

Unrestricted Report

ITEM NO:

Application No.
21/00092/CON

Ward:
Binfield With Warfield

Date Registered:
1 July 2021

Target Decision Date:
26 August 2021

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Site Address:

**Land At Tilehurst Lane Tilehurst Lane Binfield
Bracknell Berkshire**

Proposal:

Details pursuant to conditions 25 (External Lighting) & 26 (Lighting Design for Biodiversity) of planning permission 18/00758/FUL (APP/R0335/W/19/3231875).

Applicant:

Burrington Estates

Agent:

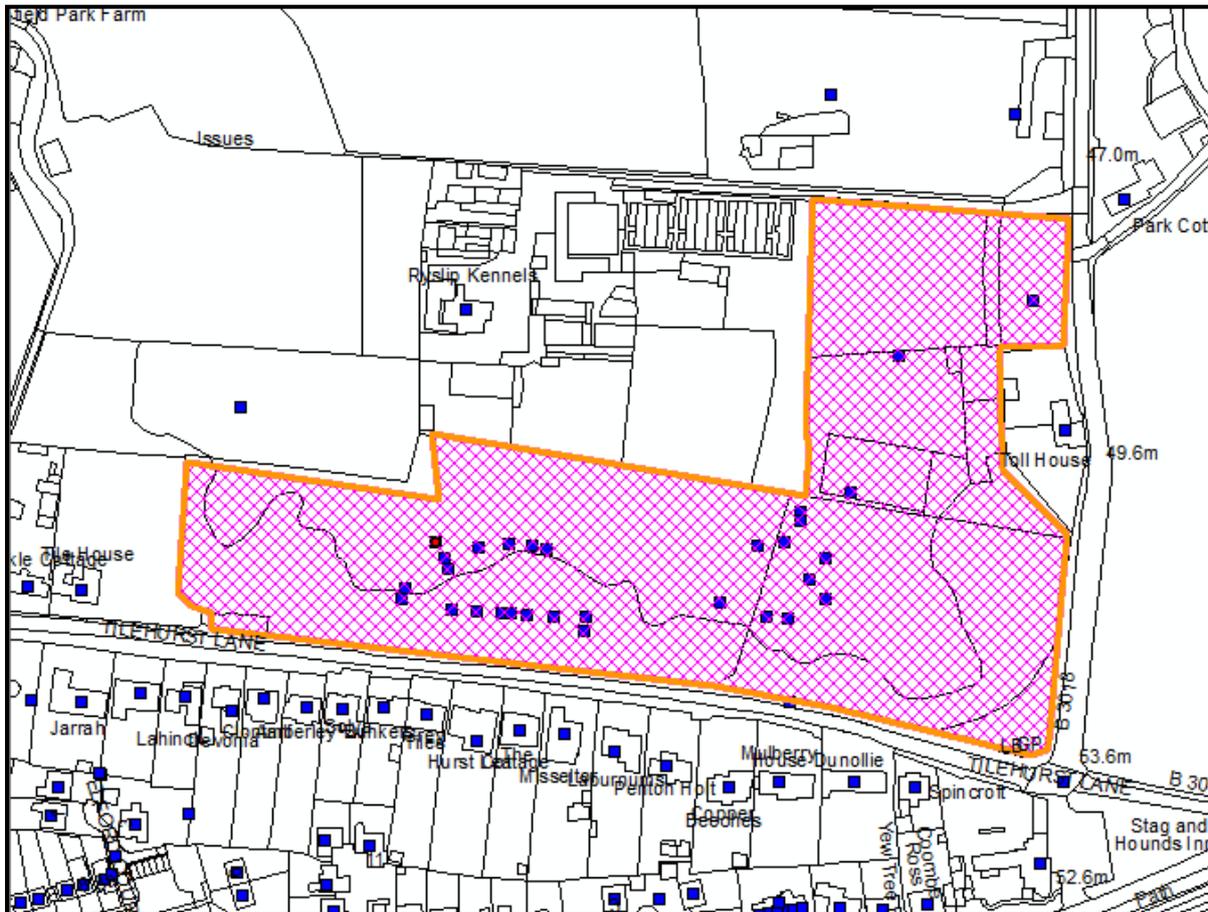
(There is no agent for this application)

Case Officer:

Jo Male, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



OFFICER REPORT

1. SUMMARY

1.1 The application submits details of external lighting pursuant to conditions 25 and 26 of planning permission 18/00758/FUL which was allowed on appeal. This permitted the erection of fifty-three dwellings, (including thirteen affordable houses), together with open space, landscaping and vehicular and pedestrian access from Tilehurst Lane.

