
APPLICATION NO.	20/01947/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	17.08.2020
APPLICANT	Mr I Grummitt
SITE	Willbox, Crescent Estate, Station Road, SO16 0YD, NURSLING AND ROWNHAMS
PROPOSAL	Erection of floodlights (retrospective)
AMENDMENTS	Received on 21.04.2021, 12.11.2021, 28.03.2021: <ul style="list-style-type: none">• Additional and amended lighting assessments Received on 01.12.2021: <ul style="list-style-type: none">• Additional information relating to the security of the application site
CASE OFFICER	Graham Melton

Background paper (Local Government Act 1972 Section 100D)
[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee at the request of Local Ward Members as there is significant local interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is an industrial estate known as Crescent Estates, located on the west side of Station Road in close proximity to the point at which the M27 carriageway passes over.

2.2 The application relates to the northern section of the industrial estate which is currently in use for the storage and distribution of containers.

3.0 PROPOSAL

3.1 The proposal is a retrospective application for the installation of floodlights comprising no.7 10m high poles located at the rear (western) end of the site and no.7 6m high poles within the centre of the site. The total number of lights positioned on the poles totals 29.

4.0 SUMMARY OF RECENT AND RELEVANT HISTORY

4.1 **22/00211/CLES** - Application for a lawful development certificate for existing use - Mixed use of land for storage (Use Class B8) and general industrial (Use Class B2). *Pending consideration.*

4.2 **21/03229/FULLS** – Siting of demountable containers for use as ancillary offices and welfare units with 4 flag poles. *Permission subject to conditions and notes, decision issued on 15.12.2021.*

- 4.3 **21/03044/FULLS** - Attach timber cladding to existing metal palisade fence (part retrospective). *Permission subject to conditions and notes, decision issued on 30.11.2021.*
- 4.4 **21/02921/ADVS** - Retention of 1 No business location sign added to existing entrance signage and 1 no. sign fixed to fencing. *Consent subject to conditions and notes, decision issued on 01.12.2021.*
- 4.5 **19/00832/ADVS** - Retention of 2 business location signs. *Consent and refusal, decision issued on 19th July 2019.*
- 4.6 **19/00832/ADVS** - Retention of 2 business location signs. *Consent and refusal, decision issued on 19th July 2019.*
- 4.7 **TVS.EUC.00002** – Open storage - land at Station Road. *Certificate issued on 03.03.1776.*
- 5.0 **CONSULTATIONS**
- 5.1 **Ecology** – No objection subject to condition.
- 5.2 **Environmental Protection** – Comment (summarised).
- Reviewed the DFL Technical Lighting Report Addendum dated 24th March 2022.
 - Within the report, modifications have been proposed which would comply with the glare criteria given in the Institution of Lighting Professionals Guidance Note GN01/21 ‘The Reduction of Obtrusive Light’.
 - Accordingly, Environmental Protection are content with these proposals.
 - However, draw your attention to the contents of paragraph 2 of the Addendum report and follow up email with the author, that strongly advises against seeking lower column heights than currently exist citing potential site safety implications.
 - This assertion is accepted and in the event of the column heights being unacceptable for wider planning reasons, it is recommended that alternative options to be explored to avoid site safety being compromised.
 - High mounting heights clearly have lighting effectiveness benefits, including allowing lower beam angles which can also assist in reducing glare beyond the site boundary.
 - This regrettably means that there is a trade-off with the height of the columns in terms of visibility of the lighting columns and the aim of seeking lighting performance and keeping the beam angle as low as possible to minimise offsite glare.
- 5.3 **Highways** – No objection.
- 5.4 **Highways England** – No objection subject to condition.

5.5 **Landscape** – Comment (summarised).

