

APPLICATION REPORT – 16/00420/FUL

Validation Date: 21 June 2016

Ward: Eccleston And Mawdesley

Type of Application: Full Planning

Proposal: Erection of floodlights over existing sand paddock (retrospective)

Location: Church Farm High Street Mawdesley Ormskirk L40 3TD

Case Officer: Mr Iain Crossland

Applicant: Mr Andrew Millin

Agent: N/A

Consultation expiry: 10 August 2016

Decision due by: 16 August 2016

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions.

SITE DESCRIPTION

2. The application site forms part of a well-established equestrian centre located to the south west of Mawdesley village within the Green Belt. There are a number of grass paddock areas, sand paddocks, and equestrian related buildings across the site. A series of lighting columns have been erected to the perimeter of an existing sand paddock that appears to be in use as a show jumping training facility. The lighting is the subject of this application. There are trees and hedges to the periphery of the site with residential dwellings along Smithy Lane and in the settlement of Mawdesley to the north east. The character of the locality is predominantly rural, with open agricultural land beyond.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application is made retrospectively for the erection of floodlights to the existing sand paddock. The lighting consists of 11 floodlights mounted on 11 monopoles spaced along the sides of the 70m long sand paddock. The floodlight poles have a height of 7.5m.

REPRESENTATIONS

4. Five letters of objection have been received raising the following issues:
 - Light pollution/nuisance
 - Out of character with rural location
 - Impact on Green Belt
 - Noise from tannoy system
 - Impact on wildlife

CONSULTATIONS

5. **Mawdesley Parish Council** – comment that the lights are already installed hence the retrospective application so the detrimental effect is already being felt by residents of the village.
6. They have referred to the 1995 White Paper: Rural England - A Nation Committed To A Living Countryside when the Government made clear its belief that the intrusiveness of lighting in the countryside should be kept to a minimum. The White Paper suggested that this could be achieved by improving design standards for lighting, varying light levels where these are inappropriate for rural settings, and taking advantage of opportunities to remove unnecessary lighting. The type of light fitting they have installed allows for a huge amount of light bleed due to them having no directional baffles.
7. In addition, these lights are not in line with the local plan policies on lighting, as well as policies on development in the countryside generally. Mawdesley Parish Council ask planning to recognise the cumulative impacts of lighting on countryside character of the village.
8. A public address system has been installed that is intrusive in a location like this where there were relatively low ambient noise levels. This system is used most weekends and evenings affecting the quiet rural character of Mawdesley which residents and visitors to the vicinity are entitled to have this preserved.
9. **Regulatory Services - Environmental Health** - have confirmed that no complaints have been received about noise from the use of the tannoy system in the last five years or regarding light nuisance since the lighting was erected last year.
10. If the “Guidance Notes for The Reduction of Obtrusive Light” from the Institute of Lighting Professionals is considered and implemented then the local residents should not suffer from a light nuisance.
11. **Ecology advice** - In this case there is no reason to believe that the lighting directly affects buildings, structures or trees that support bat roosts or badger sett entrances. Direct lighting of the adjacent hedgerow may deter nesting birds, although the high levels of activity in the sand paddock during the daytime will likely cause disturbance anyway. It is not considered that the potential loss of the hedgerow as bat feeding habitat will have a significant impact on local bat populations, partly because there are alternative feeding places nearby, and partly because the lighting will presumably operate most in the winter months (October to March) when bats are much less active. Floodlighting is capable of being made directional and its operation can be managed so that the lighting is employed only within set time limits. Most of the night-time can therefore remain un-lit.
12. No objection is raised to the scheme on nature conservation grounds, but the advice from Environmental Health that the “Guidance Notes for The Reduction of Obtrusive Light” from the Institute of Lighting Professionals should be properly considered and implemented. Following this guidance will reduce any impacts on wildlife as well as people. Further, the timing of the operation of the floodlights should be controlled by Condition, with a set curfew in the evenings.

PLANNING CONSIDERATIONS

Assessment

The main issues are as follows:-

Issue 1 – Impact on the Green Belt

Issue 2 – Neighbour amenity

Issue 3 – Impact on character and appearance of the locality

Issue 4 – Ecology

Principle of the Development

13. The National Planning Policy Framework (The Framework) supports economic growth in rural areas and specifically promotes the sustainable growth and expansion of all types of business and enterprise in rural areas. The application site forms part of a well-established equestrian centre that specialises in show jumping.
14. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. It advises that development which is harmful to the Green Belt should only be permitted in 'very special circumstances' and that these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
15. Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to inappropriate development. One exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, which are not considered inappropriate by the National Planning Policy Framework (The Framework) as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
16. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
17. Section F of the Rural Development SPD sets out more detailed guidance in relation to equestrian development. In assessing the acceptability of equestrian development the SPD states that where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.

