

## **Appendix to Item D6**

# **Details of external lighting and landscaping for new arts & media centre, Hextable School – ref. SE/03/2186/R6+7**

A report by Head of Planning Applications Group to Planning Applications Committee on 11 April 2006.

Details of external lighting and landscaping pursuant to conditions 6 and 7 of permission SE/03/2186 for a new arts & media centre, additional car parking, bus and drop off laybys, Hextable School, Egerton Avenue, Hextable.

Recommendation: APPROVAL be granted.

Local Member: Mr M Fittock

Unrestricted

### **Introduction and Background**

1. Planning permission for a new arts and media centre at Hextable School was granted in 20 January 2004 (ref. SE/03/2186). The building, which is now referred to as 'Hextable Dance', has now been constructed. At the Planning Applications Committee meeting in October 2005, Members approved amended plans showing more extensive roof top plant, including air conditioning equipment. It was also agreed that the applicants (the Governors of Hextable School and KCC Education & Libraries) would be reminded of outstanding details required by planning conditions. Retrospective details of external lighting have now been received, and have elicited objections from local residents. Details of landscaping have also been submitted for consideration.

### **Site**

2. The new building is located in the north-eastern corner of the Hextable School site. Access is from Egerton Avenue via an 'in-only' entrance to the south and an 'out-only' exit to the north. Hextable School is located at the south-western edge of Hextable village, itself just north of Swanley. The school site is within the Metropolitan Green Belt although the surrounding houses are not. A site location plan is attached.

### **Proposal**

3. The current submission included details pursuant to two planning conditions imposed on the original planning consent:

**Landscape planting** within the site, comprising 3 areas of shrub planting (with a mix including berberis, ceanothus, contoneaster, euonymous, hebe, spirea and weigela) and 6 rowan trees (sorbus arnoldiana) in the car parking area.

**External lighting** within the site, comprising 3 new column mounted lights to the rear of the new building, 2 repositioned column mounted lights in the car parking area to the front, external illuminated sign, ramp/stair lights, bulkheads and canopy lights, to the front side and rear of the new building.





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#### Development Plan Policies

4. The following Development Plan Policies are relevant to this application:

#### **Kent Structure Plan 1996 / Kent and Medway Structure Plan (Deposit) September 2003**

- S2 The quality of Kent's environment, including the visual, aural, ecological, atmospheric, and water environments, will be conserved and enhanced, and measures will be taken to minimise, and where appropriate, mitigate, any adverse impacts arising from development and land use change.
- S9 Local Authorities will have regard to the need for community facilities and services, including education, health and cultural facilities. *(This policy is carried forward in the form of Policy QL12 of the emerging Kent & Medway Structure Plan, which provides for the development of existing local community services, particularly where services are deficient).*
- ENV15 The character, quality and functioning of Kent's built environment will be conserved and enhanced. Development should be well designed and respect its setting. *(This policy is carried forward in the form of Policy QL1 - which relates to the quality of development and design - of the emerging Kent & Medway Structure Plan).*
- MGB3 Within the Green Belt there is a general presumption against inappropriate development. The construction of new buildings is inappropriate unless it is for a number of specified purposes. Any development approved within the Metropolitan Green Belt will be required to be designed and sited so as to maintain the open character of the area and should not conflict with the purposes of including land within the Green Belt. *(This policy is carried forward in the form of Policy SS9 of the emerging Kent & Medway Structure Plan).*

#### **Sevenoaks District Local Plan 2000**

- EN1 Outlines several criteria to be applied in the consideration of planning applications, including built form, layout, local amenity, means of access/parking and traffic generation.
- GB1 Defines the Metropolitan Green Belt boundary and lists a number of settlements, including Hextable, where for development proposed beyond settlement boundaries policies GB2 (see below), GB3A (re-use of buildings), GB3B (re-use of agricultural buildings) and GB4 (see below) apply.
- GB2 Within the Green Belt there is a general presumption against inappropriate development. The settlements in which infilling or other development is considered appropriate are listed in Policy GB1.
- GB4 Any development approved within or conspicuous from the Green Belt must be sited, designed and use materials which maintain the open character of the area, avoid detriment to visual amenity and minimise potential harm.