- The light columns in themselves cause a minor visual intrusion as are seen within the context of the storage crates and pylons locally.
- The lighting does have an impact upon the landscape.
- It appears that the revised drawings now show that every appropriate measure has been taken to reduce light spill whilst creating the security levels required.
- However it has not demonstrated fully with respect or examined its landscape impact.
- It is accepted that there are some local light sources in existence at the distribution centre 0.25 kilometres due east, however Station road is unlit, as is the motorway at this section –contributing to a darker landscape within the character area.
- A comparison to the light levels at the distribution centre as a measure of comparison and assessment may be appropriate, also recognition the distribution centre is at the northern end of a larger area of industry with associated lighting, which generally commands the end of industrial lighting to the west of Southampton.
- The cumulative effect of adding more lighting must always be carefully and appropriately considered to ensure the landscape character is not adversely affected by lighting.
- This has not been reasonably addressed thus far.
- A section showing the site and motorway, and assessment of potential views of the lighting from this and surrounding views would inform this.
- Vegetation is around the site and as such is not within applicants control, some is deciduous offering no screening in winter.
- Lighting is to be on at all times of dark therefore most impact in winter and continuous.
- Further encroachment of lighting due west would also not be appropriate to the local character.

6.0 **REPRESENTATIONS** Expired 21.07.2022

6.1 **Nursling and Rownhams Parish Council** – Objection (summarised).

Principle of development

- The applicant seeks to justify the height of the lights stating that the lighting has to cover containers stacked in threes, permission has only been granted for ground level buildings not for stacked containers.

Impact on the character and appearance of the area, general amenity of the area and residential property

- The applicant does not appear to have considered different options, the lighting requirements for health and safety, security, hours of operation and type of lighting are all different.
- The application is not clear on the hours that the lights will be switched on, however, if the lighting is required for health and safety reasons then the hours of operation will be considerable especially during winter months.

- This is a rural setting and not an industrial site.
- No environmental impact has been considered such as the need to reduce light pollution and avoid unnecessary use of resources.
- The lights are visually intrusive from Station Road, even during summer when the vegetation along the road is at its thickest, thus impacting on the amenity of residents along Station Road.
- Lack of clarity re the status of current lighting, the lighting assessment refers to changes having been made but the impact is still significant when viewed from the M27 motorway.
- There is no artificial lighting along Station Road or on the motorway so the amount of lighting proposed is out of keeping with the area.
- It is contrary to Policy E8

Ecology

- No ecological impact assessment has been provided, this is a rural area and the light generated by the floodlights will have an impact on wildlife.
- It is contrary to Policy E5

6.2 **1 letter from 3 Mill Lane** – Objection (summarised).

Impact on the character and appearance of the area, general amenity of the area and residential property

- Design, character of the area.
- Until the installation of the floodlights at the application site, the surrounding area had no artificial lighting as the site is adjacent to open countryside and there is no street lighting on Station Road or adjacent M27 motorway.
- The application is to retain the existing lighting and states that this comprises 7 no. 10m poles and 7 no. 6m poles.
- The supporting information refers to 29 lights onsite and the application is in fact to retain all of these.
- To put this number of floodlights into some perspective, it is more lights than used at Romsey Town Football Club for night matches and for local all-weather sports pitches such as those at Romsey School.
- There can be no justification for this amount of lighting for what are described as site safety and security reasons in the supporting Planning Statement.
- Safety and security can be achieved with far less lighting and therefore far less light pollution as evidenced by the adjacent National Grid substation site with the use of 3 infra-red security cameras that require no external lighting (under application reference 18/01303/FULLS).
- Other examples include the imposition of conditions securing the submission of lighting prior to installation or the installation of lighting controlled by motion sensors.
- These alternative options are not explored, the submitted information is limited to justifying the existing lighting onsite.
- The submitted lighting assessment sets out Table 3 that even with all of the recommended modifications, the proposal fails to control unacceptable levels of glare onto Station Road and the residential properties.

- Reliance is placed on the screening from the existing trees but these are deciduous and will not provide screening during the winter when the lights will be in use most hours of the day.
- Not all of the recommendations within the submitted lighting report have been undertaken and therefore the assessment does not reflect the existing situation.
- Furthermore, the planning statement seeks to justify the development on the basis that light is needed over containers stacked 3 high but the permitted use onsite is restricted to ground level storage.

