



Report of the Chief Planning Officer

PLANS PANEL (EAST)

Date: 5th January 2012

Subject: APPLICATION 11/00460/LA – Retrospective application for Floodlighting and CCTV camera to car park at Community Youth Centre, Belle Isle

APPLICANT
Childrens Services

DATE VALID
4 February 2011

TARGET DATE
01 April 2011

Electoral Wards Affected:

Middleton Park

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

GRANT PERMISSION subject to the following conditions:

1. The lighting shall not be switched on before 7.45 hours or after 21.30 hours Monday to Saturday or before 8.45 hours or after 18.30 hours on Sundays.
2. Development in accordance with approved plans and in accordance with details contained in correspondence from applicant dated 12th July 2011.
3. CCTV camera to be masked to prevent intrusion towards residential properties.

Details of conditions to be deferred and delegated to Officers.

Reasons for approval: This application has been considered in accordance with the requirements of PPS1 and it is considered that the proposed development is acceptable in terms of amenity and as such considered to comply with the following policy in the UDP Review GP5 and other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel following discussions with the Local Government Ombudsman, who has found that it was maladministration for the developer to carry out the floodlight development without first obtaining planning

permission. In the interests of transparency, it is considered a decision by Plans Panel to be the most appropriate.

2.0 PROPOSAL:

2.1 This retrospective application is for the erection of thirteen, 8m high lighting columns, with floodlights to the Youth Hub car park. 7 of the columns are sited to the boundary of the site adjoining the rear gardens to houses on Windmill Road, and the other 6 are located adjacent to the access road and entrance into the car park.

2.2 In addition, the (retrospective) application seeks permission for a CCTV camera mounted on an 8m column, located close to the rear of the houses on Windmill Road, abutting existing car parking spaces.

3.0 SITE AND SURROUNDINGS:

3.1 Merlyn Rees (former) High School has been demolished following its closure in recent times. The only building retained is the 2001 built school hall which is used as a Youth Hub. The hall was extended to the east (single storey brick, with entrance canopy).

3.2 More recently, the building has been extended with a large two storey structure to the side of the single storey building, to allow for workshop, teaching and support services to be formed. The car parking is located mainly between the building and the back gardens of the nearest houses. The car parking is set at an elevated level in relation to the houses, given the topography.

3.3 The hall is surrounded by 2-storey residential properties to the north and east (Windmill Road/Middleton Road) and a Community Centre (to the west). Adjoining properties to Windmill Road and Middleton Road are at a storey lower than the application site.

4.0 RELEVANT PLANNING HISTORY:

4.1 21/235/00/FU - Extension to form multi purpose hall to school extension to car park and alterations to school building Approved - 23.01.01

4.2 07/07281/LA - Extension to school hall to form office and other facilities. Approved 17.0108

4.3 09/02538/LA – Detached multi use games area to youth hub - Approved 26.08.09. This is to the south of the Youth Hub buildings, on land adjoining the former playing fields to the school.

4.4 08/03542/OT - Outline permission (access, layout and scale) for an extension to the retained school hall to allow for workshop, teaching and support services to be formed for the new Club. Approved July 2008

4.5 09/02003/RM - Reserved matters approval for the above. August 2009 This approval included amendments to the car park, and during this work, the floodlights the subject of this planning application were erected (without planning permission).

4.6 The matter was drawn to the attention of the Local Authority and a complaint was made to the Local Government Ombudsman, who found that it was maladministration to carry out the floodlight development without obtaining planning permission first.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Revised plans received in respect of the following:
- The elevation of the light fittings has been adjusted to reduce backlight.
 - The applicant has agreed to disconnect 3 fittings thereby reducing the glare to adjoining properties.
 - The applicant has agreed to reduce the number of hours the fitting are in operation.
 - The external lighting would be switched off no later than 9.30pm on an evening.

6.0 CONSULTATION RESPONSES:

Non Statutory Consultations:

- 6.1 Street Lighting – no objections to the revised scheme.
- 6.2 Police (Architectural Liaison Officer) – The lighting and CCTV are necessary, to improve security for the facility. Providing any light spillage is correctly managed, the proposal should be a benefit to adjoining residents. The CCTV should be masked so that it is not observing areas outside the protected zone. This can either be done in a ‘physical’ sense or can be done ‘electronically’.

