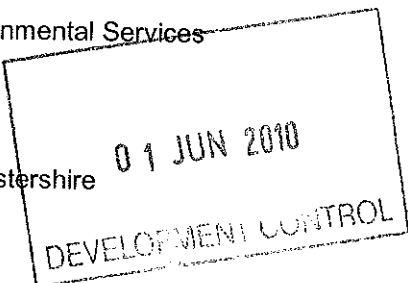


APPENDIX 1

28 May 2010

Delivered by Post

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Dear Helena

PLANNING APPLICATION REF: B/2008/0675

**RETROSPECTIVE PLANNING APPLICATION FOR THE ERECTION OF LIGHTING AT MEADOWS
FIRST AND PARKSIDE MIDDLE SCHOOL, STOURBRIDGE ROAD, BROMSGROVE**

I write further to our meeting with residents on the 19th November regarding the above application and the subsequent letter from Mr Platt dated 10 March 2010 summarising the neighbours grounds of objection.

Our agreed actions from the meeting were as follows:

1. BAM to provide copies of the lighting reports showing the other options that have been considered for the lighting scheme. These were provided to you by Jim McCormack at BAM on 20 November.
2. The residents to provide confirmation of their collective grounds of objection. This has been received and dated 10 March 2010.
3. BAM to reflect on the meeting and the residents objections and to write setting out BAM's confirmed position; whether any further amendments can be made to the scheme; and a request for determination of the application. This letter forms the basis of that response.

BAM's obligations under its performance contract

It is relevant to restate that BAM's responsibilities to the Local education Authority have been clearly set out in the Planning Statement accompanying the application. The design criteria under which BAM are working were the subject of discussion at the meeting and a referenced in the residents letter. Although it is not possible to reproduce the entirety of this contract we summarise below the relevant criteria:

Clause 3.19	Compliance with all statutory and health and safety legislation.
Clause 3.37 (1.1.3)	All service roads and access roads are constructed to an adoptable standard – including access for high sided vehicles.
Clause 3.37 (1.1.8)	All external areas are provided with adequate standard of lighting in accordance with the minimum statutory requirements and design standards.
Clause 3.41.7 (xi) -	External lighting is to be provided with lamps having an efficacy of at least 65 lumens per circuit watt and fitted with time and photocell controls.
Clause 3.41.7 (xii)-	External lighting must achieve safe environments for people, traffic and the building. Light pollution must be minimised and kept within the limits as required by BS5489 (Zone E2) and nuisance to the adjacent neighbourhood shall be avoided as required by Town Planning legislation and Building Regulations.
BREEAM -	Requires lighting to CIBSE LG6

The scheme that has been applied for meets all of the above criteria, including the BS5489 requirements.

Changes made to the scheme to date

Notwithstanding the original advice of both planning and environmental health officers that the scheme is acceptable in terms of residential and visual amenity, in response to residents concerns BAM have subsequently agreed to the following changes to the scheme:

1. Removal of the 4 most sensitive lighting columns (Columns 1-4) and replacement with 4 bollard lights.
2. Fitting of louvre backs to minimise back spill on columns 5, 6 and 7.
3. The use of a 100w luminaire on Column 7.
4. The imposition of curfew hours of operation to minimise hours of use, including the use of automatic sensors to turn the lights on and off. This means that under normal use the lights will be turned off at 6.30pm, and when the public is using the building the lights will turn off at 10pm. There will be no use at all at weekends.

As noted by your environmental officer at our recent meeting, such changes go above and beyond what is strictly necessary to comply with environmental health issues.

Residents Concerns

At the meeting it was requested that the residents set out an agreed list of outstanding concerns with the application. This has been provided in the form of a letter dated 10 March 2010. The letter confirms that there are 6 key issues and we deal with these in turn.

1. Reduction in column heights (6m considered excessive)

6m column mounted luminaries were chosen for the design because this was considered to be the optimum design solution to meet the Performance Specification. Lower height columns would have resulted in more columns with reduced lamp wattage. Columns of greater height would have resulted in less columns with higher lamp wattage. Bollard lighting would have been impeded by parked cars, and a vast number would have been required to meet the LEA requirements.

2. Reduction in intensity of lights from 150W to 75W or less

In order to meet the Performance Specification such a measure would result in a greater number of columns being required. Lower wattage lamps were considered but the design arrived at is considered the optimal solution, when balanced the correlating issues of number and height of lamps.

3. Removal of the curved glass in the road lighting luminaries

This again could not be done without further alterations to the number/height/wattage of the lamps. The design uniformity would not be achieved if this was done in isolation. As previously stated, the design solution is considered to be the optimum balance of the various options.

4. Complete re-design should be considered. The latest submission has minimal change.

We do not agree that complete redesign is appropriate. The lighting scheme complies with the Performance Specification required by the Education Authority as well as industry design standards provided by the Institute of Lighting Engineers (ILE). It also complies with all relevant statutory and health and safety legislation, including British, European and International Standards. It has also been assessed by your own Environmental Protection Unit who have concluded that the amenity of residents will not be harmed.

The latest changes are not minimal. They involve removal of 4 of the 6m light columns along the most sensitive boundary and replacement with 1.2m bollards. This change, combined with the fitting of louvers to minimise back spill, the imposition of curfew hours and the alteration of the wattage of the lamp closest to 1 Santridge Lane all represent a significant reduction in the impact of the scheme on nearby residents.

5. A curfew of 6pm when the school buildings are not in use

Curfews are acceptable and have already been agreed as a condition of use. Those lights closest to the boundary (Lights 1-6) have an agreed curfew of 6pm. The remaining lights have an agreed curfew of 6.30 pm during normal operational times and 10pm during times of community access. There is an agreed total curfew at weekends and bank holidays. Furthermore all lights are fitted with light sensors so they automatically turn off during daylight hours.

6. Provide lanterns that would complement a school designed for the 21st Century

There are numerous furniture types and lamp styles. If this was the only matter of concern BAM would be willing to consider alternative style lamp heads but from the objectors letter this clearly is not their main issue of concern and would not resolve the other objections.

Conclusions and Next Steps

It is considered that the design solution for the lighting is the optimal solution which meets the Education Authorities performance specification. It meets all relevant standards and guidelines and furthermore has been recommended for approval by planning officers. We therefore consider that we have done everything possible to meet residents concerns within the context of the above and request that the application now be determined by the Council.

If you have any queries please do not hesitate to contact me.

Yours sincerely



David Green
Director

Enc.