

COMMITTEE REPORT

Committee: East Area
Date: 25 October 2007

Ward: Strensall
Parish: Earswick Parish Council

Reference: 07/00618/FUL
Application at: Greystones Farm Towthorpe Moor Lane Strensall York YO32 9ST
For: Installation of ground based lighting to serve the golf driving range
By: Mr G Chapman
Application Type: Full Application
Target Date: 11 May 2007

1.0 PROPOSAL

1.1 This application seeks planning permission for the installation of lighting in order to illuminate the golf driving range at Greystones Farm which is located off Towthorpe Moor Lane in Strensall.

1.2 The golf driving range was granted planning permission in February 2002 at Planning Committee as part of an application (Ref. No. 01/03091/FUL) to diversify and expand the activities of Greystones Farm. The application also included permission for a caravan park and a B1 office development. Since this date the site has continued to develop and has received planning permission for a 9 hole golf course and fishing ponds.

1.3 Flood lights were installed on the top of the driving range hitting area without planning permission. An application was submitted to retain these lights but the application was subsequently withdrawn and the flood lights removed.

1.3 The golf driving range faces south east towards the A64 which is located approximately 1.3 km from the hitting area and 1.05 km from the end of the range. Between the driving range and the A64 is part of the new golf course, Damhill Farm and Hermitage Farm and a section of Damhill Wood.

1.5 The lighting proposed for this application is ground based set behind mounds of earth. There would be nine individual lights located throughout the driving range facing south east away from the hitting area. Each lamp would be 400 W with its emitance designed to light a specific section of the driving range. A planting strip is proposed at the end of the driving range in order to reduce light pollution/spillage out of the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

2.2 Policies:

CYGP1
Design

CYGB1
Development within the Green Belt

CYGB13
Sports facilities outside settlements

CYL3
Criteria for golf course/driving ranges

CYGP4A
Sustainability

3.0 CONSULTATIONS

3.1 Internal

Countryside Officer - No objection.

Landscape Architect - No objection.

Environmental Protection Unit - No objections, however an hours of operation condition should be applied in order to protect the amenity of local residents.

Lighting Engineer - Pollution should be minimal with the green planting to the rear. Meter readings should be taken following installation to ensure the illuminance levels are the same as submitted on the plans.

3.2 External

Earswick Parish Council - No objections.

Public - Fourteen letters of support and a petition signed by 1092 people was submitted with the application. In addition to this six letters of support were received as part of the consultation process. The consultation support letters made the following points:

- this was a great addition to York and its surrounding activity sites, a great fun service to the local community is being hindered because of a very few flag wavers;
- this sort of facility should be supported in York;
- it is very convenient to be able to practice during the evening as many people are not able to do so during the day;
- the driving range provides a much needed facility for golfers old and new within the York area;
- the facility has high quality tuition which is available on site;
- a large volume of business at the range occurs in the early evening when most people have finished work, it seems doubtful whether this excellent golfing centre would be able to cover costs and remain open without being able to trade during these hours;
- ground based lighting has been used successfully at other golf ranges;
- the range offers an excellent opportunity for young people to take up the game under excellent tuition;
- the owners appear to have taken all possible steps to mitigate any problems from lighting;
- the facility is located between REME which is floodlit all night and the CoYC's own refuse tip, there does not appear to be any strong justification to object to this application.