1.2 The details are considered acceptable. The submitted scheme provides an appropriate level of lighting to ensure pedestrian and highway safety and would have an acceptable impact in terms of the character and appearance of the surrounding area, the amenities of adjoining residential occupiers, and biodiversity.

| RECOMMENDATION |
|---|
| The submitted details be APPROVED as set out in Section 11 of this report. |

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee because it has received more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

| PLANNING STATUS |
|--|
| Countryside |
| Located between 5 - 7km of the Thames Basin Heaths SPA |
| Trees predominately to the front (southern) and eastern boundaries of the property are subject to TPO 1172 |
| Buildings within the vicinity of the site are listed |

3.1 The site extends to 3.35ha and lies to the north of Tilehurst Lane and west of Church Lane. The site is roughly L-shaped with the northern boundary abutting Ryslip Kennels and its eastern edge bounded by the curtilage of a two storey dwelling known as Toll House, and Church Lane.

3.2 To the west lies Tile House, a Grade II Listed building. The site's southern boundary abuts Tilehurst Lane. A tree preservation order covers individual trees and groups of trees lying on the site to the north of Tilehurst Lane and close to Church Lane, south of Toll House (TPO 1172 refers).

3.3 The site lies to the north of the eastern extent of Binfield village. Residential properties front on to Tilehurst Lane opposite the application site with The Stag and Hounds PH, a listed building, at the eastern end of the lane close to the site's south-eastern corner.

4. RELEVANT SITE HISTORY

4.1 In October 2019, planning permission was granted on appeal for the erection of fifty three dwellings, (including thirteen affordable houses), together with open space, landscaping and vehicular and pedestrian access at land at Tilehurst Lane, Binfield (LPA ref: 18/00758/FUL).

5. THE PROPOSAL

5.1 This application seeks the approval of details submitted pursuant to conditions 25 and 26 of planning permission 18/00758/FUL which relate to external lighting (Condition 25) and an External Lighting Strategy for Biodiversity (Condition 26).

5.2 Condition 25 states:

No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.

Condition 26 states:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with the details provided in respect of Condition 23, or in details set out in a Lighting Design strategy for Biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- i) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

5.3 The Inspector indicated that conditions requiring the submission of details of lighting prior to work commencing on site were required to protect the character and appearance of the area and ensure that habitats of birds and bats are protected.

5.4 A single external lighting scheme has been submitted pursuant to Conditions 25 and 26, which takes into account the impact of the lighting on biodiversity.

5.5 It is intended that the main access roads and associated footpaths through the site, linking Tilehurst Lane to the central area of open space/play area be adopted. Accordingly, the proposed lighting for these areas accords with the Council's standards and shows 5m high galvanised steel lighting columns along these access routes. All

light fittings would be LED lanterns fitted with internal rear louvres in order to limit light spill and all would be constructed to adoptable standards using dimmable electronic drivers.

- 5.6 In relation to those areas which are not to be adopted, low-level bollard lighting will be provided. These would also incorporate rear shields in order to reduce the amount of light spill within the site.
- 5.7 The submitted drawing shows lux contours which indicate the spill of light from a specific luminaire. Luminance of 1 lux is considered to be equivalent to full moonlight.

6. REPRESENTATIONS RECEIVED

6.1 Six letters of representation have been received raising the following material considerations:

- Scheme fails to provide appropriate and reasonable lighting which reflects the rurality of Tilehurst Lane and which was offered by the developer at the various appeal hearings
- Lighting scheme should minimise light pollution and reduce general visibility of lighting from Tilehurst lane
- Bats are a particular feature of the site and any lighting plan needs to be sensitive to their needs
- Scheme should be amended so that all light columns have shields to direct light away from Tilehurst lane [Officer Note: Amended plans have been submitted which show rear shields to be fitted to all light fixtures].
- Previously stated at appeals that lighting on pedestrian footpaths not running adjacent to roads should be low bollard-style lights
- New planting is not indicated on lighting plan and should be shown as to how it can limit adverse impact on Biodiversity. [Officer Note: A landscaping scheme has been approved under application 21/00030/COND and the proposed lighting scheme has been considered within the context of this approved scheme].
- BFC has the right to control the lighting including details of lighting units, levels of illumination and hours of use so scheme should be amended to be more appropriate to edge of countryside location [Officer Note: The scheme provides lighting which meets the Council's standards for adopted highways which will be dimmed in accordance with the timings identified in the Highway Lighting Engineer's advice set out later within this report].
- The luminaires proposed use 4000k luminaire whereas the ecological report recommends 'a warm, white spectrum (ideally 2,700k)'.
- No dark corridor for the eastern half of the plan where there are three 5m unshielded street lamps within 5 metres of the tree line along Tilehurst Lane [Officer Note: The amended plans address this point].
- No consideration given to increased spacing on street lighting
- Motion sensors not included

7. SUMMARY OF CONSULTATION RESPONSES

Highway Lighting Officer

Confirms that the lighting column positions show on the revised plan are consistent with those being approved under the s38 Highway Adoption Agreement.

