

Item B. 5 07/00232/FUL Permit Full Planning Permission

Case Officer Mark Moore

Ward Chorley North West

Proposal Proposed lighting of the main route through Astley Park (5 m high lighting columns at 28m intervals)

Location Astley Park Park Road Chorley Lancashire

Applicant Chorley Borough Council

Proposal: This application has been submitted by agents acting on behalf of Chorley Borough Council. Whilst the applicant in this case is the Council, the proposals put forward have been submitted on behalf of the Astley Park Project and were decided upon by members of a restoration group made up of various interested parties.

The proposal is for lighting of the main footpath route through Astley Park comprising the erection of 37 no. 4.79m high lighting columns set at 28m intervals. The works are being undertaken as part of an ongoing restoration of the park funded by the Heritage Lottery Fund. Astley Park is classed as an historic park under Policy LT7 of the Chorley Borough Local Plan Review.

The proposed lighting columns would comprise a flat, circular dome inclined at a 20 degree angle set on a 4m high straight sided column. The columns would be painted in a colour scheme of medium grey oxide paint. The lighting has been designed in such a way as to provide a diffused light coverage to avoid unnecessary light spillage. The lights would be controlled via a timer to switch off at 12am each night and would be set at 28m intervals in order to ensure an even spread of light along the footpath route.

Planning Policy: EP2 County Heritage Sites and Local Nature Reserves
HT13 Historic Parks and Gardens
LT7 Historic Parks and Gardens
LT14 Public, Private, Educational and Institutional Playing Fields, Parks and Other Recreational Open Space

Planning History: There is no planning history relevant to this application.

Consultations: **The Ramblers Association:** The main route through the park is not a public right of way therefore the Ramblers are unable to comment.

LCC Ecological Advisor: Concern over possible impact on bats. Recommends that developer submit an ecological assessment to determine any potential impacts and provide basis for mitigation/compensation if impacts are likely.

English Heritage: The application should be determined in accordance with national and local policy guidance and on the basis of (LPA) specialist conservation advice.

Community Safety Partnership: No observations.

Representations: Twelve letters have been received objecting to the proposals on the following grounds:

- Proposed lighting will be visually unattractive during daylight hours
- Lighting will contribute to light pollution
- Path is not currently lit and has not been for many years
- No. of people requiring access to park during hours of darkness is minimal and does not justify the cost
- Posts will be site for graffiti
- Park is one of few remaining areas that is truly dark at night and should remain so
- Lighting will encourage congregation of undesirable elements and vandalism
- Lighting columns close to Astley Hall, which is listed, would be ludicrous and unacceptable
- Existing trees and wildlife would suffer
- What evidence is there that Chorley residents have requested such a thoroughfare with lighting?
- Additional lighting costs would be better spent on litter removal
- Proposal will not minimise light pollution as stated in application
- Application is incompatible with the ambience and character of Astley Park
- No women would use the park at night, lighting or no lighting
- The park should be completely closed off in the evenings
- Lighting would impact negatively upon local residents

Assessment: The main issues for consideration in respect of this application are; impact upon the historic environment; impact upon wildlife, and; impact upon the amenity of local residents.

Impact Upon Historic Environment

Policy HT13 of the Chorley Borough Local Plan Review would not allow development which would cause harm to the historic character or setting of any part of an historic park. In this case the proposed design of the lighting is contemporary and forms part of wider proposals which reflect an overall design approach for Astley Park 'furniture' to meet the following criteria; robust design; unity of style; function; aesthetic appeal; appropriate materials; innovation or historic in style and; innovative.

The modernistic 'non-pastiche' approach which has been adopted by the Council for Astley Parks lighting represents a desire to reflect key aspects of the existing environment, which does not feature ornate metalwork to any significant extent, and to utilise the aesthetic virtues, materials and pragmatic design of modern solutions over more historic forms of hard landscaping. In doing so however it has been recognised that the new items should not detract from the historic setting of the park in terms of their overall location, colour, number and size.

The proposed lighting columns are modern but very simplistic in design and have been selected on the basis that they are perceived to be both elegant and contemporary. On this basis it is considered that, whilst not to everyone's taste, the lighting columns will provide a more up to date approach to the development of the park without compromising its heritage value.

Impact Upon Wildlife

The only concern raised by the LCC Ecological advisor relates to the potential impact of the proposed lighting upon bat roosts that may be present in the trees. Following advice from a specialist advisor the scheme has been revised in the following ways;

- Omission of one column over the dam to ensure the lake remains as dark as possible
- Safeguarding an oak tree with a potential bat roost in it
- Omission of all floodlights for trees

The latter of the above proposals would not have required planning permission.

It is considered that the proposed lighting would not have any adverse ecological issues. It should also be noted that the lighting would be operated on a timer that would switch the lighting off at 12am thereby ensuring the park would not be illuminated throughout the night.

Impact Upon Amenity

Concerns have been raised by local residents regarding the principle of providing lighting within the park and in particular over the potential increase in anti-social behaviour that may arise. The advice of the Community Safety Partnership would suggest that this would not necessarily be the case as appropriate lighting can provide natural surveillance of the park by promoting increased use and making it more difficult for anti-social activity to be undertaken without being observed. The lighting proposals are seen by the Astley Park Group as a fundamental requirement to meet their stated aim of making 'accessible as much of the park as possible within the limitations of conservation, safety and operational requirements'. It remains a finely balanced argument as to whether the lighting would give rise to an increase in anti-social behaviour and conflicting views on this issue can probably be given equal weight. For this reason it would be difficult to justify a refusal of planning permission on amenity grounds, particularly as no specific objections have been raised to the proposed lighting by the Community Safety Partnership.

Other objections relate to concerns over light pollution. In this case the lighting would be diffused in order to overcome excessive light spillage and it is not considered that this would be a significant problem. Additionally, the timer control would ensure that there could be no issue of light pollution for the main part of the hours of darkness.

Conclusion:

It is considered that the proposal will have no significant visual impact or impact upon neighbourhood amenity and will not raise any ecological issues. Accordingly it is recommended that planning permission should be approved.

**Recommendation: Permit
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The lighting hereby granted permission shall only be illuminated between the hours of dusk to midnight (12am).

Reason: To safeguard the amenities of local residents.
