

Item 4c **14/00021/FUL**

Case Officer **Mrs Nicola Hopkins**

Ward **Wheelton And Withnell**

Proposal **Retrospective application for the inclusion of security lighting to new stable block**

Location **Logwood Stables Brinscall Mill Road Wheelton ChorleyPR6 8TD**

Applicant **Steve Watson**

Consultation expiry: 10 February 2014

Application expiry: 10 March 2014

Proposal

1. The proposals relate to the erection of security lighting on the newly constructed stable block. These lights have already been erected and as such this application is retrospective.
2. Planning permission was granted in March 2013 for an equestrian horse breeding and training facility at this site comprising of new stables and an open dressage arena. This work has now been completed however the permission was conditioned as follows:

Notwithstanding the submitted details the permission hereby granted does not permit the inclusion of external illumination (including flood lights and lighting columns) or sound amplification.

Reason: Insufficient information was submitted in respect of lighting and/or sound amplification to enable full consideration of these elements. As such in order to protect the open and rural character of the locality, in accordance with Policies DC1 and EP8 of the Adopted Chorley Borough Local Plan Review and the Rural Developments DPD, these elements do not form part of this approval.

3. As such the lights which have been erected did not form part of the original planning approval and require separate planning permission.
4. This application is being referred to the Development Control Committee at the request of the Chair and Vice-Chair of the Committee.

Recommendation

5. It is recommended that this application is granted conditional planning approval

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development

Representations

7. **5 letters of objection** have been received raising the following concerns:
 - These are not security lights.
 - When they are on it looks like a football stadium but in the Green Belt spoiling the rural atmosphere.
 - These lights are for commercial activities of which there is no planning approval- used as floodlighting for an arena.
 - An evening event attracting many vehicles and horse boxes, causing local disruption and safety to the narrow single file road, has recently taken place.

- The lights should be connected to movement sensors and that if left on there should be a timer to prevent them being used after a certain time.
- Fewer lights with a lower intensity would be more in keeping with the unlit surrounding area.
- The previous conditions stated no permission was granted for any lighting
- The lighting has been erected and in use since November 2013
- Causes significant light pollution
- The floodlights appear to be attached to a switch for permanent lighting as opposed to a security sensor
- There are considerably more lights facing the riding arena- the corner light faces the arena: the applicant is using the lights to light up the arena at night.
- Lights directly face neighbour's house
- No landscaping has been proposed
- The existing stables did not generate the need for lights
- Not suitable for this Green Belt location

8. **5 letters of support** have been received raising the following points:

- Never seen an 'evening event' being run at the premises
- The lights are very rarely on
- Never seen them on late in the evening.
- The lights are not particularly bright and are just motion sensor security lights which will be absolutely vital in order to comply with insurance regulations.
- The site is a business and should be protected as such.
- The lights do not cause any disturbance at all to the area.
- Never seen any more traffic or horseboxes on the road.
- The site is absolutely wonderful and the improvements to the pathways very welcome indeed.
- The property is in an isolated area and agricultural buildings and livestock are always targeted so theft and incident prevention is absolutely crucial with the correct locks, alarms and lighting.

9. **Wheulton Parish Council** have no objection

10. **Cllr Hansford** has requested that this application be considered at Chairs Brief

Assessment

Principle of the development

11. When planning permission was granted for the stable block and arena it was noted within the Committee report that:

The application includes the erection of six 6 metre high lighting columns around the proposed riding arena and security lights. The Rural Development SPD confirms that floodlighting of sand paddocks and yards is generally inappropriate in the open countryside or near to neighbouring residents. No justification has been provided in respect of the need for the proposed lighting columns or details of the specification. The SPD states that where floodlighting is proposed, it should be designed to minimise light spillage from the lit area. However without justification for the lighting columns or security lights and/ or specification details it is not considered that this element of the proposals is acceptable.

12. As such the condition set out above was attached to the planning approval as it was not possible to make an assessment of any proposed lighting as part of the previous planning application

13. This site is located within the Green Belt and at a national level the Framework sets out development which falls to be considered appropriate in such locations. The erection of lighting does not fall within the listed exceptions and as such the lighting is inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