Neighbours - Correspondence received from both Dam Hill Farm and Stockton Hermitage which raised concerns regarding the proposal. The following comments were made:

- the proposal should not be allowed to permit the extent of light pollution created in this rural environment by the horrendous lighting system previously utilised at the golf driving range;
- Dam Hill Farm is located immediately in line with the golf range and receives the full impact of any light pollution;
- the building housing the golf driving range are at a height that creates more than a sufficient light intrusion already;
- due to the volume of traffic on Malton Road it is imperative that no distraction to motorists be presented from any lighting permitted;
- only the minimum of lighting should be permitted and this should be located so as to reduce light intrusion;
- tree planting should be conditioned in order to sufficiently screen any light intrusion;
- the lights should be shielded on the sides nearest the wood to prevent the woods being lit up when the lights are on;
- the plans do not show the angle the lights would shine up into the sky, one of the major unpleasant features of the previous scheme;
- 49 golf balls were collected from the woods in one day, the proposed screening would not protect this from happening in any way;
- Golf balls are often hit from the left of the driving range and balls often head into the wood which could harm someone;
- the proposal appears to be contrary to recently introduced wildlife legislation.

Foss Internal Drainage Board - No objections.

4.0 APPRAISAL

4.1 Key Issues:

- Visual Impact on the Green Belt
- Impact on Neighbouring Amenity
- Impact on the Adjacent Woodland

4.2 Relevant Local Plan Policies:

- Policy L3 (Golf courses and driving ranges) of the Local Plan states that driving range developments will only be permitted where they would not be visually intrusive due to floodlighting.
- Policy GB1 (Development within the Green Belt) planning permission for essential facilities for outdoor sport would only be granted where the scale, location and design of such development would not detract from the open character of the Green Belt and that it does not conflict with the purposes of including land within the Green Belt (preserve the setting and historic character of York, check unrestricted sprawl, safeguard the countryside from further encroachment, prevent settlements from merging into one another, and to assist urban regeneration by encouraging the recycling of derelict or other urban land).
- Policy GB13 (Sports facilities outside settlement limits) states that development of essential ancillary facilities for outdoor sport will only be permitted if the facilities are essential to support the outdoor provision and the facilities are kept to a scale consistent with the requirements of the outdoor recreational activity.
- Policy GP4a (Sustainability) states that development should minimise light pollution and conserve and enhance natural areas and landscape features.
- Policy GP1 states that proposal should respect or enhance the local environment with outdoor lighting schemes being energy efficient and providing the minimum lighting level required, taking into account any adverse impact on the character of the area and night sky illumination and ecological systems.

4.3 The previous retrospective lighting scheme planning application was for four 1000 W and three 250 W floodlights. These were located on the top of the golf ball hitting area and the whole driving range was illuminated from this one point. This application seeks permission for nine 400 W lights which are located at ground based level. These lights are spread throughout the range and angled horizontally with the light fanning out and illuminating a section of the range.

4.4 Visual Impact on the Green Belt - The application site is in a relatively remote part of Strensall off Towthorpe Moor Lane. Therefore, any significant lighting scheme is going to be visible from surrounding areas. Lighting is an essential facility in order for a golf driving range to operate during hours of darkness. The primary considerations are whether the lighting would harm the open character of the Green Belt, conflict with the purposes of including land within the Green Belt, and the lights are of an appropriate scale and type for this location. It is considered that in itself the lighting would not significantly harm the open character of the Green Belt. The lighting would be partially screened from the A64 by the proposed new landscaping and Dam Hill Wood. The applicants have also displayed a willingness to erect a 2 m high solid fence to the front of the proposed landscaping strip in order to reduce light spillage whilst the trees are maturing. There are a number of structures between Towthorpe Moor Lane and the driving range which would block out a significant

amount of the light emitted from the proposed lighting scheme. These are the two areas of public access most susceptible to seeing the proposed lighting. The lights are low level and are designed to not cause significant light pollution. The lights would emit light in an upward direction to an extent, this is required to see the flight of the ball as it is in the air. However, if it is accepted that a golf driving range is suitable in this location and that lighting is required in order for it to operate as expected then it appears that the proposed scheme has made all reasonable efforts to minimise the impact on the open character of the area. On balance it is considered that the lighting is reasonable and sufficient care has been taken with the design to ensure that it would not conflict with the purposes of including land within the Green Belt.

