

COMMITTEE REPORT

Date: 10 February 2011 **Ward:** Haxby And Wigginton
Team: Major and Commercial **Parish:** Haxby Town Council
Team

Reference: 10/02418/FUL
Application at: Somerfield Haxby Shopping Centre The Village Haxby York
For: New external lighting in the car park comprising 4no. columns
and 2no. Belisha beacons
By: Sainsbury's Supermarkets Limited
Application Type: Full Application
Target Date: 18 January 2011
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application is for the provision of external lighting in the car park to the rear of the supermarket. The scheme includes four lighting columns 6 metres in height. Three of these columns will carry a single lantern and the column in the (approx) centre of the car park, close to the pedestrian crossing, will have twin lanterns. The other three columns are sited: (i) adjacent to the unloading area and the rear elevation of the Natwest Bank, (ii) to the west boundary close to the Ashgrove apartment building, and (iii) close to the proposed new rear entrance to the building (the new access is subject of application 10/0869/FUL). In addition, to either side of the pedestrian crossing within the car park it is proposed to install two belisha beacons. The application is partly retrospective, the lighting columns and lanterns are in situ and one of the columns for the belisha beacons is on site but the beacons themselves have not been installed. The agent has submitted a photograph within the Design and Access Statement indicating some of the previous external illumination when the site was occupied by Nisa which appears to show floodlighting attached to the building at circa 3.5 metres in height and angled towards the car park. There are no previous planning permissions for external lighting to the car park.

1.2 The site is within the Haxby Conservation Area and the Haxby District Centre, both identified in the proposals map forming part of the Draft Local Plan. The site is also in close proximity, and lies within the setting, of the listed building opposite the front elevation - 48 The Village. The unit is part of a development constructed in the 1970s (the development gained planning permission in 1972 - 4/2/492 T). No opening hours were specified as part of this original application. This side of the The Village and South Lane is predominantly retail units of a modest scale. The appearance from South Lane of the rear of these properties is a mixture of designs, that do not necessary reflect the attractive frontages onto Front Street. To the south/rear of the site is a large suburban housing estate built in the 1960s - 1970s with a mixture of housing types, and the streets closest to the proposed site have an open and modest, character.

1.3 The application has been brought before committee at the request of Cllr. Firth on the basis of the amount of public interest shown in this application. As there have been objections to the proposed scheme a site visit is also required. There are two other applications for this site 10/01869/FUL and 10/01870/ADV both of which are also considered elsewhere on this agenda..

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area GMS Constraints: Haxby CONF

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (2) 0005

2.2 Policies:

CYGP1

Design

CYHE2

Development in historic locations

CYHE3

Conservation Areas

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT

- No objections to the external lighting
- Have concerns regarding the belisha beacons
- The current store entrance has been formed at the south-west corner of the building, and not in accordance with the applicant's submitted drawing (Hadfield Cawkwell Davidson 6415). The proposed siting of the zebra crossing does not sit comfortably with a store entrance in its current location.
- Flashing belisha beacons are likely to cause annoyance to nearby residents during evening and night time periods especially if their use cannot be justified.
- It is questionable whether the level of potential conflict within the car park between motorists and pedestrians would justify the introduction of such a measure. Prefer to see more attention given to the marking and signing of pedestrian routes between South Lane and the store entrance, wherever that is finally located.

DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT

- It is essential that the design of the external lighting columns respects the existing character and appearance of the conservation area. The proposed lighting columns

with 'signature lanterns' appear to have a simple contemporary design and appearance that is unlikely to detract from the context of the car park. The levels of illumination and times when the lights are in operation may alter the existing character of the conservation area and should be carefully considered.

- The proposed installation of two belisha beacons to the zebra crossing within the car park does not appear to be justified. The intermittent lighting of the beacons is likely to detract from the existing character and appearance of the conservation area within this context. It is recommended that the belisha beacons should be resisted in this sensitive location.

ENVIRONMENTAL PROTECTION UNIT - No objections

EXTERNAL CONSULTATIONS/REPRESENTATIONS

HAXBY TOWN COUNCIL

- No objections to the lighting columns subject to the condition that they would be switched off during the close of business to protect the amenity of nearby residents.
- Object to the belisha beacons in the interest of the amenity of the nearby residents.

2 LETTERS OF OBJECTION

- Unclear whether the belisha beacons or the external lighting will be operating 24 hours per day, 7 days a week. Will have series impact on the near by residents facing the car park.

- From the dwellings opposite the car park the lighting columns appear too high, the lights dominate the skyline. A more proportionate height such as 4 metres would be recommended. This would also eliminate the sideward glare. The lights are extinguished usually before 22.30 hours. Would like this conditioned.