14. The Adopted Rural Development SPD notes that floodlighting of sand paddocks and yards is generally inappropriate in the open countryside or near to neighbouring residents. However it does go on to state that where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.
15. It should be noted that the proposals do not relate to floodlighting the approved arena the proposals relate to 7 security lights which have been attached to the four sides of the stable building (one to the east and west elevations and two the north and three on the south elevations) including each individual lights associated sensor, the lights are motion activated.
16. The sensors respond to movement of heat and have three settings that can be individually set on each sensor. The settings are: Photo cells - the lights are set to come on at a particular lighting level from daylight to night time; Timing - the lights can be set to stay on once activated for a time from 5 seconds to 10 minutes; Sensitivity - the sensors detection of movement of heat can be varied and has a maximum detection distance of 8m.
17. The lights are angled at 45° to the ground and illuminate an area of land which extends to 10m in depth and 12m in width.
18. In support of the proposals the agent has provided the following justification points:
 - The lighting provided consists of 7no Diamond LED 50W security lights that are activated by PIR sensors.
 - Due to the value of the horses the need for security is paramount. The lighting has been provided to cover this need and due to the sensors is activated when anyone is in the vicinity of the building and paddock.
 - The paddock has to be harrowed daily and during autumn and winter the paddock has to be harrowed to prevent the build-up of frost within the surface. This procedure must be carried out at the end of the day to prevent the surface from freezing and causing serious injuries to the horse or rider.
 - During winter months this will have to be done during the hours of darkness thus activating the security lights.
 - The Rural Development SPD states that floodlighting should be designed to minimise light spillage from the lit area. This has been taken into consideration by the use of LED lighting to reduce the glow of the light and the 50W lamps producing a lower lumens level.
 - The main impact on the adjacent neighbour is the effect of the lights at the entrance and corner of the building nearest to the entrance and approach. The recommendation to improve this situation would be to have the light mounted on a column at the bottom of the concrete slab entrance to the building so that the light would be facing away from the neighbours property. This option was not considered due to the condition relating to the removal from the application of the lighting columns.
19. It is important to note that in approving the original application for the business on this site Members considered that this is a specialist rural business located within a rural area and weighed this against the harm to the Green Belt. The stables and arena fell to be considered inappropriate development and permission was granted in respect of the very special circumstances forwarded.
20. Based upon the circumstances forwarded in support of the proposals, security of the horses and to enable the paddock to be harrowed during the winter months, the following queries were raised. The security of the horses was addressed as part of the original planning application at this site. The Committee report noted that *onsite supervision 24 hours a day is required and stallion and foaling boxes need to be purpose build units of 4.26m x 4.26m with CCTV cameras (linked to the property)*. As such it was unclear why 7 security lights were required when the security of the horses has already been addressed and three of the lights light up an elevation with no means of access.
21. In respect of the harrowing justification the arena does need to be graded following its last use during the autumn and winter periods to reduce the risk of freezing. However this is undertaken

using an Arenamate which is attached to the applicant's quad bike which has its own headlights negating the need for external lighting.

22. In response to these concerns the applicant has provided photographs of the site with the lights on to demonstrate that light spillage is minimised. The case officer visited the site at 5pm on 17th February however it was still too light for the lights to be activated. The applicant's daughter was training a horse in the arena and the lights were not in use. The applicant confirmed that the lights are directly linked to the CCTV cameras which have been attached to each elevation to enable the cameras to identify any activity during the hours of darkness.
23. It is understood that the arena surface is very expensive and includes a membrane underneath which if damaged would impact on the usability of the entire arena. As such the applicant has installed the CCTV cameras to the outside of the stables to protect against vandalism. The cameras send a text message to the applicant's phone when activated.
24. During the site visit the applicant confirmed that currently the sensors pick up anything, including cats and birds, however it is understood that they will be reconfigured to only pick up human activity/ large objects.
25. In this regard the agent has provided the following information:
 - The lights are used in conjunction with the CCTV operation to ensure the best clarity of the recorded footage is achieved during the hours of darkness.
 - There are 7 Cameras in total on the exterior of the building. This is to ensure full coverage is achieved, with good image clarity, of the external building & arena without any black spots. 12 Camera's would usually be allowed on building this size.
 - The lights are connected via Short Range PIR sensors controlling different lights around the building. With this being a PIR Sensor it will pick up any movement that breaks the beam within close proximity to the building (10m range). Not just anything would activate these lights as PIR work on changes in temperature. A crisp packet or carrier bag would not set this off but movement of an animal, human being or the like would.
26. The lights are currently set to stay on for 1 minute 30 seconds if activated which can be controlled by condition. However whilst the arena is being harrowed they will be on permanently due to the activity of the quad bike and Arenamate on the arena. In this regard it is noted that the quad bike has its own source of illumination and it is not considered that the security lights are required for this activity. This could be restricted by condition.
27. It is noted that 3 of the lights face the arena and the light spill associated with each of the individual lights does illuminate part of the arena. As noted above concerns have been raised that the lighting will enable the arena to be used at night. However as set out above the circumstances forwarded in respect of this application confirm that the lights are required for security purposes and not to enable extended use of the arena for training/ riding purposes. As such any positive recommendation could be conditioned accordingly.
28. Additionally the following condition was attached to the original approval for stables and arena at this site which restricts the use of the arena and does not allow public/ private events which was one of the concerns raised.