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 Site Notices posted 25th February 2011. In addition, letters were originally sent to 38 local households, and the same residents were reconsulted by letter dated 19th July in respect of revised plans. One letter of objection has been received on the following grounds:

This planning application is a retrospective application and were put up without planning permission in the first place. Local residents were told that they were security lights and would not impact on our privacy. This is not true. These floodlights, seven down the south side of the Hub and six round the east side and entrance to the site, are on masts eight meters high plus the ground level of the site is several feet higher than some of the properties next to the site. These floodlights are brilliant white and some properties suffer from light pollution. It would be interesting to know if the guide lines from the Institute Of Lighting Engineers were followed and the impact these lights would have on local residents. The CCTV mast which is very close to residents properties and has a 360 degree coverage which allows views into peoples bedrooms, kitchens, gardens etc. This infringes on peoples privacy and human rights.

8.0 PLANNING POLICIES:

- 8.1 The Development Plan for the area consists of the Regional Spatial Strategy and the adopted Unitary Development Plan Review (UDPR), along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDPR but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development including housing. The site is unallocated in the Unitary Development Plan (UDP). The following policies apply:

UDP

- 8.2 GP5 - Detailed Planning Considerations
- 8.3 Planning Policy Statement 1 - Delivering Sustainable Development (2005)

9.0 MAIN ISSUES

1. Impact on residential amenity
2. Security considerations

10.0 APPRAISAL

Impact on residential amenity

- 10.1 The application is for the erection of thirteen, 8m high lighting columns, with floodlights to the Youth Hub car park. Seven of the columns are sited to the boundary of the site adjoining the rear gardens to houses on Windmill Road, and the other 6 are located adjacent to the access road and entrance into the car park. The car park and floodlighting abuts houses to Middleton Road and Windmill Road, and the floodlighting was brought to the Council's attention by complaints that the lighting didn't have planning permission, and light intrusion to the rear of the houses. The Street Lighting Engineer has assessed the proposals. Originally, it was considered that as a combination of the tall columns and the properties sitting at a lower level resulted in light trespass in the rear gardens and on the rear facades of the nearest houses.
- 10.2 Following these concerns, revised plans were submitted in respect of the following: (i) the elevation of the light fittings has been adjusted to reduce backlight, (ii) the applicant has agreed to disconnect 3 fittings thereby reducing the glare to adjoining properties; (iii) the applicant has agreed to reduce the number of hours the fitting are in operation - the external lighting is switched off at no latter than 9.30pm on an evening. These changes have been implemented and the engineer is satisfied that these changes have eliminated excessive light intrusion.

