

Application Number:	2012/0076	Application Type:	Full
Proposal:	Erection of No.3, 5m high lighting columns to the south of the existing ménage (retrospective) and erection of No.3, 5m high lighting columns to the north of the existing ménage	Location:	The Former Pit Yard, Dean Lane, Water, BB4 9RA
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	12/06/2012
Applicant:	Mrs Rachel Wilson	Determination Expiry Date:	14/05/2012
Agent:	Mr Stephen Anderson		

Contact Officer:	Rebecca Taylor	Telephone:	01706 252580
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member Reason for Call-In	<input type="checkbox"/>
3 or more objections received	<input checked="" type="checkbox"/>
Other (please state):	N/A

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Committee consider the report below and be minded to grant Planning Permission subject to the Conditions set out Section 10.

2. SITE

The site is located to the north east of the development of Water off Dean Lane. There is a double access gate set in from the road used for access into the site. There is space for 6 vehicles along the northern boundary of the site.

The site has a U-shaped complex of no.9 stables and other ancillary buildings including an office which sits into the topography of the site with the hillside to the north and east screening much of

the stable buildings from many viewpoints. The stable buildings hook around a generous yard area which is used for parking and manoeuvring. The building is constructed of stone/slate with orange render to the outside of the building facing the boundary of the site which has a timber fence to its perimeter.

To the north west of the main stable building there is a ménage which currently is lit by three lighting columns. The ménage measures approximately 25m x 40m. Waste is stored in the north western corner of the site towards a second gate which leads up the hillside towards the ménage or along the adjacent footpath (FP131).

The application site lies outside of the Urban Boundary of Water with the Countryside, as designated in Policy 1 of the adopted Core Strategy DPD as illustrated on the LDF Proposals Map 2011.

3. RELEVANT PLANNING HISTORY

- 2006/0008 – Erection of wooden stables and riding ménage - Approved
- 2008/0416- Erection of stone/slate stables and ancillary facilities - Approved
- 2012/0049 - Erection of no.3 holiday lets, site manager's accommodation, alterations to existing stables and associated works to provide parking provision - Withdrawn

4. THE PROPOSAL

The applicant seeks retrospective permission for the erection of No.3, 5m high lighting columns to the south of the existing ménage and erection of No.3, new 5m high lighting columns to the north of the existing ménage.

The columns would be of tubular galvanised steel construction. Those existing and proposed would all be the same with 50w Son-T type lamps.

The agent has stated that the lights are necessary to extend the time in which the ménage can be used in conjunction with the equestrian business. The lighting would not be on past 10pm in the evening. The bulbs have been chosen at the lowest output available and positioned/angled to only throw light onto the ménage and not neighbouring properties.

5. POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (2012)

Section 1 Building a Strong Competitive Economy
Section 3 Supporting a Prosperous and Rural Economy
Section 4 Promoting Sustainable Transport
Section 7 Requiring good design

Development Plan

RBC adopted Core Strategy DPD (2011)

Policy 1 General Development Locations & Principles
Policy 18 Biodiversity, Geodiversity and landscape conservation
Policy 21 Supporting the Rural Economy and it's Communities
Policy 23 Promoting High Quality Designed Spaces
Policy 24 Planning Application Requirements
AVP3 Waterfoot, Lumb, Cowpe, Lumb

Regional Spatial Strategy for the NW of England (2008)

DP1 Spatial Principles
RT2 Managing Travel Demand

Other Material Planning Considerations

RBC Alterations & Extensions to Residential Properties SPD (2008)

6. CONSULTATION RESPONSES

LCC Highways – No objection

7. REPRESENTATIONS

To accord with the General Development Procedure Order two site notices were posted on 03/04/12 and 22 neighbours were notified by letter on 21/03/12.

8 letters of objection have been received raising the following concerns:

- Unacceptable design for a Countryside location
- Lights are too bright / light pollution in a rural area
- Invasion of privacy to neighbouring properties
- Unacceptably impacts on views from the public footpath
- Increase in road traffic in the hours of darkness on a congested highway
- Future development on the ménage
- The need for 6 when one post with radial lights should be sufficient

8. ASSESSMENT

The main issues to be considered in the determination of this application are:

- 1) Principle
- 2) Visual Amenity
- 3) Neighbour Amenity
- 4) Access/Parking

Principle

Water Equestrian Centre is a commercial business within the Countryside and in line with Policy 21 the lighting columns will enable the retention of this appropriately sized business so that it is more attractive to users as a result of the lengthened time the ménage would be usable. In addition it is not considered they would harm the openness and character of the Countryside as the lighting columns are concentrated around the already developed ménage area.

The site is already developed as a commercial business and therefore the lighting columns are considered acceptable on the site. The scheme is acceptable in principle.

Visual Amenity

The lights are visible from a number of viewpoints along Dean Lane, from nearby properties and from the public footpaths. They are of a design that is more often associated with highway lighting. However due to this design the columns are 5m high and due to the height of the columns the light spreads downwards rather than outwards minimising the light spread to a more concentrated area within and possibly slightly outside the ménage minimising the visual impact of the illumination.

As the ménage is associated with the established Water Equestrian Centre the proposed columns in this area are not unacceptable. They would be positioned around the ménage and the development would not spread further into the Countryside as a result. Overall the scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

The proposals would not result in an unacceptable loss of light or impact upon privacy of neighbours property as the ménage is an existing use set over 100m from the nearest residential properties.

Neighbouring properties will be able to view the lighting columns but this will be from a distance of over 100m. As designed the lighting columns would only project light onto the ménage area and potentially a few metres outside of the ménage area. The light would not provide glare into neighbouring properties due to the position, angle of lamp heads and bulb strength selected as well as the separation distance.

The lights will be restricted so that they can only be left on when the ménage is in use and up until 10pm in the evening. This is to ensure the ménage is not illuminated throughout the night and lights are not left on at unnecessary times of the day or when the ménage is not in use.

Subject to conditions the scheme is considered acceptable in terms of neighbour amenity.

Access/Parking

There are no proposals to alter the current access arrangements to the site and the proposals would not require additional parking provision. LCC Highways has no objection to the scheme. Accordingly the scheme is considered acceptable in terms of access and parking.

9. SUMMARY OF REASONS FOR APPROVAL

The proposed development is appropriate in principle in the countryside and will not detract to an unacceptable extent from the openness and character of the countryside, visual amenity, neighbour amenity or highway safety. It is therefore considered that the proposed development is in accordance with the provisions of the National Planning Policy Framework (2012), Policies 1 / 18 / 21 / 23 / 24 / AVP 3 of the Council's Core Strategy DPD and Policies DP1 / RT2 / RT4 / RDF2 / L1 / EM1 of the Regional Spatial Strategy.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the drawings numbered 092A-31 and 092A-01 date stamped 19/03/12 and the bulb type shall be as stated in the 'Report in Support of Planning Application' dated stamped 19/03/12 and the lighting will not be strengthened, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and to protect visual and neighbour amenity, in accordance with Policy 24 of the adopted Core Strategy DPD.

3. The lighting columns hereby approved shall not be switched on past 10pm in the evening and shall only be illuminated when the ménage is in use.

Reason: To ensure the site is only illuminated when necessary in the interests of neighbour amenity and to reduce light pollution in the Countryside in accordance with Policy 24 of the adopted Core Strategy DPD.