

To: Planning & Regulatory Committee

Date: 27 September 2023

By: Planning Development Manager

District(s) Reigate & Banstead

Electoral Division(s):

Horley East

Jordan Beech

Case Officer:

Jessica Darvill

Purpose: For Decision

Grid Ref: 528935 143104

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Title: Surrey County Council Proposal RE23/01392/CON

Summary Report

The Oakwood School, Balcombe Road, Horley, Surrey RH6 9AE

The erection of five (5 No) lighting columns and LED lighting lanterns within parking zone 1 and four (4 No) lighting columns and LED lighting lanterns with in parking zone 2 (part retrospective).

Oakwood School is located within the residential area of Horley, Surrey, along Balcombe Road. The existing School site measures 10.5 hectares (ha) in area. The School is bounded to the north by residential properties on Smallmead and by Longshott Infant School. The eastern School boundary is bordered by the gardens of the properties in Stonecourt Close and a section of undeveloped land. Residential properties are also situated on the southern boundary of the School in Silverlea Gardens and the western boundary abuts the residential properties on Balcombe Road and Brookwood Park.

The primary vehicular access to the school is via Balcombe Road. The School's parking area is split into three parking zones which are located towards the front of the premises and the School buildings. Parking zone 1 is located at the main School entrance off Balcombe Road, with parking zone 2 located adjacent to the new two storey extension (permitted under RE21/02101/CON) and to the rear of residential properties 97 and 99 Balcombe Road. Parking zone 3 is located towards the north of the school site, adjacent to the rear of properties along Smallmead Road, and the rear of residential properties 91 and 93 of Balcombe Road. This application (the application site) is for a proposed lighting scheme in parking zones 1 and 2 only.

The proposal seeks consent for the erection of five lighting columns and LED lighting lanterns within parking zone 1 and four lighting columns and LED lighting lanterns within parking zone 2 (part retrospective) all four metres in height and of galvanised metal. The application is part retrospective, as a total of seven of the proposed nine lighting columns have been erected. This includes the five lighting columns in parking zone 1 (three located along the southern boundary of the car park and two along the northern edge of parking zone 1); and two lighting columns already erected in parking zone 2 to the eastern edge adjacent to the new two storey extension. It is proposed that a further two columns with twin style bracket lights are to be erected within parking zone 2 within the central parking area. Although seven of the nine lighting columns have

been erected, no lighting lanterns have been installed on these lighting columns and the lighting is not in use.

The lighting heads are to be tilted at 10 degrees to assist with light distribution to the centre of the parking areas and each lighting head in parking zone 1 would be fitted with a back shield louvre to minimise light spread. The lighting scheme is required to provide sufficient light to users of the school car park during the school's operational hours and therefore the proposed lighting is to be controlled by photocell and timer. The use of the photocell controller and timer allows for the lights only to come on when there is insufficient daylight for users.

No objections have been received from Reigate and Banstead Borough Council (RBBC) subject to a condition regarding a post installation assessment to ensure that the lighting is installed correctly. No objection has been received from the County Lighting Consultant (CLC). The County Planning Authority (CPA) has received nine representations, one in support of this proposal and eight objecting on the grounds of light pollution, height of the lighting columns in relation to the neighbouring residential properties that surround the application site, concern regarding extended use hours, and the submission of a retrospective planning application.

A key issue in determining this application is the design and impact on residential amenity and the Authority must be satisfied that the potential impacts arising from the development are acceptable in terms of the closest residential properties and the local environment and amenities. The assessment in the report covers such design, implications on light pollution and impact on residential amenity.

Officers recognise that Oakwood School is located within Environmental Zone E3 Suburban which has a lighting environment of medium district brightness¹ and therefore it is recognised that there is a level of brightness that exists within the area. Within this locational context of the proposal Officers consider that the proposed lighting would not give rise to significant adverse effect in terms of light pollution.

Officers recognise that there is limited distance between the proposed light scheme and neighbouring properties and the height of the 4m columns would cause some visual impact to neighbouring properties. However, when considering the proposal against the guidance outlined by the Institute of Lighting Professionals the proposal for a 4m high light column is proportional for the purpose of providing sufficient lighting for users of the school car park to minimise the level of light spill. A lower height for the lighting columns has been modelled within the submission but it has been demonstrated that this does not provide sufficient lighting coverage for the car parks and their purpose. The County Lighting Consultant also acknowledges that a lower level of lighting such as bollard lighting would not provide adequate lighting for the car park areas.

In addition, Officers consider the lighting scheme benefits from the use of the lighting being controlled by a photocell and timer which would only allow the lighting scheme to be on during specific hours and only on when there is insufficient day light available within the specified hours. Officers consider that the impact of the light pollution to local residents would be within standard curfew hours for lighting and the impact of the lighting pollution would therefore be limited to a specified time frame.

Officers consider that the proposal is compliant with lighting guidance and accords with the Development Plan Policy with regard to light spillage and sky glow. Officers recommend that conditions stipulating that the lighting scheme shall be installed in accordance with the details submitted and that a verification report should be submitted to ensure that the lighting scheme is installed in accordance with the details submitted in this application alongside a condition stipulating the operational hours of use.

¹ Table 2: Environmental Zone – Institute of Lighting Professionals Guidelines (Guidance Note 01/21)

The recommendation is to GRANT planning permission ref: RE23/01392/CON subject to conditions.

Application details

Applicant

SCC Property

Date application valid

3 July 2023

Period for Determination

28 August 2023, agreed extension of time until 4 October 2023

Amending Documents

- Oakwood School Lighting Statement dated 6 September 2023.
- Drawing ref: ZG-AGI-0002261568-EX1-R00-069023, rev. R0 'Oakwood School External Lighting Plan' dated 6 September 2023.
- Oakwood School Lighting Response dated 7 September 2023.

Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

Issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Design	Yes	36-81
Light Pollution	Yes	36-81
Impact on Residential Amenity	Yes	36-81

Illustrative material

Site Plan

Oakwood School Plan 1

Aerial Photographs

Aerial 1: Surrounding Area

Aerial 2: Application Site

Aerial 3: School Boundary and Application Site

Site Photographs

Figure 1: Parking Zone 1 - Erected Lighting Columns Adjacent to No.93 Balcombe Road

Figure 2: Parking Zone 1 - Erected Lighting Columns Adjacent to No.97 Balcombe Road

Figure 3: Parking Zone 2 - Lighting Columns Erected by Two Storey Extension

Figure 4: Parking Zone 2 – Lighting to be Erected in Middle Parking Area

Figure 5: Boundary Between Parking Zone 2 and Rear gardens of No.97 and No.99 Balcombe Road

Background

Site Description

1. Oakwood School is located in the residential area of Horley, Surrey, along Balcombe Road. The existing School site measures 10.5 hectares (ha) in area. The School is bounded to the north by residential properties on Smallmead and by Longshott Infant School. The eastern School boundary is bordered by the gardens of the properties in Stonecourt Close and a section of undeveloped land. Residential properties are also situated on the southern boundary of the School in Silverlea Gardens and the western boundary abuts the residential properties on Balcombe Road and Brookwood Park.
2. The primary vehicular access to the School is via Balcombe Road. The School's parking area is split into three parking zones in which are located towards the front of the premises and the School buildings. Parking zone 1 is located at the main School entrance off Balcombe Road, with parking zone 2 located adjacent to the new two storey extension (permitted under RE21/02101/CON) and to the rear of residential properties 97 and 99 Balcombe Road. Parking zone 3 is located towards the north of the school site, adjacent to the rear of properties along Smallmead Road, and the rear of residential properties 91 and 93 of Balcombe Road. The application site is for parking zones 1 and 2 only as seen outlined in the red line boundary in Figure 1 below. A full locational plan of the site is located within Annex 1 of this Officer report.
3. The School's buildings are largely sited within the north-western area of the school site as a whole, with the remainder of the school site comprising sports pitches and playing fields. There is an area of hard play on the western side of the main School building and a grassed and planting quad in front of the main school building entrance. Existing mature trees and hedgerows border the School site. In addition, there is a line of trees running down the centre of the school site separating the main School buildings from the large playing field and sports centre to the east.
4. The school site comprises of a number of existing buildings which have been constructed over the years as the school has developed and expanded. As well as a two-storey main block, there is also a five-storey Design and Technology / Science tower block, a Sports block and an Arts and Music wing and a Drama block. The two-storey extension permitted under planning permission ref: RE21/02101/CON is located to the western half of the School site, to the west of the planted quad in front of the main school entrance and is connected to the existing school buildings via a link corridor.

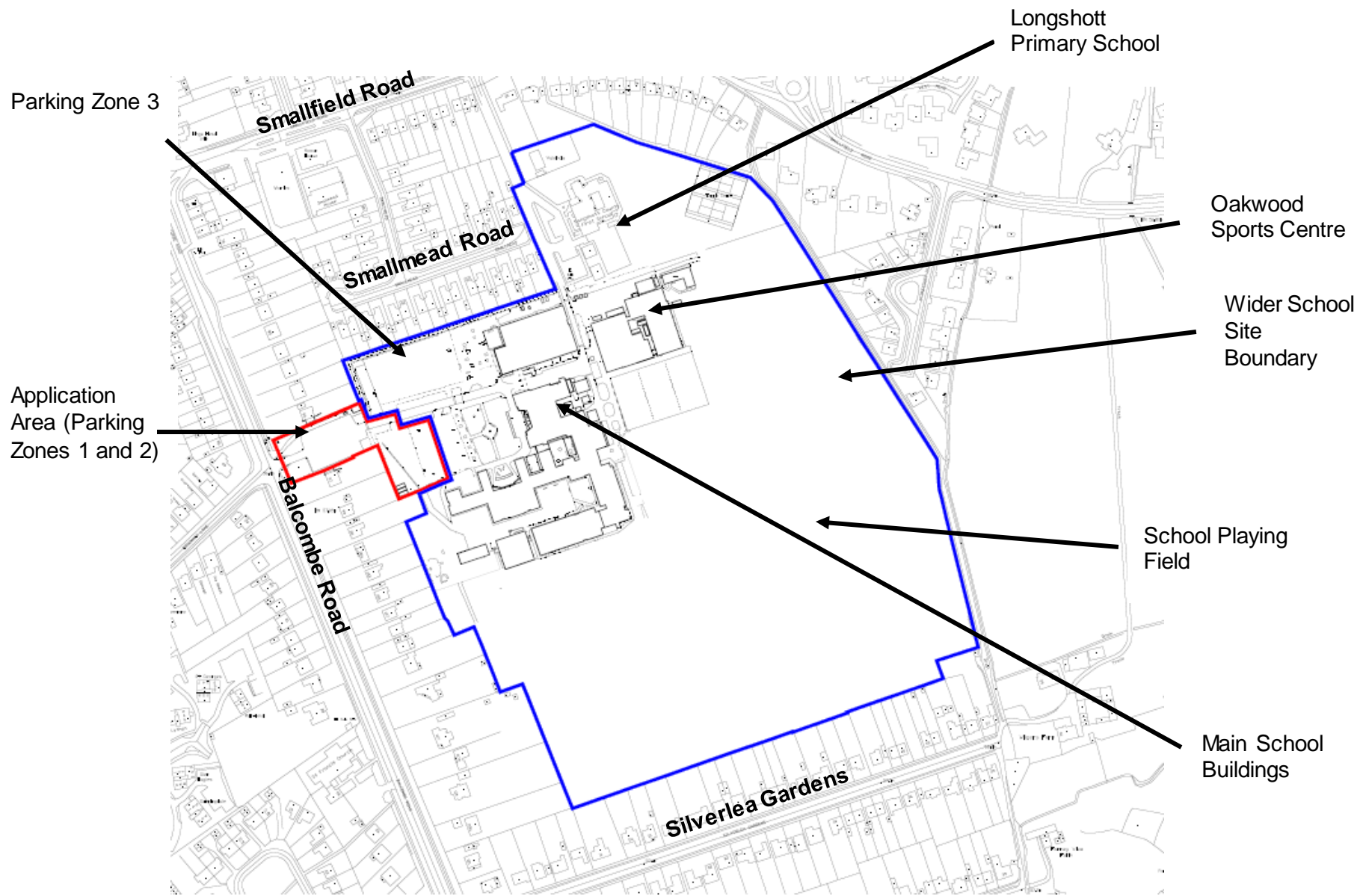


Figure 1: Locational plan with application site (parking zones 1 and 2) outlined in within the red line boundary.