Security considerations

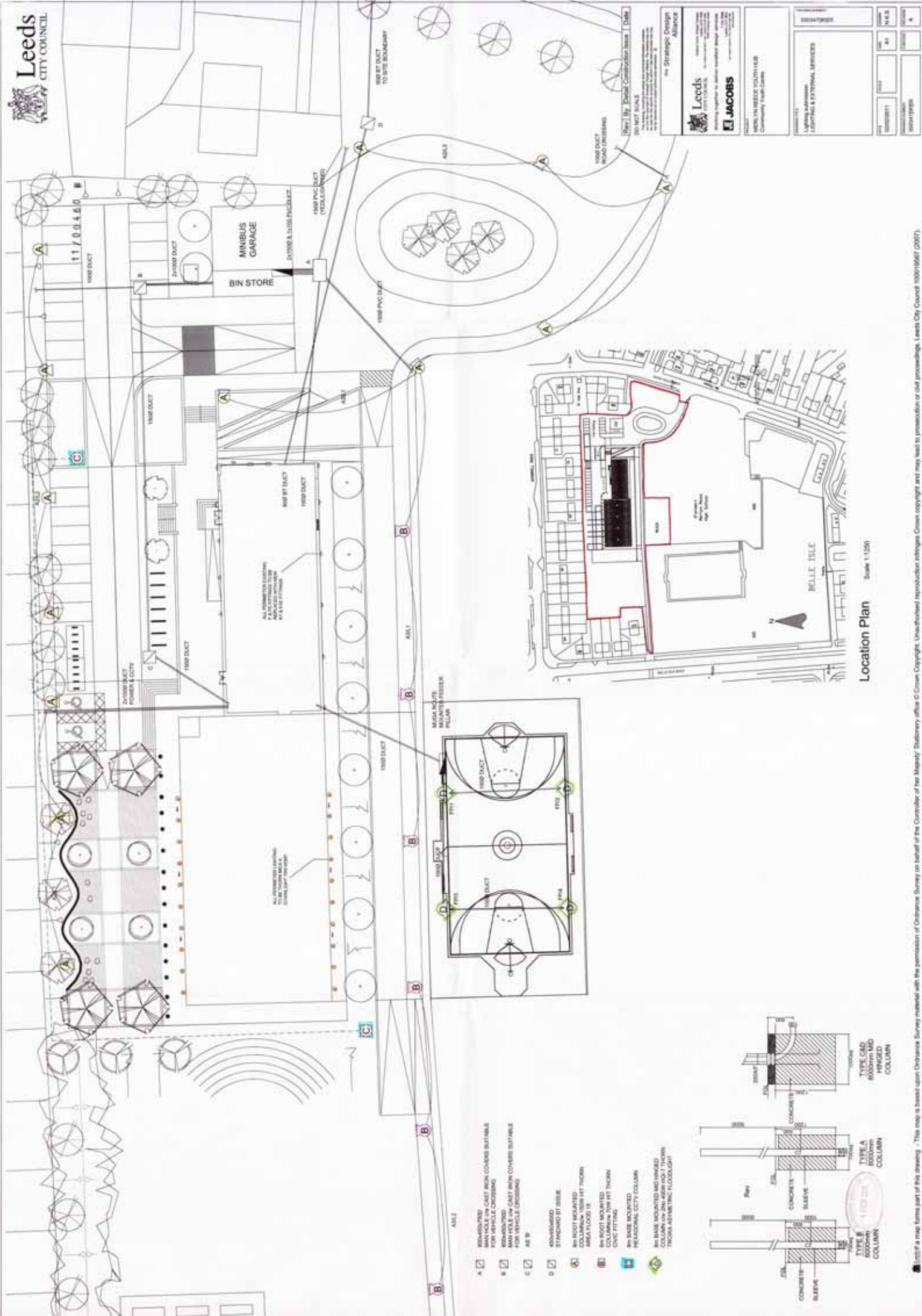
- 10.3 The Police consider the lighting and CCTV are necessary, to improve security for the facility. Providing any light spillage is correctly managed, the proposal should be a benefit to adjoining residents. As the Lighting Engineer is satisfied that any light spillage is correctly managed, it is considered that the proposal is a benefit to local residents and the facility.

12.0 CONCLUSION

- 12.1 On balance, the proposal is considered acceptable, subject to a condition requiring the lights to be switched off at 21.30 hours.

Background Papers

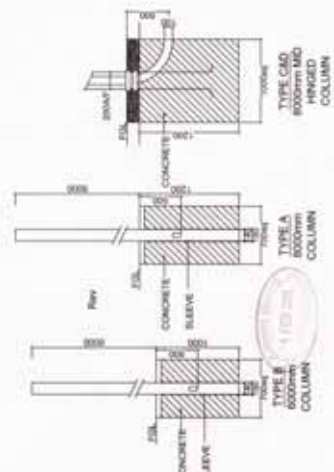
Certificate of ownership as applicant
Application file and 08/03542/OT and 09/02003/RM