4.5 Impact on Neighbouring Amenity - Based on the information submitted and the correspondence from the lighting engineer it would appear that the lighting units would not spread significant amounts of light outside of the driving range area due to the design of the lights and the tree planting. The nearest residential dwelling are located at Dam Hill Farm and Stockton Hermitage which are over 500 m from the end of the driving range. Again it is acknowledged that the lights may be visible in the distance, but it does not follow that the level of light to be emitted would significantly harm the living conditions of these properties. The lights are designed to illuminate a small section of the driving range each, they are not designed to spread light far and wide unlike the floodlights that were in place previously. The lights would only be used during the hours of darkness, therefore for several months of the year they are unlikely to be used at all. The application form states that the lights would be turned off by 9 pm on a weekday and by 6 pm on a weekend. The Environmental Protection Unit raised no objections to this application.

4.6 Impact on the Adjacent Woodland - The golf driving range is located close to a woodland which supports a number of species of animals including some rarer varieties. The owner of this woodland has raised a number of concerns regarding the impact lighting would have. As part of the previous application a response was received from English Nature in regard to this. They stated that they had no objection to the proposal in relation to species protected by law. They went on to say, 'bats are known to roost in the adjacent woodland and floodlighting can disrupt the 24-hour pattern of light and dark and can affect the natural behaviour of bats. Floodlights should be turned off at bat emergence time and during peak bat activity times. Therefore if the application is approved a condition should be used to ensure the lights are turned off after 8.30 pm between the months of May and September.' Likewise the Countryside Officer for the City of York Council stated 'it is considered that there is no legal wildlife legislation that would justify its refusal. Whilst legislation does cover disturbance to protected species it would be difficult to prove that lighting that is upwards of half a mile away would cause any possible roost decline / disappearance. Also, as the lights are only substantially used in the winter when bats are hibernating there is even less likelihood of this being justified. With regard to other wildlife matters, whilst lighting can affect them, the effect seems to be relatively limited, even badgers can become very used to lighting... lighting times could be conditioned to ensure that lighting is turned off at a suitable time.' The Council is keen to preserve the natural habitat around York, however based on this information and after the submission of a significantly more considered proposal than the original floodlight scheme it is not thought that a refusal on these grounds could

be sustained. A condition restricting light operating hours could be attached to any approval.

5.0 CONCLUSION

5.1 It is considered that the proposed lighting would not cause significant harm to the Green Belt, the amenity of neighbouring properties or the adjacent woodland habitat, subject to appropriate conditions. The application is therefore recommended for approval.

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing Number C29/01/01 and luminance map UKS3613/1 received by The CoYC on 16/03/07

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 The driving range lighting hereby permitted shall not operate between 2030 hours and 0800 hours on any day.

Reason: To protect the amenity of local residents and to ensure that wildlife activity is not significantly disturbed within the adjacent woodland.

4 The scheme of landscaping and tree planting shown on Drawing no. C29/01/01 received by the Local Planning Authority on 16 March 2007 shall be carried out in its entirety prior to the first use of the lighting hereby approved. The landscaping and tree planting shall be adequately maintained whilst the lighting remains operational, and during that period all losses shall be made good as and when necessary.

Reason: To protect the amenity of local residents and to reduce light spillage outside of the application site and further into the Green Belt.

5 Prior to the first use of the lighting hereby approved, a 2 m high fence of a design and appearance to be agreed in writing with the Local Planning Authority, shall be erected between the ground based lighting and the scheme of landscaping. The fence shall be of solid construction so as to not allow light to pass through it and

shall span the entire width of the driving range.

Reason: To protect the amenity of local residents and to reduce light spillage outside of the application site and further into the Green Belt.

**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 Green Belt and the amenities of local residential properties. As such the proposal complies with Policies GP1, GB1, GB13, and L3 of the City of York Draft Local Plan.

Contact details:

Author: Michael Jones Development Control Officer
Tel No: 01904 551325