Highway Officer

No objection.

Biodiversity Officer

No objection.

8. DEVELOPMENT PLAN

8.1 The Development Plan for the Borough includes the following:

Site Allocations Local Plan (2013) (SALP)

Core Strategy Development Plan Document (2008) (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan (2202) (BFBLP)

'Retained' Policies of the South East Plan (2009) (SEP)

Bracknell Forest Policies Map (2013)

The application site also lies within the designated Binfield Neighbourhood Plan area such that the Binfield Neighbourhood Plan (2016) also applies.

9. PLANNING CONSIDERATIONS

9.1 The proposed lighting has the potential to impact upon the character and appearance of the area, the amenities of adjoining residents, and biodiversity. Policy EN20 of the BFBLP requires development not to adversely affect the amenity of surrounding properties and the adjoining area and Policy CS1 of the CSDPD requires development to protect and enhance biodiversity.

9.2 The submitted scheme has been amended since its original submission in order to ensure the minimum level of lighting is provided which is compatible with highway and pedestrian safety. As now proposed, the scheme shows all areas to be adopted, would be lit in accordance with the Council's standards, with the remaining areas lit with low level bollards. The Council's Highway Lighting Engineer has confirmed that it would be inappropriate to use bollard lighting in adoptable areas as it is not possible to achieve the required lighting standard using them. Furthermore, these types of bollards are costly and would impose a significant maintenance burden/liability on the Council.

9.3 The following information is provided by the Lighting Engineer in terms of the visual impact of the lighting from the LED luminaires sited on 5m high columns which are shown for the adoptable areas:

'The LED luminaires these days are excellent at controlling the spill of light rear and upward light spill. Our standard prevents any upward light spill entirely by installing with no lantern tilt in Bracknell. We are one of the only boroughs that do this, most use 5 degrees as a minimum. The rear spill emitted is so well controlled it is negligible and debateable whether or not shields are actually required however in Bracknell I specify this to remove any risk entirely by installing them.

For some idea 2 lux of rear spill is the limit of where things can be considered obtrusive enough to take action through windows. The rear spill of this type of luminaire and height of column emits around 6m back of post at 100% light output (We will be dimming or starting at 70% output to achieve the recommended

standards for this scheme for info so this distance will be even less from the offset so in actual fact the 2 lux line will be about 5m back of post).

By installing an internal rear shield BL1 at 100% light output the 2 lux line moves to around 3m. Lastly its worth mentioning that the lighting will dim throughout the night from 70% in this case down to 35% further reducing any light spill.

| Time | % of Light Output |
|---------------|-------------------|
| 06:00 – 20:00 | 70% |
| 20:00 | 49% |
| 22:00 | 35% |
| 05:00 | 49% |
| 06:00 | 70% |

Impact upon Character and Appearance of the Site

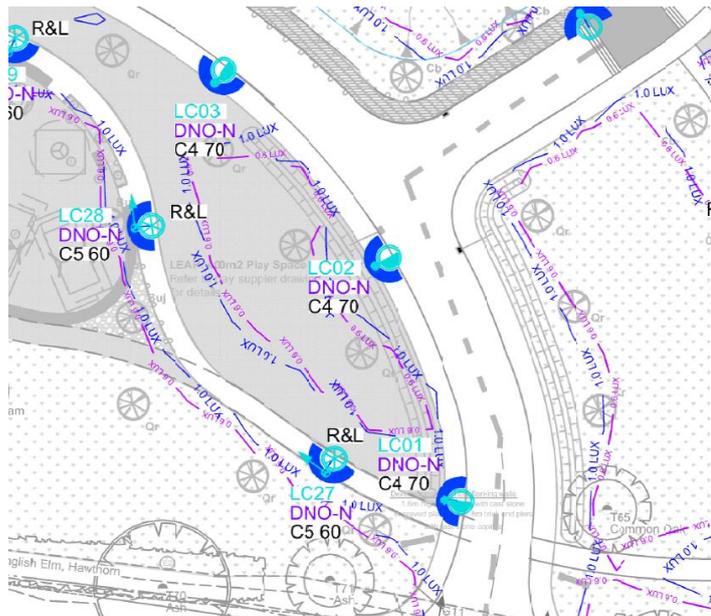
- 9.4 The site is an edge of settlement location within a semi-rural location. In allowing the appeal and granting permission for 53 dwellings on this site, the Inspector acknowledged that the development would cause some harm to the rural setting of Binfield as a result of a number of factors, including lighting, commenting at para. 54 of the decision letter as follows:

‘54. In as much as the open land would be lost, including the sights associated with such a countryside landscape, together with the introduction of noise, vehicle movements and lighting, there would be some harm to the rural setting of Binfield. Furthermore, the current existing clear built edge of the settlement would change and there would be less opportunity for members of the public to appreciate that edge. However, the change would occur on well contained sites and would be accommodated in a manner that would be sensitive to the wider locality, such that the harm to the character and appearance area would be limited’.