Ecology

- It is noted that no surveys or assessment of the effects of lighting on local wildlife have been undertaken.
- A total of 9 bat species have been recorded within 2km of the application site based on applications for adjacent sites.
- Contrary to Policy E5.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016) (TVBRLP)

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity

Policy E8: Pollution

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Highways

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area, the amenity of the area and residential property
- Ecology
- Highways

8.2 **Principle of development**

Policy COM2 of the TVBRLP states that development outside the boundaries of settlements will only be permitted if:

- a) *It is appropriate in the countryside as set out in the RLP Policy COM8 – COM14, LE10, LE16 – LE18; or*
- b) *It is essential for the proposal to be located in the countryside*

8.3 Policy LE17 relates to development within existing employment sites on countryside land and is a policy exception listed under criterion (a) of Policy COM2. However, the development subject of the application is limited to the erection of floodlights and does not comprise the redevelopment, extension to or erection of a building and therefore, Policy LE17 is not applicable in this instance. As a result, none of the policy exceptions listed under criterion (a) are applicable and the proposal falls to be considered against criterion (b).

8.4 Section 4 above sets out a summarised version of the planning history of the application site. Aside from the listing of the recent applications, of particular significance is the original lawful development certificate issued under application reference TVS.EUC.00002 (paragraph 4.6), certifying a storage use of the application site. Contrary to the assertion within the Parish Council comments, this certificate did not limit storage use to ground level only and therefore, the applicant is able to stack containers on the land. During previous site visits undertaken, it was observed that containers are typically stacked 2 or 3 high. In addition, there is no limitation on the operating hours of the application site and previous site visits undertaken by the case officer have observed the application site in use outside of normal working hours.

8.5 Given that the application site has been established for the storage of containers and that there is no limitation arising from the planning history on the stacking of containers or operating hours, then it is considered that the provision of floodlights is in principle, an acceptable form of incidental development to support the existing employment site. Consequently, it is considered that the development is essential to be located within the countryside in accordance with criterion (b) of Policy COM2 and the policy as a whole. An assessment against the other material considerations is undertaken below.

8.6 **Impact on the character and appearance of the area, the amenity of the area and residential property**

Representations from the Parish Council and local residents have objected to the application raising concern regarding the visual and polluting impact of the floodlighting. An assessment of the impact of the floodlighting in relation to the visual impact on the landscape and a polluting impact on the general amenity of the area against the relevant planning policies is undertaken below.

8.7 Landscape

The application site is visible from a number of public vantage points. Of closest proximity is the public footpath adjacent to the northern boundary of the application site (Nursling and Rownhams no. 24) that also runs parallel to the rear (west) boundary, as well as the M27 carriageway to the north and Station Road to the east. Long distance views are also available from Church Lane to the north. Following a site visit undertaken by the case officer, it is evident that the development is visible from all of these vantage points when the floodlights are on.

- 8.8 In particular, when travelling along the public footpath that runs adjacent to the northern boundary of the application site outside of daylight hours, the floodlighting serves to illuminate short sections of the footpath itself. Longer distance views of the floodlighting from a position approximately 130m to the west of the application site are also available from a limited number of positions along this part of the public footpath. However, the extent to which the overall character of the public footpath is altered by the floodlighting is extremely modest, with the majority of the footpath and surrounding views remaining in darkness outside of daylight hours. It should be noted that the use of the application site outside of normal working hours would have introduced a level of disturbance and illumination, prior to the installation of floodlighting. Consequently, it is not considered that the development serves to harm the experience of users of the public footpath.
- 8.9 With regard to the impact when travelling along the M27, the appearance of the floodlighting is seen in context with views of the Nursling Industrial Estate (known as Nursling Estate as set out in Policy LE7) to the east, which includes the substantial Tesco distribution centre that is also illuminated outside of daylight hours. As such, appearance of the floodlighting at the application site is not uncharacteristic in the context of the surrounding area for this section of the M27.
- 8.10 In terms of the impact on the local road network when travelling along Station Road, the mature vegetation at the entrance of the application site on the eastern boundary limits the visibility of any lighting, with clear views only available from the vehicular access point. From this position the floodlights are set back by a minimum distance of approximately 90m, and these views are seen in context with the wider industrial estate and the appearance of the stacked containers onsite. It is noted that this vegetation is outside of the applicant's control and therefore its' retention cannot be secured, but given the setback distance of the floodlights and the appearance of the intervening industrial plots, it is not considered that the presence of the floodlights serves to significantly harm the landscape character of this section of Station Road. In relation to views from Church Lane, these are seen in context with the M27 carriageway in the foreground and from a distance of approximately 170m away and therefore are not visually intrusive on this particular street scene.
- 8.11 From a technical perspective, the submitted lighting addendum report (DFL, March 2022) identifies that the floodlighting would meet the guidance threshold for upward light spill as set by the Obtrusive Light standards (GN01:2020) from the Institution of Lighting Professionals (ILP).
- 8.12 Following the assessment undertaken above, it is considered that the floodlights do have an impact on the landscape from a number of public vantage points. However, given that the application site is an established industrial estate and its location in relation to the M27 motorway, overhead power lines, and in relative proximity to the distribution centres at Nursling Industrial Estate (known as Nursling Estate as set out in Policy LE7), it is not considered, on balance, that this is uncharacteristic or harmful to the landscape character of the wider area.