Impact on the Green Belt

18. The floodlights have been erected around an existing sand paddock at a well-established equestrian centre. There are 11 floodlights mounted on 11 monopoles distributed to the east and west sides of the sand paddock. Views towards the site are filtered to some extent by the existing boundary hedges and trees. The slender profile of the monopoles and their dark colour reduce their visual prominence in the landscape, to the extent that they are not considered to be unduly harmful to openness.
19. With regards to the generation of light itself it is recommended that the hours of operation are limited by condition to between 4pm and 9pm daily, and that a condition is attached requiring the installation of lighting shields to further limit light spillage. This will support the operation of a well-established equestrian business, whose facilities are used by qualified show jumping coaches who train riders that are competing up to international show jumping level, whilst balancing the impact of light in a rural setting. Having the use of lighting during the winter months will enable Church Farm to keep the business operational and maintain continuity for the riders that use the facility for training.
20. On the basis that the monopoles are slender and 7.5m in height it is not considered that the floodlight structures themselves detract from the openness of the Green Belt and it is noted that the proposal does not involve the loss of countryside given that the sand paddock is already in situ. During darkness light may spill onto adjoining land, however, this will be limited by the use of an hours condition and the installation of lighting shields will further reduce sky glow and light spillage.

Impact on neighbour amenity

21. The floodlit sand paddock is located approximately 95m from the nearest dwelling at Stalk House Farm to the south east on High Street. It is noted that there are intervening structures and mature trees between this dwelling and the site. These help to filter views of the site and the light that is generated by the floodlights. Other properties on Smithy Lane are located at least 150m away from the site. Again there are intervening trees and hedges which help to filter views of the site and the light that is generated by the floodlights.
22. The Council's Environmental Health Officer raises no objection to the scheme and does not anticipate that the proposed lighting will cause a statutory nuisance to the occupiers of nearby residential properties. It is acknowledged that light will be visible from properties on Smithy Lane and High Street when the floodlights are in operation, however, it is not considered that this will result in an intensity of direct lighting that will be harmful to the living conditions of nearby residents given the degree of separation, positioning of flood lighting and restrictions placed upon operating times. Attaching conditions limiting the hours of operation of the floodlights and the use of light shields to limit spillage, will ensure that the floodlights do not impact on the amenity of neighbouring occupiers to a harmful extent.

Impact on character and appearance of the locality

23. The floodlights have been erected to an existing sand paddock at a well-established equestrian centre, which comprises a number of grass paddock areas, sand paddocks, and equestrian related buildings across the site along with a yard area and other equestrian paraphernalia. The installation of floodlighting is not considered to detract from the character or appearance of the rural landscape in this instance on the basis that the eleven monopoles are 7.5m high, slender in profile and dark in colour, which reduces their visual prominence in the landscape, particularly when viewed in the context of an extensive equestrian centre with associated buildings, structures and paraphernalia.
24. Although sky glow may be visible from the public footpath 75m to the south west and from High Street and Smithy Lane it is noted that the site is relatively close to the settlement of Mawdesley where there are street lights and other light sources, rather than in a more isolated and intrinsically dark landscape. Further to this it is recommended that the hours of operation of the floodlights will be limited by condition to between 4pm and 9pm daily and that a condition requiring the installation of light shields is attached, which will further limit light spillage and reduce the impact from sky glow and light trespass on the landscape.
25. As such, it is considered that the proposed development will not have an unacceptably detrimental impact on the character of the locality.

Ecology

26. Floodlighting in the countryside can cause some disturbance to nocturnal wildlife. Direct lighting of roost entrances can cause bats to abandon bat roosts, direct lighting of badger setts can deter badgers from occupying setts and direct lighting of hedgerows and tree lines can cause disturbance to potential bird nesting and roosting behaviour and, sometimes, bat feeding behaviour.
27. In consideration of the ecology advice received there is no reason to believe that the lighting directly affects buildings, structures or trees that support bat roosts or badger sett entrances. Direct lighting of the adjacent hedgerow may deter nesting birds, although the high levels of activity in the sand paddock during the daytime will likely cause disturbance anyway. It is not considered that the potential loss of the hedgerow as bat feeding habitat will have a significant impact on local bat populations, partly because there are alternative feeding places nearby, and partly because the lighting will generally operate in the winter months (October to March) when bats are much less active. Floodlighting is capable of being made directional and its operation can be managed so that the lighting is employed only within set time limits. Most of the night-time can therefore remain un-lit.
28. The applicant's statement demonstrates that the principles set out in the Guidance Notes for 'The Reduction of Obtrusive Light' from the Institute of Lighting Professionals are to be followed. Furthermore, it is recommended that the timing of the operation of the floodlights should be controlled by condition, with a set curfew in the evenings.