- 9.5 Whilst, the proposed lighting will have some visual impact upon the character and appearance of the area, the 5m high lighting columns will be viewed within the context of the housing development and all will be fitted with rear shields that will limit light spill. The bollard lighting is low level and enclosed within the envelope of the development.
- 9.6 The existing vegetation along Tilehurst Lane has been retained which will limit the visibility of any lighting from the public realm, although views into the site are clearly provided from the access point. The design of the scheme seeks to minimise the impact of lighting whilst providing sufficient illumination to achieve highway and pedestrian safety. The provision of some lighting is a necessary consequence of any residential development of the site, as recognised and accepted by the Inspector. Accordingly, the impact of the lighting on the character and appearance of the area is considered acceptable.

Impact on Residential Amenities

- 9.7 The submitted information confirms the very limited light spill that will result from each luminaire, each of which will be fitted with a rear shield. An extract from the Lighting Layout plan below, indicates a contour where the level of light spill for each luminaire is 1 lux:



- 9.8 As indicated in the Highway Lighting Engineer's comments, 2 lux of light spill at a residential window would be considered obtrusive. However, the submitted information demonstrates that very limited light spill will be emitted from individual lights, and the 2 lux level would not result in proximity to any residential property. As a result, the proposed lighting scheme is considered to have an acceptable impact upon the residential amenities of dwellings both within the development and beyond.

Impact on Biodiversity

- 9.9 The revisions to the proposed scheme have provided rear shields to all 5m lighting columns in order to limit light spill on existing tree lines which could provide a habitat for foraging bats. The lighting plan shows a low level (0.6 lux) of light spill affecting the drainage pond located to the south-west of Plot 27. Such habitats are very sensitive to light. However the addition of the rear shield to the adjacent column will reduce the impact of this light as an artificial draw for insects and is considered acceptable. Accordingly, the Biodiversity Officer has confirmed that the scheme is acceptable from a biodiversity perspective.

10. CONCLUSIONS

- 10.1 This application submits details of an external lighting scheme pursuant to conditions imposed by the Inspector when allowing an appeal and permitting the construction of 53no. dwellings on the site. The need for external lighting is an inevitable consequence of a residential development of the site. The Inspector took into account its potential impact upon the character and appearance of the area and concluded that the level of harm that would be caused would be limited.
- 10.2 The scheme has been designed to provide the minimum level of lighting required in order to ensure highway and pedestrian safety whilst limiting its impact on biodiversity, including providing rear shields to all luminaires in order to limit light spill. Adoptable areas will be lit in accordance with the Council's standards and will be operated by the Council in line with current practice which includes dimming them throughout the night. Other lighting within the site would be provided by low-level bollards which would be set within the confines of the approved development.

- 10.3 It is considered that the proposed lighting would have an acceptable impact upon the character and appearance of the site, would not have an adverse impact upon the amenities of adjacent dwellings and would not adversely impact upon biodiversity such that it complies with development plan policies CS1 and EN20 and accordingly approval is recommended.

11. RECOMMENDATION

That the application be APPROVED on the basis of the following details:

Conditions 25 (External Lighting Scheme) and Condition 26 (External Lighting Scheme for Biodiversity):

1871-DFL-HLG-XX-CA-EO-13001-S3-PO6 Lighting Design Calculations
1871-DFL-HLG-XX-CA-EO-13003-S3-PO6 Lighting Design Calculations
1871-DFL-HLG-XX-DR-EO-13001 PO8 Lighting Layout S38 received
23.02.2022
1871-DFL-HLG-XX-RP-EO-13001-S3-PO5 Designer Notes
Rev E

Informative:

01. The applicant's attention is drawn to the terms of Condition 26 of the planning permission granted in respect of this site (APP/R0335/W/19/3231875) which restricts any external lighting being installed on the site or affixed to any buildings unless submitted to and approved by the Local Planning Authority pursuant to conditions 25 or 26 of this permission. Should any further external lighting be required, including that to be fixed to any of the approved dwellings, this will require a further discharge of condition submission.