- 8.13 Third party representations have raised the possibility for lighting to be reduced in height and number or motion controlled in a similar manner to previous applications on other industrial sites within the locality. However, the Environmental Protection officer has confirmed that the reduction of the height would result in potential site safety issues in relation to the shadowing generated by lower level columns. With regard to motion sensor controlled lighting, it is not considered that this would deliver any significant benefit or reduction to the hours of illumination due to the frequency of movements associated with storage and distribution uses. In the event that part of the application site is not required during a particular shift, then it is not unreasonable to expect that the applicant will only operate the floodlights required for safety reasons.
- 8.14 It is also noted that the Landscape Officer has requested further information in the form of a section showing the relationship between the floodlights and the M27 carriageway, as well as a comparison exercise with other illuminated industrial sites within the locality. However, given the site visits undertaken by the case officer which included a visit outside of daylight hours, in addition to the technical reports provided demonstrating compliance with the relevant lighting guidance, it is not considered that this information is necessary to assess the application.
- 8.15 Impact on the general amenity of the area and residential property
Aside from the visual impact on the landscape, the lighting from the floodlights also needs to be considered in relation to the potential for a polluting impact on the amenity of the area in addition to the potential for any harm to the amenity of residential properties, in particular the dwellings aligning Station Road to the east.
- 8.16 In support of the application and in response to the concerns raised previously by residents and the Council's Environmental Protection officers, a technical lighting assessment and follow up addendum has been submitted. The outcome of the technical assessment is a series of recommendations to the configuration of the floodlighting including the following measures:
- Repositioning of the north-west floodlight (annotated as 2B on the submitted light spill plan) further inwards onsite by approximately 12m.
 - Positioning of lights to be tilted no more than a maximum of 10 degrees.
 - Removal of luminaires from those floodlights positioned on the north and west boundaries of the application site.
- 8.17 With the implementation of these measures, the submitted lighting addendum demonstrates that the level of glare reaching the receptors along Station Road, i.e. residential properties will not be in excess of 0.5 LUX in terms of light spill and 1 candela in relation to glare. Therefore, the recommended alterations to the configuration of the lighting are in accordance with Obtrusive Light standards (GN01:2020). This compliance is achieved without any reliance on screening provided by the mature trees and vegetation positioned to the east of

the application site and outside of the applicant's control. As a result, the Environmental Protection officer responded to the amended lighting scheme and associated recommendations, raising no objection in relation to the impact of glare and light spill on sensitive receptors including the residential properties aligning Station Road.

8.18 As the development is limited in this instance to the installation of floodlights, it is not considered that there will be any materially significant impact on residential amenity with regard to privacy or daylight and sunlight provision.

8.19 Consequently, following the assessment undertaken above, is considered that any adverse polluting impact on the general amenity of the area and any harm to the amenity of residential property can be avoided through the implementation of the recommended measures set out in the lighting addendum, as secured by condition no. 2. Consequently, the application is in accordance with Policies E8 and LHW4 of the TVBRLP.

8.20 Design

As set out above, due to the height of the floodlights at 6m and 10m, they are visible from several public vantage points within the surrounding area of the application site. However, the floodlight poles themselves are grey in colour and viewed in context with the overhead power line infrastructure that is of greater height and similar in appearance. Consequently, it is considered that the design of the floodlights is acceptable and integrates with the other existing industrial development within the locality, in accordance with Policy E1 of the TVBRLP.