Other matters

29. Noise from the tannoy system: This does not form part of the proposed development and has not been assessed as part of the planning application, however, the environmental health officer has confirmed that they have received no complaints about noise from the use of a tannoy system in the last five years. The use of a tannoy system can be investigated as a statutory noise nuisance should complaints be received.

CONCLUSION

30. The 'principle' of facilities to support outdoor sport and recreation is an acceptable one. The development is not considered to detrimentally harm the openness of the Green Belt or landscape character and there is a suitable distance between the site and the adjacent residential properties to ensure that living conditions will not suffer detrimental harm. It is considered that there will be no severe residual cumulative impact as a result of the proposed development. It is therefore recommended that the application is approved.

RELEVANT HISTORY OF THE SITE

Ref: 99/00666/FUL Decision: PERFPP Decision Date: 2 November 1999

Description: Side extension to main building for use as office/restroom & toilets,

Ref: 03/00977/FUL Decision: PERFPP Decision Date: 23 December 2003

Description: Erection of building for show office / store,

Ref: 92/00155/FUL Decision: WDN Decision Date: 19 August 1992

Description: Use of existing office/toilet facility as residential unit during construction of dwelling

Ref: 92/00149/FUL Decision: REFFPP Decision Date: 28 April 1992

Description: Use of stables building for the fabrication of horse boxes

Ref: 90/00606/FUL Decision: PERFPP Decision Date: 25 September 1990

Description: Details of one detached house

Ref: 89/00116/FUL Decision: PERFPP Decision Date: 4 July 1989

Description: Erection of dwelling

Ref: 87/00719/FUL Decision: PERFPP Decision Date: 10 November 1987

Description: Relocation of riding training area from West side to South side

Ref: 87/00718/FUL Decision: PERFPP Decision Date: 10 November 1987

Description: Application for retention of barn

Ref: 84/00705/FUL Decision: REFFPP Decision Date: 29 January 1985

Description: Residential caravan for overnight security

Ref: 84/00452/FUL Decision: PERFPP Decision Date: 26 July 1984

Description: Erection of stable block for approximately 10 houses (approx.220 square metres floor area)

Ref: 79/01247/OUT Decision: REFOPP Decision Date: 7 January 1980

Description: Outline application for dwelling

RELEVANT POLICIES: In accordance with S.38 (6) Planning and Compulsory Purchase Act (2004), the application has been determined in accordance with the development plan [the Central Lancashire Core Strategy (2012) and Chorley Local Plan 2012-2026 unless material considerations indicate otherwise. Consideration of the proposals has had

regard to guidance contained with the National Planning Policy Framework (the Framework), and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Suggested Conditions

1. The lighting columns hereby permitted shall be limited to 11 monopoles not exceeding 7.5m in height.
Reason: For the avoidance of doubt and in the interests of proper planning, in the interests of the rural character of the area.
2. The lights hereby permitted shall only operate between 16:00 and 21.00 and not at any other time.
Reason: In the interests of the rural character of the area, the amenity of the area, adjoining and nearby residential properties.
3. The floodlighting hereby permitted shall not be used until floodlighting shields, hoods, cowls or louvres have been fitted or an alternative floodlight type has been specified, the details of which must be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted within two months of the date of this planning permission, and shall be installed within one month of the date the details are approved in writing. The approved shields and floodlight type shall then be retained in perpetuity.
Reason: For the avoidance of doubt and in the interests of proper planning and the protection of rural character of the area

4. The development hereby permitted must only be completed in accordance with the approved plans. The approved plans are:

Plan Ref.	Received On	Title:
	21 June 2016	Location Plan
Drwg 2	05 May 2016	Site plan
Drwg 3	05 May 2016	Floor plan
Drwg 3A	05 May 2016	Elevations

Reason: To define the permission and in the interests of the proper development of the site.