

Appeal made against the refusal of planning permission

Appeal reference	APP/P1805/A/10/2138988
Planning Application	08/0675-HLP
Proposal	Retrospective application for lighting columns
Location	Meadows First and Parkside Middle School, Stourbridge Road, Bromsgrove
Ward	Sidemoor
Decision	Refused against officer recommendation 22nd July 2010

The author of this report is Helena Plant who can be contacted on 01527 881335 (e-mail: h.plant@bromsgrove.gov.uk) for more information.

Discussion

This was a retrospective planning application. The proposal had been amended during its consideration and included bollard lighting in some parts of the site and taller 6m high lighting bollards in other parts of the site. The bulk head lights on the building did not form part of the application. The appeal was considered via the written representations procedure.

The Inspector considered that the main issue for consideration was the effect of the lighting on the living conditions of nearby residents.

A small group of 6m lighting columns had, in the Inspectors mind, the greatest potential to impact upon resident's amenity. These were sited near the entrance and adjacent to the northern boundary.

These lights were considered with respect to their visual intrusion. Whilst boundary planting and fencing screened the lower parts of these columns the upper parts and those columns in the distance were considered to be visible from the gardens and rear facing rooms of nearby dwellings. The Inspector concluded however that these columns did not look out of place in and around the car park and access road. The columns were not visually intrusive and their appearance would not worsen living conditions to an unacceptable degree. The remaining columns were considered to be too far away or too low to materially effect living conditions.

With respect to light spillage, the Inspector identified that the proposed replacement of columns with bollards would '*improve matters significantly*'. The use of louvers and the reduction in wattage in one lamp was also sited. The Inspector noted that with these controls the appellant's evidence showed that light spill into dwellings would be well below the 5 lux maximum advised by the

Institute of Lighting Engineers. Further comfort was provided by the appellant's acceptance of proposed hours limiting conditions.

The inspector concluded that the living conditions of nearby residents would not be harmed to an unacceptable extent as a result of visual intrusion or light spillage. It was noted that the Council's Environmental Health Officer shared this view.

In allowing the appeal the Inspector imposed conditions relating to louvers and bulb wattage as well as restricting hours of use of the lights and listing the approved plans.

Costs application

No application for costs was made.

Appeal outcome

The appeal was **ALLOWED**.

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.