when the use of the car park and school have ceased.
- * Motion detected lights would be of greater benefit than permanent lights.
- * The lights should be turned off at night as they can be detrimental to a good nights sleep.
- * The glare of the lights has at times meant that it is not possible to see people using School Lane at night, this is a safety concern.
- * The school is on the edge of the Fulford Conservation Area and the lights harm this.
- * The area does not suffer from high crime levels and the lighting is excessive as a security measure in this case.
- * It would be preferable to look out into darkness rather than an illuminated school and car park.
- * The lights are excessive in both number and strength

- * The lights are detrimentally harming wildlife in the area.
- * The lights identified as 'emergency' lighting have been kept on all night recently. They should be switched off and only come on if there is an emergency.
- * There are more lights at the school than shown on the plans.
- * Some of the lights shine directly into bedroom windows.
- * The school is already fitted with a tall metal security fence and metal shutters to the doorways and windows and therefore this level of lighting is excessive as a security measure.

4.0 APPRAISAL

4.1 Key Issue(s):

- * Visual amenity impacts on the street scene
- * Impact on the amenity of local residents

4.2 The Application Site - St Oswalds Church of England Primary School is on Heslington Lane in Fulford. The school is not within the Fulford Conservation Area but is on its boundary which runs down School Lane and Heslington Lane. The lighting has already been installed at the school and therefore this application is retrospective. The lights under consideration consist of; four flood lights within the car park and one three light structure on the turning roundabout; lamp post style lights on the western boundary of the school (adjacent to School Lane); and bulkhead style lights attached to the school itself (29 of these are for emergency use only and are only illuminated when an alarm is triggered).

4.3 Draft Local Plan Policy CYGP1 states that development proposals will be expected to (i) respect or enhance the local environment; (ii) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area using appropriate building materials; (iii) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment; (iv) retain, enhance and/or create urban spaces, public views, skyline, landmarks and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view; and (v) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 GP1, part f) design outdoor lighting schemes which are energy efficient and provide the minimum lighting level required for security and working purposes, taking into account any adverse impact on residential amenity, the character of the area and night sky illumination and ecological systems.

4.5 Visual amenity impacts on the street scene - Heslington Lane is well lit by street lighting. The lighting under consideration is for security purposes and can be switched off during the night, a condition can ensure this. It is considered that the lighting is not excessive given its position within the York built up urban area. It is acknowledged that some local residents would like a lower level lighting scheme, however this is considered to be a preference based on personal opinion. The lights when illuminated do not shine upwards towards the sky and they are not considered excessive in terms of number or illumination levels. During the night time only 44 bulkhead lights attached to the school would be illuminated. The school is just outside the Fulford Conservation Area and it is considered that the proposal does not harm the character and appearance of this area.

4.6 Impact on the amenity of local residents - A number of objections have been received from residents of properties which border the school. An extensive number of neighbour consultation letters were sent and a site notice was posted. A large number of local

residents have therefore chosen not to object to the application. The Environmental Protection Unit have carried out investigations into the lighting at the school and concluded that there was no statutory nuisance for local residents. The car park flood lights are directed down towards the car park. The bulkhead lights and lamp post style lights are further away from residential dwellings than the current street lights. There is a degree of light spillage out of the school grounds, however this is not considered to harm the amenity which local residents could reasonably expect to enjoy. A condition could be imposed to ensure that the car park lights are turned off at a reasonable time to appease some residents concerns and limit any waste of resources. The bulkhead lights provide security for the school and are required throughout the night for this purpose. 29 of the bulkhead lights attached to the school are for emergency purposes only and will remain switched off unless an alarm is triggered at the school.

5.0 CONCLUSION

It is considered that the proposed lighting is acceptable in terms of neighbouring amenity and their impacts on the street scene.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

- 1 HWAY37 Control of glare etc from lighting
- 2 The lights (excluding the forty four non-emergency bulkhead lights attached to the school) may only be illuminated between 07:00 and 22:00 hours.

Reason: In order to reduce impacts on the amenity of neighbouring residents and to reduce energy wastage

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the impact on the street scene and the amenity of neighbours. As such the proposal complies with Policy GP1 of the City of York Draft Local Plan.

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