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PS2      Proposals for new or improved social and community facilities including infrastructure works will be permitted in suitable locations provided that they comply with relevant criteria of Policy EN1 and other relevant policies.

#### Consultations

5. **Sevenoaks District Council:** No objection.
6. **Swanley Town Council:** No comments received.
7. **Landscape architect:** No objections to the proposed details:

“Although the proposed lighting is of relatively low strength, we feel that lighting throughout the duration of the dark hours could detract from the dark character of the designated Green Belt land. However, as the proposed development is at the edge of the Green Belt and not within open countryside, the impact will be less noticeable.”

#### Local Member

8. The Local Member, Mr M Fittock, was notified of the submission on 28 September 2005.

#### Publicity and Representations

9. Neighbour notification of 31 local residents has been carried out. The points raised in 5 letters of objection to the external lighting details are summarised below:
  - The existing lighting at the site causes significant light pollution for nearby houses. The “high performance wall mounted luminaires” on the north facing wall shine directly into houses all night. The School should have motion sensors and ‘downlights’ that illuminate the walkways rather than the whole neighbourhood. Although the Architects have asked for the illumination to be turned off overnight, that has not happened, or will not be happening.
  - The existing ‘street lighting’ on the site is in a bad state of repair, with up to half not working. Maintenance of this existing lighting should be undertaken.
  - Objection is raised because we currently have floodlights and security lights that flood into our home, which is a disturbance. Although they may be on a timer, they do not go off until 3am. We say no to more external lighting.
  - Questions why the lighting proposal is retrospective. The lights are on from dusk to dawn, which in winter is a very long time. The lights help children who break-in or throw bricks at 10pm. Light pollution should be minimised and at least go off at night.
  - The School is constantly abusing the original plans of which they obviously did not adhere to. The lights are on all night and shine through our bedroom window thus affecting our sleep pattern. They do not deter children who loiter on the school premises in the evening. We wish to express our views at the Planning Committee Meeting.

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- How many more applications does the School want to make? The lights are just another addition the School has made without the proper planning approval. Residents are tired of these constant applications that seem to be approved without a care as to how they have truly upset our rural life.
- The lights are not only excessive, they are on all night and light up bedrooms. It is supposed to be dark living in the country, but this centre has changed the rural character of Hextable and not for the better.
- The lights are not needed for security reasons because since the building has been erected it has attracted children who loiter in the grounds, with or without the lights.
- The School has no concept of being environmentally friendly as they seem quite happy to burn energy with these lights on all night.

#### Discussion

10. This submission proposes details of external lighting and landscaping for the new Hextable Dance development at Hextable School. The submission needs to be considered in the context of the relevant Development Plan Policies together with other material considerations brought to the County Council's attention through publicity and consultation.
11. The key Development Plan policies of relevance are those seeking to minimise the impacts of pollution, particularly in the countryside. The landscaping details do not conflict with these policy objectives, but the lighting proposals are inevitably going to introduce an additional element of light intrusion in the locality. If the need for the lighting and the on-site amenity advantages are to be accepted, then I consider that the wider impacts on the adjacent countryside are minimal and not therefore significantly conflicting with the policies. In particular, the building and its lighting is enclosed by other existing buildings within the school site and so does not intrude into the wider countryside. However, given the building's proximity to the neighbouring residential development, there is some intrusion for local residents as reflected in the representations received.
12. The Policies which relate to the Green Belt are primarily concerned with maintaining its openness and preventing built up areas from coalescing, rather than protecting the intrinsic quality of the countryside, and are therefore not strictly relevant to the currently submitted details. The original planning applications for the new built development, were twice referred to the Secretary of State as departures from the Development Plan, with particular regard to the Green Belt location, but he chose not to intervene in the decision process.
13. Several letters of objection have been received with respect to the proposed lighting (which is actually in place already). The complaints focus both on the fact that the external lighting is left on all night, and also on the brightness and the light disturbance caused by the lighting itself. The initial lighting specification provided for most of the lights to come on at dusk and off at a predetermined time, and for the emergency lighting and fire escape bulkheads to come on at dusk and off at dawn. Although lighting can be sensitively designed and located to reduce both light glare and light spill, where it is required for health and safety and/or site security reasons, there is likely to be some