Planning History

5. A summary of recent and relevant planning decisions for Oakwood School include:

RE/23/00339/CON	Details of a Travel Plan pursuant to Condition 14 of planning permission ref: RE21/02101/CON dated 16 December 2021 approved 19 July 2023.
RE23/00110/CON	Details of drainage verification report pursuant to Condition 9 and details of a landscape plan with maintenance plan and watering schedule pursuant to Condition 11 of planning permission ref: RE21/0201/CON dated 16 December 2021 (approved 8 March 2023).
RE22/01797/CON	Details of electric vehicle charging points and secure cycle storage pursuant to Conditions 17 and 18 of planning permission ref: RE21/02101/CON dated 16 December 2021 (approved 17 March 2023).
RE22/00095/CON	Details of a surface water drainage scheme and method statement for car parking resurfacing, bicycle store and footpath submitted pursuant to Conditions 8 and 10 of planning permission RE21/02101/CON dated 16 December 2021 (approved 1 September 2022)
RE22/01357/CON	A Non-material Amendment (NMA) to planning permission ref: RE21/02101/CON to allow alterations to the parking layout and cycle storage, the addition of raised kerbs, planting areas and a revised location for the electric vehicle charging point (approved 1 July 2022).
RE21/02101/CON	Two storey extension to school to provide additional classrooms and reorganisation of existing hard standing areas to provide parking and play space, including two additional parking spaces (granted 16 December 2021).
RE20/01982/CON	Construction of new modular dining hall and associated external works (granted 19 March 2021).
RE20/01520/CON	Construction of a barrel vaulted external canopy with open sides and polycarbonate roof located in an internal courtyard to provide additional external dining facilities to meet the required provision of dining facilities for the school (granted 24 September 2020).
RE19/00323/CON	Construction of a detached single storey 'access for learning facility' building to include staff offices, teaching rooms and toilet accommodation (granted 3 May 2019).
RE18/01768/CON	Minor extensions comprising a single-storey extension to the School gymnasium hall; replacement of an existing external steel stair case with a new external steel staircase with roof canopy; single-storey detached toilet block adjacent to the dining hall; and a single-storey toilet block extension adjacent to the reprographics rooms (approved 28 September 2018).

6. Details Pursuant Application RE22/07197/CON originally sought to discharge details of a lighting strategy, electric vehicle charging points and secure cycle storage pursuant to Conditions 7, 17 and 18 of planning permission ref: RE21/02101/CON dated 16 December 2021. However, upon assessing this details pursuant application Officers were concerned about the scale of the infrastructure proposed with the proposed lighting scheme and considered the lighting scheme before them to be beyond the confines of a details pursuant application. Officer opinion was a full planning application was required to enable full consideration of the lighting scheme. This lighting scheme is now the subject of this report.

The proposal

7. The proposal comprises the erection of five lighting columns and LED lighting lanterns within parking zone 1 and four lighting columns and LED lighting lanterns within parking zone 2 (part retrospective). As detailed in Figure 2 below. A plan of the proposed lighting is located within Annex 2 of this Officer report.

Two Storey Extension Granted under Planning Permission RE21/02101/CON



Figure 2: Application site (parking zones 1 and 2) outlined in within the red line boundary.

8. The application is part retrospective, as a total of seven of the proposed nine lighting columns have been erected. This includes five lighting columns already erected in parking zone 1 (three located along the southern boundary of the car park and two along the northern edge of the car park); and two lighting columns already erected in parking zone 2 to the eastern edge adjacent to the new two storey extension. It is proposed that a further two columns with twin style bracket lights are to be erected within parking zone 2 within the central parking area. Although seven of the nine lighting columns have been erected, no lighting lanterns have been installed on these lighting columns and the lighting is not in use.
9. The applicant proposes that the lighting columns are to be four metres in height and will be finished in galvanised metal. Thorn Civil LED Road Lantern with extra wide street and comfort optic lighting heads are to be attached to the columns. The applicant proposes that the lighting heads are to be tilted at 10 degrees to assist with light distribution to the centre of the parking areas. In addition, the applicant outlines that each lighting head in parking zone 1 would be fitted with a back shield louvre to minimise light spread. The applicant outlines

that the columns are required to be four metres in height to ensure that the light spread would be sufficient for the car park.

10. The proposed lights are to be photocell controlled and therefore would only come on when the light levels drop during the time clock 'on' period, this is proposed to be:
 - Parking zone 1 car park: 08:00 to 18:00
 - Parking zone 2 car park: 07:30 to 18:00
11. The applicant proposes therefore, that the external lighting will be 'off' between the following hours:
 - Parking zone 1 car park: 18:00 to 08:00
 - Parking zone 2 car park: 18:00 to 07:30
12. It is expected during the summer months that the period of time that the lights are on will be greatly reduced to typically dawn and dusk levels.
13. The applicant also proposes that to cater for events at the school such as parents' evenings, school events or similar, an allowance of up to 30 days per year is allowed for the lighting hours to be extended to reflect the later closing times of the school and the external lighting scheme to be set to 'off' for the following hours:
 - Parking zone 1 car park: 22:00 to 08:00
 - Parking zone 2 car park: 22:00 to 07:30