- The Belisha beacons are too high. In addition when viewed in the context of the other car park furniture will create and unacceptable visual impact to the nearby dwellings. The safety improvement is questionable in the context of the size and layout of the car park

There are a number of objections to the lighting submitted in relation to application 10/01869/FUL, which was submitted some time before this application. Four of the letters received commented on the proposed lighting (2 of these letters are from the same objectors as above). The comments stated in this correspondence are as follows:

- Concerned that there would be additional light pollution, there is already existing street lighting

- Proposed layout calls for the installation of lighting appropriate to supporting CCTV, but may be a conflict between the required luminance levels and the potential light pollution to 27 - 37 South Lane

- No justification for the Belisha Beacons, these are unnecessary and cause visual annoyance

4.0 APPRAISAL

RELEVANT SITE HISTORY

No relevant applications

KEY ISSUES

1. Visual impact on the building and the conservation area
2. Impact on neighbouring property

ASSESSMENT

PLANNING POLICY

4.1 Planning Policy Statement 1 - 'Planning for Sustainable Development' aims to protect the quality of the natural and historic environment. PPS1 states that good design is indivisible from planning. Design which is inappropriate within its context, or which fails to take opportunities for improving the character and quality of an area or the way it functions should not be accepted. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 The site is within the Haxby Conservation Area and as such Planning Policy 5 'Planning for the Historic Environment' states that local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset). In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimize conflict between the heritage asset's conservation and any aspect of the proposals. The consideration of design should include scale, height, massing, alignment, materials and use.

4.3 Policy HE9.5 of PPS5 recognises that not all elements of a Conservation Area will necessarily contribute to its significance. When considering proposals, the LPA should take into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Where an element does not positively contribute to its significance, LPAs should take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element.

4.4 Local planning policies contained in City of York Development Control Local Plan, are outlined in section 2.2 and are material to the consideration of this application.

VISUAL IMPACT ON THE BUILDING AND THE CONSERVATION AREA

4.5 The proposed lighting would be viewed against the background of the building. The external lighting is simple and contemporary in design and is not considered to be prominent within the streetscene. The height of the lighting columns is considered to be in scale with the height of the building and would not be visible from the front of

the site. The lanterns are downward facing and as such it is not considered there would be excessive light spillage outside the application site. There is street lighting along South Lane however the external lighting will provide greater illumination of the car park and as such enable greater surveillance within the car park. Some concerns have been raised regarding potential anti-social behaviour within the car park.

4.6 The lighting, whilst being within the conservation area is not considered to unduly impact on the character or setting of the historical asset, neither is it considered to compound the scale and appearance of development of the site. Neither is it considered to compound the commercial appearance of the site when viewed in the context of the dwellings on South Lane.

IMPACT ON NEIGHBOURING PROPERTY

4.7 The lantern adjacent to the west boundary and the Ashgrove apartment building is not considered to cause a light disturbance to the occupants of this building. The lantern is adjacent to the side elevation of the apartment block; the closest window in this side elevation would be approximately 8 metres from the lantern. The lanterns are angled downwards; however they would cause ambient light levels to increase during the evening hours. The agent has confirmed that Sainsbury's has imposed a limit on the illumination hours on site of 06.00 hours to 23.00 hours. The original application for the unit did not specify opening hours and as such there is the potential for the shop to open 24 hours in the future. If the committee were minded decided to approve the application, by virtue of the proximity to dwellings, it is considered reasonable to condition the illumination hours to the evening only rather than opening hours to mitigate the impact of the lighting on the adjacent dwellings and the character of the conservation area. The distance to the dwellings opposite on South Lane is a minimum of 34 metres.

BELISHA BEACONS

4.8 The agent has submitted the justification for the belisha beacons as being on health and safety grounds for the pedestrian crossing within the car park. This justification is considered to have little weight when viewed in context of the modest scale of the car park and the number of vehicles and pedestrians within the car park at any one time. The height of the belisha beacons has not been specified. There are belisha beacons to the pedestrian crossing in front of Haxby Shopping Centre. This lighting is modest and viewed against the background of the building frontages and the elements of the streetscene including the interesting variations in the grass verges, white post and rail fencing and the slight change in levels of the street with the road threading through on a curving line that varies from that of the street frontages, in addition there is justification of these beacons. The proposed beacons are considered to be intrusive and in addition to the trolley and cycle shelters proposed in application 10/01869/FUL and the large number of signs proposed within the car park as part of application 10/01870/ADV and the bollards, railings etc it is considered to add to the cumulative clutter within the car park. This part of the conservation area has a different appearance to The Village, the prevailing character of this part of the street and conservation area is subdued and understated set against the background of residential properties. The beacons and the flashing of the lights would be visually intrusive and uncharacteristic of this part of the conservation

area. The hours of operation of the beacons could be conditioned but this is not considered to remove the visual annoyance the flashing of the beacons would be likely to create.

5.0 CONCLUSION

5.1 For the above stated reasons the proposed external illumination is considered to be acceptable, however the belisha beacons are considered to be visual intrusive and cause harm to the character and appearance of the streetscene and this part of the conservation area, and negatively impact on the residential amenity of the occupants of the nearby dwellings. As such the application is recommended for refusal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposed belisha beacons would be unsympathetic and would be visually intrusive causing harm to the visual amenity of the site, the street scene, and this part of the conservation area. In addition the intermittent nature of the lighting would negatively impact on the residential amenity of the occupants of the nearby dwellings. Sufficient justification for the beacons has not been submitted that would overcome the cluttered appearance the beacons would create in this modest and subdued area. For these reasons the belisha beacons would conflict with Policy GP1, HE2, and HE3 of the City of York Council Development Control Local Plan (2005) and national planning guidance contained in Planning Policy Statement 1 - 'Planning for Sustainable Development' and Planning Policy Statement 5 'Planning for the Historic Environment'.

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