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impact beyond the immediate area to be lit, otherwise it would be of little use. Clearly though there is some light disturbance for residents and I consider that a better balance between the security and safety requirements of the School and the residential amenity impacts needs to be sought.

14. Having investigated the matter further with the applicants, I am advised that all the external lights are governed by time controls and are therefore capable of being adjusted and operated in a more neighbourly fashion than hitherto. In particular, the external lights switch on at dusk by photocell and extinguish by timers located in various parts of the new building. The only lights that are intended to be on all night are the low intensity security lights, which should not themselves prove to be a nuisance or have any impact beyond their immediate siting, being small bulkhead fittings.
15. The Director of the Dance Centre has recently written to local residents on various points, including the complaints over the external lighting and stated as follows:

*“Centre Management are doing their utmost as part of the ‘snagging process’ to work with the building engineers to resolve the issue of the ‘Hextable Design’ sign staying on all night. I only wish it was as simple as flicking a switch.*

*Hextable Dance has had a positive impact on crime prevention and anti-social behaviour on the site of the Hextable School. The Centre has ‘state of the art’ CCTV surveillance equipment that will ensure that any culprits are caught and prosecuted, and that any visitors to the facilities after dark feel safer. Centre Management will endeavour to tone down exterior lighting, but not if it impedes CCTV surveillance and general security.”*

16. Whilst I can accept the need for some lighting within the site, given a chronic problem with vandalism and unauthorised access at this particular school site, I consider that the current operation of the lighting is unnecessarily intrusive and detrimental to residential amenity. Under the circumstances, I consider that all the lighting (including the externally illuminated ‘Hextable Dance’ sign) other than the security lighting and that needed for CCTV surveillance should be extinguished within a reasonable time of the Dance Centre actually closing for use. The permitted hours of use of the Centre currently provide for evening use up to 2230 hours (and until 2130 hours on up to 20 Sundays or Bank Holidays per year), and I would expect such lighting to be extinguished within 15 minutes of those times, to allow for departure of all staff and visitors.
17. Details of the proposed landscaping scheme have also been received. No objections have been raised to this element of the proposals and I therefore intend to approve the landscape scheme as submitted.

### Conclusion

18. On balance, I consider that the submitted lighting details should be approved, subject to a strict requirement for the extinguishing non-security lighting within 15 minutes of the previously permitted closing time of the Dance Centre. I also consider that the landscaping details should be approved as submitted.

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#### **Recommendation**

19. I RECOMMEND that APPROVAL BE GIVEN TO the submitted landscaping scheme and the submitted external lighting scheme, SUBJECT TO the extinguishing of all non-security lighting by 2245 hours on Mondays to Saturdays and by 2145 hours on those Sundays and Bank Holidays when the premises are in use.

Case Officer: Mark Funnell
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Tel. no. 01622 221058
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Background Documents - see section heading
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#### APPENDIX

Photographs 1 and 2: Architect's photos of completed building.



VIEW FROM NORTH



VIEW FROM SOUTH-EAST LOOKING TOWARDS MAIN ENTRANCE

HEXTABLE DANCE SCHOOL  
VIEWS SHOWING ROOF-TOP PLANT INSTALLATION

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Photograph 3: Architect's photo of completed building.



VIEW FROM EAST

HEXTABLE DANCE SCHOOL  
VIEWS SHOWING ROOF-TOP PLANT INSTALLATION