Consultations and publicity

District Council

- | | | |
|--|---|--|
| 14. Reigate & Banstead Borough Council | : | No objection. |
| 15. Reigate & Banstead Borough Council
Environmental Health Officer | : | No comments to make, advised to seek
County Lighting Consultant comments. |
| Consultees (Statutory and Non-Statutory) | | |
| 16. County Lighting Consultant | : | No objection. |
| 17. Scotia Gas Networks Limited (SGN)
and excavations. | : | Standing advice regarding digging practices |
| 18. UK Power Networks | : | Standing advice regarding digging practices. |
| 19. SES Water | : | Standing advice regarding digging practices |
| 20. Zayo Group UK | : | Standing advice regarding digging practices |
| Parish/Town Council and Amenity Groups | | |
| 21. Horley Town Council | : | No comments received |

Summary of publicity undertaken and key issues raised by public

22. The application was publicised by the posting of 2 site notices dated 20 July 2023. A total of 113 of owner/occupiers of neighbouring properties were directly notified by letter. To date 9 letters of representation have been received by the County Planning Authority (CPA). These representations included 8 objections and 1 in support of the proposal.
23. Details of the full representations received can accessed via the respective districts planning portal. The representations received objecting to the application can be summarised as follows:
- a.) The Council has already approved huge flood lights for the proposed football pitch despite objections from a majority of neighbours, sceptical that notice will be taken of any objections to this proposal.
 - b.) The proposal will cause severe light pollution and be intrusive/disturbance to neighbours and residents who surround the site. This includes light pollution from diffusion during low cloud and increased illumination/ glare from wet conditions on the tarmac. Concern has also been raised regarding the impact this lighting would have in the winter months on adjacent residents with needing to keep blackout blinds/curtains shut in the late afternoon and late mornings to avoid light pollution/disturbance. In addition, it is raised that there is no guarantee that the lights will not be used outside the permitted hours causing problems for the adjoining residents.
 - c.) Concern raised regarding the type of lighting proposed (extra wide optic fitting), the size of the lighting heads, the size of the lamp columns and use of back shield louvres (baffles) required within the context of a residential setting and height against existing residential fencing causing significant visual impact negatively impacting neighbouring residents. Concern raised that the baffles will not stop illumination from occurring in the neighbouring properties and that the angle of the extra wide street optics will impact on the neighbouring properties opposite the lights. Suggestion that low level pillar lighting would be sufficient. In addition, concern was raised with the location of lighting against existing neighbouring infrastructure (including a greenhouse) causing reflecting, refracting and emission of illumination across neighbouring property. Concern has also been raised regarding the areas of the car park are too big to be lit by perimeter fittings at 4m high columns.
 - d.) The colour of the lighting columns and light colour was also raised as a concern as the street lighting along Balcombe Road has lighting columns in green powder coat with warmer colour lights and this proposed lighting scheme is not consistent with this.
 - e.) The impact of light flooding to neighbouring residential properties will cause a decrease in the value of their properties and significant impact on the wellbeing and mental health of residents and ability to sleep.
 - f.) Concerns raised regarding the approach the applicant has taken with erecting the lighting columns without planning permission and now applying for a retrospective application. Concern raised that the previous planning decision (RE21/02101/CON) was made on the basis of no lighting being erected.
 - g.) Concern raised regarding the vague description of what the additional extended hours of up to 30 days will be used for (parents evenings, school events or similar) and the potential impact/disruption this could cause. The additional lighting and use of the car parks should only be as direct educational need for school pupils/ school activities and nor public shows or commercial promotions which may impinge on the personal privacy or enjoyment of the neighbours especially out of school hours, weekend or holiday periods. In addition concern raised regarding 30 days being too high.

- h.) The school has experiences of joy riders and groups of youth during evenings and weekends causing disruption. The extra lighting in this area will facilitate and further enable this behaviour.
 - i.) The School has no consideration for residents surrounding their site with poor maintenance of existing hedging affecting neighbouring residential houses.
 - j.) Existing issues raised with the use of the student's use of the hard standing area that backs to the boundary with Smallmead.
 - k.) The existing lights in place provide significant glare and the high powered extra wide beam lighting proposed will add to this.
 - l.) The continued unforeseen expansion is placing ever increasing light and noise pollution on residents surrounding the school.
 - m.) New lighting is needed around the area of Oakwood Gym and this is where funding for lighting should go.
 - n.) Concerns raised that this proposal does not align with Surrey County Council's values and visions.
 - o.) Incorrect information submitted categorising that the site is in Environmental Zone is E3 (medium district brightness) which wrongly assumes ambient lux levels of 5lx are permissible.
 - p.) Prior to the school's recent developments, at least one Barn Owl was evident within the local area, and have since disappeared negatively impacting the rural character of the area.
 - q.) The school premises operate with an onsite privately operated gym until 21:00 hours, which presents a reduction to amenity. The traffic has navigated the space between the residential houses with no lighting for many years.
24. In respect of point (a) Surrey County Council are only involved in planning applications that fall under the criteria of Regulation 3 of the Town and Country Planning General Regulations [The Town and Country Planning General Regulations 1992 \(legislation.gov.uk\)](https://www.legislation.gov.uk). The flood lights that the representation refers to is part of a Community 3G Football Turf Pitch that has been permitted by Reigate and Banstead Borough Council. As this application has not been determined by Surrey County Council, Officers cannot provide comments on how representations for that planning application were considered. All representations received on Surrey County Council planning application are reviewed and considered in line with the relevant development plan policies and national framework and guidance.
25. In respect of points (b), (c), (d), (e), and (k) an assessment of the impact of light pollution and design of the lighting scheme has been undertaken and is detailed within the Officer report below. The lighting scheme proposed is to be controlled via photocell and timer and therefore the lighting will only be on within prescriptive times associated with the operational hours of the school Monday-Friday (generally between 07:30-18:00 hours for parking zone 2, and 08:00 – 18:00 hours for parking zone 1, it is proposed that these hours are extended to 22:00 for up to 30 days of the year to allow for school activities/events such as parents evenings or prospectus evenings), the lighting in parking zones 1 and 2 will only be on during these times when the daylight level is insufficient. This approach to controlling the lighting scheme will assist in avoiding the lighting from coming on when there is sufficient daylight and the operational hours of the lighting scheme is recommended to be conditioned. If the lighting was operational outside of the hours stipulated by the condition, Officers would

investigate this in accordance with Surrey County Council's Planning Enforcement and Monitoring Protocol.