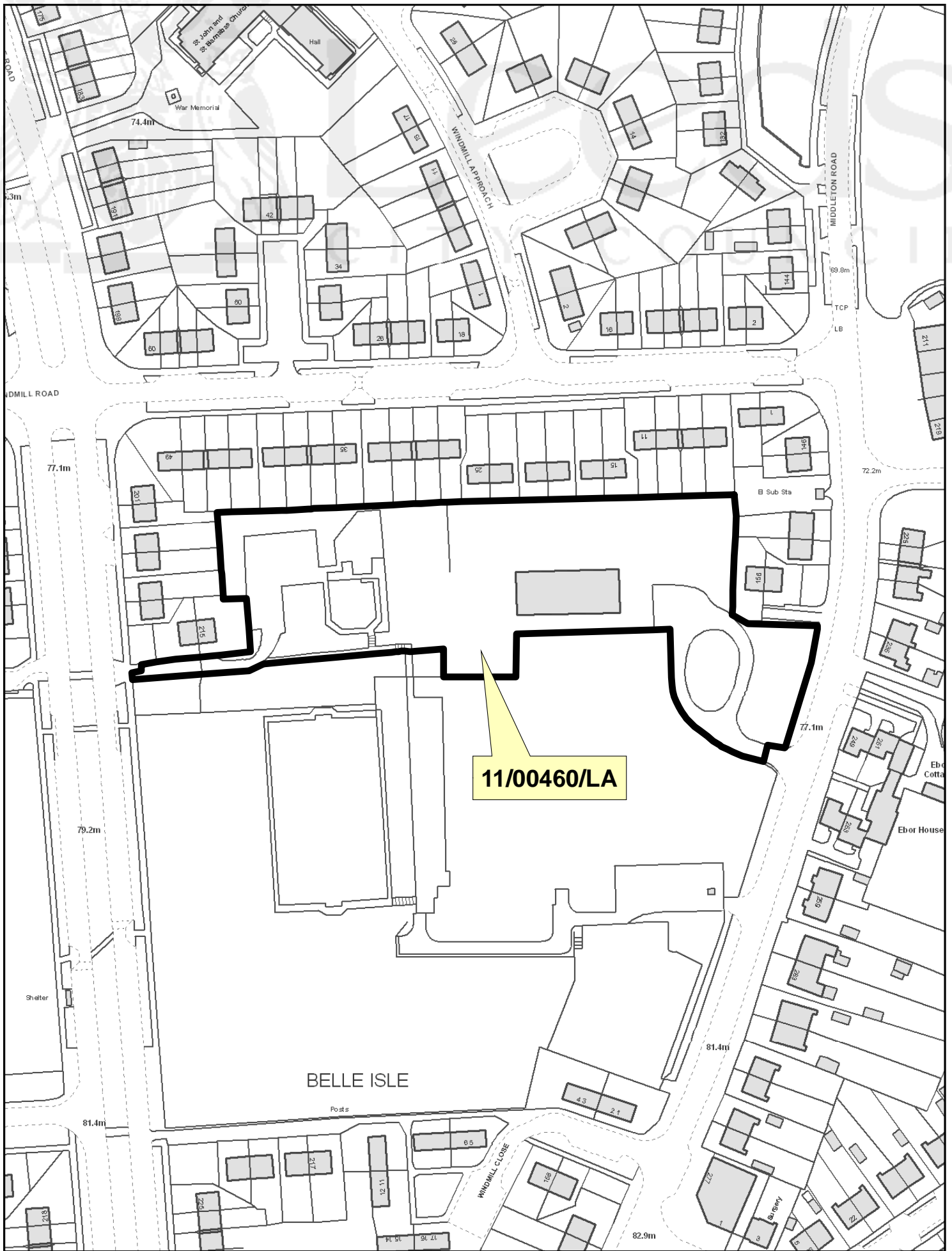
<p>Leeds CITY COUNCIL</p>		<p>JACOBS</p>		<p>PROJECT MORLEY RECREATION CLUB Community Youth Centre</p>	<p>DATE 2011</p> <p>SCALE AS SHOWN</p> <p>DRAWN BY 2011</p> <p>CHECKED BY 2011</p>
<p>the Strategic Design Alliance</p>		<p>Leeds CITY COUNCIL</p>		<p>PROJECT MORLEY RECREATION CLUB Community Youth Centre</p>	
<p>Leeds CITY COUNCIL</p>		<p>JACOBS</p>		<p>PROJECT MORLEY RECREATION CLUB Community Youth Centre</p>	
<p>the Strategic Design Alliance</p>		<p>Leeds CITY COUNCIL</p>		<p>PROJECT MORLEY RECREATION CLUB Community Youth Centre</p>	

Location Plan Scale 1:1250

- A [Symbol] NON-MOUNTED
MAN HOLE ON CAST IRON COVER SUITABLE
FOR VEHICLE CROSSING
- B [Symbol] REBARREINFORCED CAST IRON COVER SUITABLE
FOR VEHICLE CROSSING
- C [Symbol] AS 'B'
- D [Symbol] ADVANCED
STANDARD BT ISILE
- E [Symbol] 6M ROOT MOUNTED
COLUMN 150M HT THORN
AREA FLOOD 15
- F [Symbol] 6M ROOT MOUNTED
COLUMN 150M HT THORN
CIVIC FITTING
- G [Symbol] 6M BASE MOUNTED
REGIONAL CITY COLUMN
- H [Symbol] 6M BASE MOUNTED 600MM DIA
THORN ASBESTIC FLOODLIGHT



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