8.21 Conclusion on the impact on the character and appearance of the area, the amenity of the area and residential property

Following the assessment undertaken above, it is considered that the floodlights do not, on balance, unacceptably harm the landscape character of the surrounding area. The design of the lighting poles integrates the industrial character of the application site and the proposed recommended amendments to the configuration of the lighting ensure that there is no adverse impact on the amenity of the area and residential property. Consequently, the application is in accordance with Policies E1, E2, E8 and LHW4 of the TVBRLP.

8.22 **Ecology**

Third party representations have raised concern that the application is not supported by any ecology surveys. However, in this instance the development subject of the application is positioned within an established industrial estate currently in use for the storage of containers. As a result, there is no potential for any adverse impact on protected species or habitats onsite. With regard to offsite impacts, the Council's Ecologist initially raised concern that the floodlighting has and will result in light spill falling on the mature vegetation that forms part of the motorway embankment to the north, as well as the mature woodland and SINC known as Big Willow Wood, located to the west and south. This mature vegetation has the potential to serve as a commuting corridor for bats and as a habitat for other species such as badger, dormice and hedgehogs. Any light spill in excess of 1 LUX that covers boundary vegetation and adjoining woodland would be in excess of best practice guidelines.

- 8.23 In response to this concern, the lighting scheme has been amended to ensure that any light spill falling outside of the confines of the application site is limited and does not extend to either the motorway embankment of the mature woodlands to the west and south. These amendments include the re-positioning of the floodlight in the north-west corner of the application site to face inwards in addition to adjustments to the tilt angle of the floodlights. Consequently, the development avoids any significant light spill beyond the confines of the industrial estate and the Council's Ecologist confirmed that the concerns raised initially have been resolved. It is noted that since the Ecologist provided the latest set of comments, the lighting scheme has been subsequently amended. However, following a cross referencing exercise undertaken by the case officer, it has been confirmed that the subsequent amendments do not alter the light spill impact as assessed by the Ecologist and as such, there is no need for additional consultation.
- 8.24 As a result, following the assessment undertaken above, it is considered that any adverse impact on protected species or habitats can be avoided through the implementation of the recommended measures set out in the lighting addendum and therefore, the application is in accordance with Policy E5 of the TVBRLP.
- 8.25 **Highways**
As previously referenced the application site is located adjacent to the south of the M27 carriageway and consequently, the floodlights are visible from this part of the M27. In reviewing the development undertaken and the impact of this visibility and associated glare on vehicle users, Highways England raised no objection subject to the imposition of a condition securing the positioning of the closest floodlights to face away from the M27. In addition, Highways England requested a condition limiting the maximum tilt angle of 20 degrees for all floodlights subject of the application.
- 8.26 The revised lighting scheme, as demonstrated on the latest version of the light spill plan and the recommendations within the lighting addendum report comply with these requirements, with condition no. 2 securing their imposition within three months in the event that planning permission is granted. Therefore, it is not considered that the development will result in an adverse impact on the highway safety of the M27.
- 8.27 In relation to the impact on the local road network it is considered that the implementation of the requirements as requested by Highways England, are also sufficient to protect the highway safety of local roads within the vicinity of the application site and particularly Station Road to the east. As a result, the operation of the floodlights does not result in harm to the highway safety of the local road network.
- 8.28 The development undertaken has not resulted in any material alteration to the existing vehicular access or generated a materially significant increase in vehicular movements. In addition, the development does not result in the loss of existing onsite car parking capacity or trigger the requirement for additional car parking to be provided. Consequently, the development avoids any adverse impact on the safety of the local and national road network and the application is in accordance with Policies T1 and T2 of the TVBRLP.

9.0 CONCLUSION

9.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP.

10.0 RECOMMENDATION

PERMISSION subject to:

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:
Site Location Plan (TV-NM-719.01)
Proposed Elevations (TV-NM-719.03)
Amended Lightspill Plan (1568-DfL-LSD-001 Rev F)
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Within 3 months of the permission hereby issued, the floodlights hereby approved shall be altered in accordance with the recommendations set out in the DFL Technical Lighting Addendum dated 24th March 2022 and shown on the approved plan reference **Amended Lightspill Plan (1568-DfL-LSD-001 Rev F)** and retained thereafter.
Reason: In the interest of the amenities of the local area in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

Note to applicant:

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
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