The lighting heads in parking zone 1 are also proposed to have a back shield louvre attached to also assist with minimising light spill beyond the parking zone. The County Lighting Consultee (CLC) has reviewed the proposal and raises no objection to the proposal.

In terms of the impact on the value of properties, the perceived loss of property values is not a material consideration within planning. In addition, within the context of this application the weather conditions on the tarmac is not considered a material consideration. For further information on what constitutes a material planning condition, please refer to the National Planning Policy Guidance on determining a planning application – what is a material planning consideration? [Paragraph 008 Reference ID: 21b-008-20140306 dated 6 March 2014](#).

26. In respect of point (f) the purpose of the retrospective application is to assess whether changes that have not been permitted but are on site, are suitable for the site in regard to national and local policy and development guidelines. Retrospective applications are assessed in the same manner as any other application, there is no bias towards approval or granting permission just because it is retrospective.
27. In respect of point (g) the applicant has provided further details of the requirements for the additional extended hours of up to 30 days a year within the document 'Oakwood School Lighting Response' dated 7 September 2023. The applicant outlines the additional hours are required to facilitate the open evenings for prospective parents, information evenings for existing parents, school shows and productions (e.g. drama, music and dance performances), and parents evening. The applicant outlines the list is not exhaustive but are events for the school community and not external users and are all existing and ongoing events held at the school every year. Officers consider that the proposal for additional hours for up to 30 days (maximum) is appropriate for the context of the school and the proposed additional hours would still be within acceptable curfew hours. It is recommended that a condition is included to ensure that accurate records of the number of days that the extended hours have been used are maintained and made available to the County Planning Authority upon request to ensure that these additional hours are used only when required.
28. In respect of points (h), (i), (j), and (m) these concerns raised are outside of the scope of this planning application for a lighting scheme within parking zones 1 and 2. The County Planning Authority determine applications put before them and are not involved with where funding should be allocated for development.
29. In respect of points (l) and (n) this proposal relates to the lighting scheme proposed in parking zones 1 and 2 of the school site. All planning applications are assessed and determined in line with the development plan policies and the national planning policy framework and guidance to ensure that development is appropriate for the land use.
30. In regard to point (o) RBBC identify the site as an urban area and Officers also recognise that Horley is a town and consider that the location of Oakwood School is in the Environmental Zone E3 (medium district brightness). Therefore, the lighting assessment has been undertaken in line with this Environmental Zone.
31. In regard to point (p) the possible ecological impacts have been assessed within the Officer report within paragraphs 76-77.
32. In regard to point (q) parking for Oakwood Sports Centre is located at the main school car park at Oakwood School accessed via Balcombe Road, as required by planning permission RE91/09670/CON dated 5 December 1991 and RE95/1221 dated 28 December 1995. Existing lighting is already established within the main parking area (parking zone 3 – not

part of this application). The space between the residential houses (parking zone 1) has been an established car parking area since 1989 and this lighting scheme is in line with operational hours of the school and not users of the sports centre who are to use the main parking area (parking zone 3). In line with Policy TAP1 from the Reigate and Banstead Borough Council Local Plan Development Management Plan (2019), sufficient visibility and lighting for safe and convenient use of the roads, cycle tracks, paths and parking places should be incorporated to all types of developments. Officers have therefore assessed the need for the lighting in line with the development plan policies and the need for users associated with the operation of the school.

Planning considerations

Introduction

33. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
34. In this case the statutory development plan for consideration of the application consists of the Reigate and Banstead Local Plan – Development Management Plan 2019 and the Reigate and Banstead Core Strategy 2014. No Neighbourhood Local Plans have been identified. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
35. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: the design, light pollution, and impact on residential amenity.

DESIGN, LIGHT POLLUTION AND IMPACT ON RESIDENTIAL AMENITY

Reigate and Banstead Local Plan Core Strategy (2014) (RBCS)

Policy CS10 – Sustainable Development

Reigate and Banstead Local Plan – Development Management Plan (RBBCDMP) (2019)

Policy DES1 – Design of New Development

Policy DES9 – Pollution and Contaminated Land

Policy TAP1 – Access, Parking and Servicing

Policy NHE1 – Landscape Protection

Reigate and Banstead Supplementary Design Guides

Horley Design Guide Supplementary Planning Document (2006)

Reigate and Banstead Borough Council Local Character and Distinctiveness Design Guide Supplementary Planning Document (2021).

Policies

36. The National Planning Policy Framework (NPPF) (2023) states in paragraph 185 that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

