

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005
AUTHOR/S: Director of Development Services

**S/2213/04/F - Great Shelford
External Lighting in Car Park and Other Areas (Part Retrospective Application) at
Scotsdales Garden Centre, 120 Cambridge Road for Scotsdales Nursery and
Garden Centre**

**Recommendation: Refusal
Date for Determination: 24th December 2004**

Site and Proposal

1. The application site is occupied by Scotsdales, a large garden centre located in the Green Belt to the rear of residential properties fronting the north east side of Cambridge Road.
2. The full application, submitted on 29th October 2004, seeks to provide external lighting in the car park and other areas. A total of 18 x 6 metre high lighting columns (including 1 retrospective column) are proposed throughout the car parking area whilst a further 3 columns, also 6 metres high, would be provided in the external conservatory/shed show area. 7 of the columns would replace existing low-level lighting whilst the remainder would be new lighting columns. A covering letter submitted with the application states that the lighting for the site is paramount for the safety of both customers and staff. Currently, as soon as dusk falls, the car park becomes hazardous as it is not possible to see to walk to a parked vehicle. It is intended that the lights would be on from dusk until 6.30pm except for late shopping evenings.

Planning History

3. There is a lengthy planning history associated with the site. Of direct relevance to this application, in 1992 an enforcement notice was issued by this Authority against 11 tall lighting columns that had been erected in the Scotsdales car park. An appeal was lodged against the enforcement notice and was subsequently dismissed.
4. Under planning reference **S/1102/93/F**, planning permission was given for 5 x 1.75 metre high lighting columns within the car parks. This was subject to a condition that the columns be switched off between the hours of 6pm and 8am unless otherwise agreed in writing.

Planning Policy

5. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

6. **Policy 9/2a** of the Structure Plan states that within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area.
7. **Policy GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated.
8. **Policy ES3** of the Local Plan states that, in considering development proposals requiring external lighting, the Council must be satisfied that the lighting scheme is the minimum required to undertake the task, there is no light spillage above the horizontal, the lighting does not have an adverse impact upon neighbouring or nearby residential properties, appropriate measures are undertaken to screen the lighting in edge of village or countryside locations, and there will be no dazzling or distraction to drivers, cyclists or pedestrians.

Consultations

9. **Great Shelford Parish Council** states:

“ In the past it has been the policy of the Parish Council to only approve low level lighting on this site, to avoid creating light pollution in the green belt and harming the amenities of residents along Cambridge Road. We understand that the lighting is needed for safety reasons but the proposed lighting is too industrial for the site viz. 'suitable for use on factory roadways, approaches to industrial areas' and we therefore cannot recommend approval. We would need to be re-assured that any high level lighting meets with modern standards regarding sideways and upwards pollution and would not harm the amenities of adjoining residents. There is no need for high level lights on the western boundary of the site and we would prefer to see low level lights here. The lights should not be illuminated after opening hours.”
10. **The Chief Environmental Health Officer** raises no objections.

Representations

11. A letter of objection has been received from No.102 Cambridge Road. The main points raised are:
 - Scotsdales erected high level lighting in the car park some 9 or 10 years ago. The Council required them to be taken down and replaced with low level lighting which overcame neighbour objections about lights shining down their gardens;
 - The trees planted along the boundary with residents gardens have now grown but are deciduous and would therefore offer little cover from any new lights;
 - With respect to the issue of safety, the islands on which it is proposed to place the new lights are easy to see and contain bushes which help to outline them.

Planning Comments – Key Issues

12. The key issues to consider in the determination of this application are:
 - Impact upon the character, appearance and openness of the countryside and Green Belt; and
 - Impact upon residential amenity.

13. As stated in the history section above, an appeal against an enforcement notice requiring the removal of 11 tall lighting columns from the site has previously been dismissed.
14. This Authority considered the lighting columns to be clearly visible from Cambridge Road and from neighbouring properties. The applicants stated that the lighting was required for safety reasons and would be extinguished by 6pm other than during late shopping nights. However, this Authority's view was that the light emanating from the buildings of the garden centre together with the headlights of cars using the car park combined with some additional lighting should be sufficient for safety purposes. The additional lighting required should be in the form of low level bollards as the columns were considered to have a detrimental effect upon the green belt and upon neighbouring properties.
15. In his consideration of the case the Inspector stated:

“In this context it seems to me that the lighting columns which have been erected are mainly of a utilitarian design and more suitable for an urban area or an area of public car parking than the site close to residential properties and in the Green Belt. The most ornate columns near to the building also seem to my mind to be out of place.....Safety....considerations are important but it seems to me that this is not a public car park where vehicles might be left unattended for long periods or overnight where high level lighting might be needed to deter vandalism and crime. Neither will vehicular traffic be fast moving where again high level illumination might be required in order that vehicle drivers might avoid accidents.....Customer convenience is also important but again I do not consider that the present high level illumination is necessary to achieve that aim. Some illumination might be necessary to enable customers to load and unload their vehicle during hours of darkness but the present lighting columns are not to my mind justified for this reason alone.”
16. I have searched this Authority's records. There is a plan attached to the enforcement notice showing the location of the 11 lighting columns (these were sited adjacent to the eastern rather than western edge of the car park). However, I cannot trace any record of the height of the columns erected at the time. The lighting currently proposed is 6 metres high and has the appearance of footpath/street lighting. I consider the lighting to be both tall and utilitarian in design and I therefore consider that it does not overcome the reasons behind the dismissal of the aforementioned appeal. The current scheme also proposes 7 additional lights over and above those previously erected on the site and these are predominantly sited adjacent to the western boundary. Although the Environmental Health Officer has not raised any specific objections to the lighting proposed adjacent to residential boundaries, the impact would clearly be greater than the effect of the lighting previously erected on the site.
17. The current proposal is also justified on safety grounds. If additional lighting is required, I would suggest that further low level lights, in keeping with the existing car park lighting, should suffice.

Recommendation

18. Refusal

The proposed lighting, by virtue of the height, number, design and siting of lighting columns, would be detrimental to the character of the site and to the amenities of

residential properties in Cambridge Road. The proposal therefore constitutes inappropriate development in the Green Belt and the very special circumstances required to allow such development have not been demonstrated. As such, the proposal is contrary to South Cambridgeshire Local Plan 2004 Policy GB2 which defines inappropriate development and states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated; Cambridgeshire and Peterborough Structure Plan 2003 Policy P9/2a which states that, within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area; and Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2213/04/F

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