The sand paddock/ manège hereby permitted shall only be used for training/riding horses by the applicant (Mrs Rebecca McNair) plus the groom employed at the application site and for the training of horses owned by Mrs Rebecca McNair, Mr Steve Watson, Mr Andrew McNair and Mrs Carol McNair (the horses passports for each of the horses to be stabled at the site, specifically referred to in condition 9, shall, when the horse is stabled at the application site, be available at all times for inspection) and shall not be used for the training or schooling of other privately owned horses and/or their riders. The sand paddock/ manège hereby permitted shall not be used for the holding of any public or private training events, clinics, competitions, trials, horse/pony club meetings or gymkhanas. This condition does not preclude its use for veterinary care or other expert assessment or rehabilitation of the horses owned by those detailed within the condition.

Overall Conclusion

29. The proposed lights are inappropriate development within this Green Belt location. When the application was initially submitted concerns were raised over the justification for the proposals as the stables have internal CCTV cameras and the arena is harrowed utilising a quad bike negating the need for an external light source. However following further discussions with the applicant it is clear that the lights are required to ensure the effective operation of the external CCTV cameras which are used to detect unauthorised access at this site during the hours of darkness.
30. The LED lights have been designed to minimise light spillage and do not enable the riding arena to be utilised during the hours of darkness or result in extended periods of illumination within this rural area. The lights are purely for security purposes at this rural enterprise. As such it is recommended that the lights are approved for security purposes only which can effectively be conditioned.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

The relevant policies of the Local Plan are as follows:

- GN5 - Building Design and Retaining Existing Landscape Features and Natural Habitats
- DC1- Green Belt
- EP8- Development Involving Horses
- EP21A- Light Pollution

Adopted Central Lancashire Core Strategy

Policies to be given weight are:

- Policy MP clarifies the operational relationship between the Core Strategy and the National Planning Policy Framework. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Framework. Planning policies that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant planning permission unless material considerations indicate taking into account Policy MP a) and b).
- Policy 1 Locating Growth
- Policy 9 Economic Growth and Employment

Supplementary Planning Documents

- Rural Development SPD (October 2012)

Emerging Local Plan

Chorley Local Plan 2012 - 2026

Relevant Policies are:

- HW1: New Open Space, Sport and Recreation Facilities.

Planning History

00/00582/COU- Conversion of stable to detached dwelling and erection of detached double garage. Approved September 2000

02/00717/FUL- Barn Conversion to a two storey dwelling. Withdrawn

06/00840/FUL- Proposed detached garage with hayloft above. Withdrawn

07/01057/FUL- Detached garage. Approved November 2007

11/00384/FUL- Erection of an equestrian facility comprising new stables, tack rooms and storage. Creation of open dressage arena, horse walker and associated parking areas. Application for land levelling and laying of hardstanding for access tracks (retrospective). Withdrawn

11/01103/FUL- Erection of an equestrian facility comprising new stables, tack rooms and storage. Creation of open dressage arena, horse walker and associated parking areas. Application for land levelling and laying of hardstanding for access tracks (retrospective). (Resubmission of application No 11/00384/FUL.) Withdrawn

13/00034/FUL- Erection of an equestrian horse breeding and training facility comprising new stables, tack room and storage. Creation of open dressage arena and associated parking areas. Approved March 2013

13/00035/FUL- Retrospective application for:

1) Engineering works including the formation of tracks and roadways within the site, works to form pond, repairs to drainage ditch and repairs to the public footpath.

2) Erection of stables on the site for a temporary period

Approved March 2013

Recommendation: Permit Full Planning Permission Conditions

1. The lights hereby approved shall be used for security purposes only and shall not be used as a source of illumination for the riding arena to enable the training/riding horses within the riding arena during the hours of darkness or the harrowing of the arena. *Reason: the very special circumstances forwarded in support of the proposals relate to security needs and do not involve extending the hours in which the arena can be utilised. Extended use of the lights hereby permitted has the potential to adversely impact on the character and appearance of this rural Green Belt area.*

2. The security lights hereby permitted shall be set to be illuminated for no longer than 1 minute 30 seconds when activated unless a continued human presence is detected. This setting shall be maintained in perpetuity. *Reason: To ensure that the lights are set to an appropriate time period to avoid extended periods of illumination if the sensors are activated by anything other than a person within the vicinity of the stables.*

3. The security lights hereby permitted shall be angled at 45° from the stable building towards the ground and shall be maintained at this angle in perpetuity. *Reason: based upon the information forwarded in support of the security lights and to reduce light spillage associated with the lights within this rural location.*

4. In accordance with the condition attached to planning approval 13/00034/FUL where use of the stables for the authorised purposes ceases for a period exceeding 6 months within 10 years of their substantial completion then the stable building, the associated midden, manège and security lights shall be removed from the land and the land restored to its former condition. *Reason: To protect the character and appearance of the area, and avoid the proliferation of buildings in a countryside area for which there is not a continuing need and taking into account the particular justification that was given weight in the determination of this application.*

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Received date
Location Plan	13 th January 2014
Security Lights Location Plan	13 th January 2014
Celsian 3 50W Floodlight Specification	12 th February 2014
Light Spill plan depth	12 th February 2014
Light spill plan width	12 th February 2014

Reason: For the avoidance of doubt and in the interests of proper planning