37. Policy DES1 from the Reigate and Banstead Local Plan Development Management Plan (2019) states that all new development will be expected to be of a high quality design that makes a positive contribution to the character and appearance of its surroundings. Planning permission will be granted for new development where it meets the following criteria:
- Promotes and reinforces local distinctiveness and respects the character of the surrounding area, including positive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene.
 - Has due regard to the layout, density, plot sizes, building siting, scale, massing, height and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site.
 - Provides an appropriate environment for future occupants whilst not adversely impacting upon the amenity of occupants of existing nearby buildings, including by way of overbearing, obtrusiveness, overshadowing, overlooking and loss of privacy.
38. Part 1 of Policy DES9 from the Reigate and Banstead Local Plan Development Management Plan (2019) states that for all types of development, across the Borough:
- a.) Development will only be permitted where it can be demonstrated that (on its own or cumulatively) it will not result in a significant adverse or unacceptable impact on the natural or built environment (including sensitive habitats); amenity; or health and safety due to light. Where there would be potential adverse effects from pollution and adequate mitigation cannot be provided, development would not normally be permitted. This includes pollution from construction and pollution predicted to arise during the life of the development.
39. Part 1 (b) point (v) of Policy TAP1 from the Reigate and Banstead Local Plan Development Management Plan (2019) outlines that all types of development, across the borough will be required to incorporate highway design and layout that provides sufficient visibility and lighting for the safe and convenient use of the roads, cycle tracks, paths and parking places.
40. Part 4 of the Policy NHE1 of the Reigate and Banstead Local Plan Development Management Plan (2019) states that throughout the borough, development proposals must:
- a.) Respect the landscape character and landscape features of the locality.
 - b.) Have particular regard to potential impacts on ridgeline, public views and tranquillity, and the effects of light pollution.
 - c.) Be of a design, siting and scale that is complementary to the landscape and its surroundings.
 - d.) Use appropriate external building materials, particularly in terms of type and colour, to avoid the development appearing conspicuous in the landscape.
41. Policy CS10 of the Reigate and Banstead Core Strategy (2014) states that development will be at an appropriate density, taking account of and respecting the character of the local area and level of accessibility and services, and be designed to minimise pollution, including light.
42. The Institute of Lighting Professionals (ILP) Guidance Note (GN01/21) for the Reduction of Obtrusive Light 2021 (ILP Guidance) provides guidance to consider when developing lighting schemes in sensitive areas. The ILP Guidance outlines two effects of lighting, this being obtrusive light and sky glow. Obtrusive light is that which impedes your view of the night sky and would keep you awake through a bedroom window and is a form of pollution. Sky glow is the brightening of the night sky. The ILP guidance goes on to outline that glare, the uncomfortable brightness of a light source when viewed against a darker background and light intrusion are all forms of obtrusive light which may cause nuisance to others. The ILP Guidance states that the choice of luminaire with the right optical distribution at the right

mounting height is critical to minimising light spill and obtrusive light effects yet providing the right lighting performance on the task area.

43. In addition, the ILP has also produced Guidance Note (5/17) for Using LEDs to provide guidance on blue light content of a light source and its potential to affect human health, flora and fauna.

Details Submitted

44. As set out above, the proposal comprises of the erection of five lighting columns and LED lighting lanterns within parking zone 1 (three located along the southern boundary of the car park and two along the northern edge of the car park); and four lighting columns and LED lighting lanterns within parking zone 2 (two located to the eastern edge adjacent to the new two storey extension, and two with twin style bracket lights located within the central parking area) all four metres in height and finished in a grey galvanised metal with Thorn Civil LED Road Lantern with extra wide street and comfort optic lighting heads are to be attached to the columns. The lighting heads are proposed to be tilted at 10 degrees to assist with light distribution to the centre of the parking areas, and each lighting head in Parking Zone 1 is proposed to be fitted with a back shield louvre to minimise light spread. The lighting columns are sited to the edge of the parking areas to provide uniformity of light across the car parking area.
45. The lighting scheme design has been designed in line with CIE150 – Guide on the Limitation of the Effect of Obtrusive Light and the design has been modelled upon columns of varying heights to assess the lighting spread and impact on adjacent neighbouring properties along Balcombe Road whose rear backs onto the application site. Bollard lighting has been considered by the applicant but was not considered sufficient to cover the entire car park and that bollard lighting could be easily blocked by parked cars meaning the light spread would not be sufficient for safety. The applicant carried out modelling for varying column heights of 3m, 4m and 5m. Following the outcomes of the modelling, the applicant discounted the 3m high lighting columns due to the lack of uniformity of lighting spread and the reduced coverage to the centre of the parking areas, whilst 5m high lighting columns were considered to cause light spill to adjoining properties. The document outlines that the optimum height for the columns are 4m to ensure that the light spread would be sufficient for the car parks but not cause light spill.
46. The proposed lights are to be photocell controlled and therefore would only come on when the light levels drop during the time clock 'on' period. The timings of the lighting proposed is stipulated in the description of the proposal outlined above.
47. The applicant proposes that upon completion of the works, verification of the lighting 'Light Lux Levels' recordings will be taken to measure the illuminance values within the school boundary to ensure as-installed complies with as designed.

Evaluation

48. When assessing whether a development proposal might have implications for light pollution, the National Planning Policy Guidance (NPPG) states in paragraph 002 (reference ID: 31-002-2019-1101) that the local planning authority should consider the following aspects:
- Where the light shine
 - When the light shines
 - How much light shines
 - Possible ecological impacts

As such the structure of this evaluation is considered in line with this guidance.

Where the light shines

49. Paragraph 003 (reference ID: 31-003-20191101) of the NPPG states that light intrusion occurs when the light 'spills' beyond the boundary of the area being lit. For example, light spill can result in safety impacts related to the impairment or distraction of people (e.g. when driving vehicles), health impacts arising from impaired sleep, cause annoyance to people, compromise an existing dark landscape and/or adversely affect natural systems (e.g. plants, animals, insects, aquatic life). These adverse effects can usually be avoided with careful lamp and luminaire selection and positioning:
- Lighting near or above the horizontal is usually to be avoided to reduce glare and sky glow (the brightening of the night sky).
 - Good design, correct installation and ongoing maintenance are essential to the optical effectiveness of lighting schemes such as fixed and/or regularly operated functional and decorative lighting elements.
 - In combination with optical good practice aimed at limiting light pollution, efficient lamp and luminaire selection are important considerations to minimise energy use and associated carbon emissions.
50. Light spill is defined in the ILP Guidance as the spilling of light beyond the boundary of the area being lit which may cause nuisance to others. The angle of light emitted from a lighting source is therefore important. In lighting design, it is important to consider both the vertical (light shining on to a wall) and horizontal (light shining on the ground) illuminances as well as light shining above (i.e. towards the sky).
51. Whilst residential properties surround the wider School site, the closest residential properties to the application site (parking zone 1 and parking zone 2) includes No. 93 Balcombe Road which is located to the northern boundary of parking zone 1, and No. 97 Balcombe Road which is located to the southern boundary of parking zone 1 and to the southwest of parking zone 2. The rear of property No.99 Balcombe Road is also adjacent to parking zone 2. Vegetation and fencing exist between parking zone 2 and the rear curtilages of the residential properties along Balcombe Road, providing some screening to the residential properties. Vegetation and a pedestrian pathway sit between parking zone 1 and No. 93 Balcombe Road, and shiplap fencing denotes the residential curtilage of No.97 Balcombe Road and parking zone 1.
52. The proposal is for three lighting columns along the southern boundary of parking zone 1 with two along the northern edge; and four lighting columns within parking zone 2 (two located to the eastern edge adjacent to the new two storey extension, and two twin style bracket lights located within the central parking area). Due to the location of the lighting the lighting scheme has been designed in line with CIE150 – Guide on the Limitation of the Effect of Obtrusive Light in respect to the bedrooms overlooking the site from adjacent properties.
53. The ILP Guidance outlines that in most cases it will be beneficial to use as high a mounting height as possible as a lower mounting height can create a higher degree of light spill and then require additional lighting points. The higher the mounting point the narrower the beam of floodlight resulting in less light spill and glare. The ILP Guidance goes on to recommend luminaire aiming angles should be less than 70 degrees. As detailed above the modelling undertaken in accordance with CIE150 concluded the optimum height for the lighting columns would be 4m in height to ensure sufficient lighting is provided within the car parks, and angled by 10 degrees to minimise light spread, with back-shield louvres included on the lighting heads within parking zone 1. The applicant has stated that back shields in parking zone 2 are not necessary due to the positioning of the lighting columns relative to the boundary distance and the line of sight.
54. Reigate and Banstead Borough Council (RBBC) has raised no objection to the proposed design or quantity of lighting from a character point of view given the context of the site

which is a school car park in an urban area. RBBC outline in their response that the light output results show that the light spill is predominately concentrated to within the proposed parking areas, however, the submitted information does show some light spill to the neighbouring properties, particularly No.97 to the south of car park zone 1. RBBC however, are satisfied that the details submitted provide evidence that the illuminance levels at the closest property, no. 97, do not exceed 0.5 Lux with 4m columns. Furthermore, RBBC recognise that the modelling does not include the proposed back-shield louvres within the calculations provided and therefore the level of illuminance will be less than that modelled and that this proposed lighting scheme will also be time controlled, with the exception of one off events (up to 30 days in the year), so that the lighting would not be on before 7:30 or 8:00 or after 18:00 hours. In this regard RBBC considers that it is unlikely that the proposal would result in unacceptable impact on the neighbouring properties. However, the RBBC recommended that the proposal be considered by the Environmental Health Officers prior to determination to ensure that the levels of light spill are within an acceptable range and would not result in unacceptable harm to the occupants of the neighbouring dwellings. In addition, RBBC recommended that a condition is included to ensure that the lighting is installed correctly including a post installation assessment.

55. The Environmental Health Officer (EHO) for RBBC have provided no comments on this application as at present they do not have lighting expertise. Following discussions with RBBC it was advised that Surrey use their own Lighting Consultant.
56. The County Lighting Consultant (CLC) has reviewed the documents submitted and agrees that bollard lighting would not provide adequate lighting for the car park areas and that shadowing from vehicles would impact further on light levels and agrees that 4m high columns would provide the optimum solution for the site. The CLC considers that the proposed operating hours are not deemed unreasonable when used in conjunction with photocell control, and considers that the provision of back-shields would mitigate glare.
57. The CLC also noted that the document states that the installation will comply with CIE150 by quoting limitation of illumination on surrounding properties, however the CLC raised that the CIE150 also requires limitation of bright luminaires in the field of view. The CLC requested calculations and/or proof of compliance relating to maximum values for luminous intensity be provided to demonstrate compliance with clause 3.6.5.2 Limitation of Bright Luminaires in the Field of View, as detailed in CIE150.
58. The applicant has provided further information on this matter. This states that the colour of the lighting proposed to be used would be within the range of 'cool white' and that back shields louvres are only proposed to be installed in parking zone 1. The applicant has stated that modelling undertaken has shown that black shield louvres are not considered necessary, based upon the positioning of the lighting columns, within parking zone 2 relative to the boundary distance of the surrounding properties and the line of sight.
59. The applicant has outlined that during pre-curfew hours and with back shield louvres fitted to all lighting heads within car parking zone 1 the luminous intensity in the field of view will be cut-off in designated directions below the values as stated within CIE150 clause 3.6.5.2. The applicant proposes that the louvered fins will be set to positions to the realistic closest maintained observer position to obscure the line of sight with the lanterns. Post-curfew, the applicant outlines that more stringent controls are applied within the applicant area of car parking zones 1 and 2. The external lighting will be fitted with photocell controls with time-switch override to signal all circuits "off" between the post curfew hours as per recommendations in CIE150 clause 3.5.1 item C. The applicant outlines that this will provide a Luminous Intensity of 0 cd within parking zone 1 and 2 areas as all new external lights will be off during post-curfew hours.

60. The applicant has provided detailed of the colour of the lights being 4000 Kelvin (K) on the Luminaire Data Sheets which is within the range of cool white. The applicant does outline that back shield louvres can be retrofitted if required in parking zone 2.
61. The CLC has reviewed the additional information provided and considers that the drawing ref: ZG-AGI-0002261568-EX1-R00-069023, rev.0 'Oakwood School External Lighting Plan' dated 6 September 2023 illustrates limited spillage to adjacent properties, and also illustrates limited illumination on the vertical plane of adjacent properties. The CLC is satisfied that the further information details the pre-curfew method of compliance to CIE150 and the Institute of Lighting Professionals Guidance Note (GN01/21) by using shield louvres to limit glare and noted that back shield louvres can be retrofitted to fittings in parking zone 2 if required. The CLC raises no objection to the proposal including the design, height of the columns, light spill or sky glare. The CLC has also commented that the submitted details and modelling, including Lux levels, have been done *without* the proposed shields added as it is not possible to accurately model the lighting with the shields added. As RBBC have noted above, the actual spill would be less than that shown on the modelling and plans.
62. Officers consider that the applicant has provided sufficient details to show the proposal is compliant with CIE150 and the Institute of Lighting Professionals Guidance Note (GN01/21). Officers consider that the design of the lighting columns would not be at odds with the character of the surroundings it would be placed in and would not adversely impact upon the amenity of the occupants of existing nearby buildings and that mitigation has been provided. Officers are satisfied the proposal meets the requirements of the Development Plan Policy in regard to where the light shines. Officers also recognise that the use of the photocell and timer will ensure that lights are not in use outside of specified hours and the back shield louvres will seek to minimise light spill beyond the application site. Officers recommend that conditions stipulating that the lighting scheme shall be installed in accordance with the details submitted and that a verification report should be submitted to ensure that the lighting scheme is installed in accordance with the details submitted in this application.

When the light shines

63. Within Paragraph 004 (reference ID: 31-004-20191101) of the National Planning Practice Guidance on Lighting states that the use of lighting only when the light is required can have a number of benefits, including minimising light pollution, reducing energy consumption, reducing harm to wildlife and improving people's ability to enjoy the night sky:
- Lighting schemes could be turned off when not needed ('part-night lighting') to reduce any potential adverse effects - e.g. when a business is closed or between midnight and 5am or 6am. Planning conditions could potentially require this where necessary.
 - Lighting could also be dimmed to minimise its visual impact at times of reduced need or increased sensitivity.
 - Impacts on sensitive ecological receptors throughout the year, or at particular times (e.g. during bird migrations) may be mitigated by the design of the lighting or by turning it off or down at sensitive times.
64. In line with the NPPG Paragraph 004 the applicant proposes that the lights are controlled by photocell and a timer and therefore the lighting would only come on when the light levels drops during the time clock 'on' period, including:
- Parking zone 1 car park: 08:00 to 18:00
 - Parking zone 2 car park: 07:30 to 18:00

The applicant proposes that the external lighting will set to an 'off' period outside of these hours. An allowance of up to 30 days per year is proposed to allow for the lighting hours

to be extended to reflect later closing times of the school for school events such as parent's evenings, school events of similar. As such the applicant proposes the 'on' period is extended until 22:00.

65. Officers note that there is existing lighting at the school in parking zone 3 (not part of this application). The lighting in car parking zone 3 is a safety requirement required as part of the parking provision for Oakwood Sports Centre (separate to the school). These parking provisions are detailed under planning permissions RE91/09670/CON dated 5 December 1991 and RE95/1221 dated 28 December 1995 and stipulate that users of Oakwood Sports Centre are required to park in the main school car park (now referred to as parking zone 3) of Oakwood School to minimise disruption of parking to local residents. Oakwood Sports Centre use the car park between the hours of 16:00 to 22:00 hours.
66. Officers consider that use of photocell control for the timings of lighting will ensure that lighting will be turned off during daylight hours, and therefore would only be used when necessary, during the operating hours of the site. As zone 1 and zone 2 car parks are for use by the school, the hours of operation will be limited to the operational hours of the school. It is expected that as the photocells are daylight sensitive that the lighting would predominately be used during winter months during the darker evenings this would assist in minimising impact to the local environment and residential amenity and the timer will prevent the lighting from switching on unnecessarily during daylight hours.
67. As outlined in the ILP Guidance, depending upon the application, curfew times often commence between 21:00 to 23:00 and may run until 07:00 to ensure the reduction of obtrusive light is prioritised within the immediate environment and towards sensitive human as well as fauna and flora receptors. No specific curfew hours for lighting have been defined by RBBC. However, based on the typical lighting curfew hours stipulated by the ILP Guidance, Officers consider that the proposal of the timings of when the lighting is used is appropriate to the context of the location and operational use of the car parks and by controlling the timing of the lights coming on would seek to minimise adverse impacts of light pollution and would not result in any significant adverse impact to the local environment. No objection has been raised by RBBC or by the CLC regarding the proposed operational hours of the lighting. As such, Officers consider that the proposal accords with the Development Plan Policy in this regard to the use of when the lighting is used, subject to a condition stipulating the operational hours of use.

How much the light shines

68. Paragraph 005 (reference ID: 31-005-20191101) of the NPPG outlines that how much light shines should be considered and this may include an assessment of the quantitative and spectral attributes of the lighting scheme (e.g. light source and performance levels) and whether it exceeds the levels required to fulfil its intended purpose. Consideration can also be given to whether the proposed lighting is purely for decorative purposes as opposed to being needed for functional reasons such as security. The character of the area and the surrounding environment may affect what will be considered an appropriate level of lighting for a development. In particular, lighting schemes for development in protected areas of dark sky or intrinsically dark landscapes need to be carefully assessed as to their necessity and degree.
69. Paragraph 005 of the NPPG goes on further to state that glare needs to be avoided, particularly for safety reasons. Glare is the uncomfortable brightness of a light source due to the excessive contrast between bright and dark areas in the field of view. Consequently, the perceived glare depends on the brightness of the background against which it is viewed. It is affected by the quantity and directional attributes of the sources.
70. The ILP Guidance provides environmental zones for exterior lighting control from E0 (protected landscapes) to E4 (urban). Officers consider the application sites falls within E3

'Suburban' which is for well inhabited rural and urban settlements, small town centres of suburban locations. This has a lighting environment of medium district brightness² and therefore it is recognised that there is a level of brightness in the area. One of the representations received considered the application site is E2 'Rural' however Officers disagree with this as 'Rural' in the ILP Guidance is defined as sparsely inhabited rural areas, village or dark outer suburban locations which is not the type of location Oakwood School is situated in.

71. In accordance with Table 1: The effect on the ability to view the night sky at various angles in the ILP Guidance, an angle of 10 degrees would cause a minimum sky glow effect with some glare effect. The proposal seeks to tilt the lighting heads on the columns by 10 degrees to assist in limiting light spill and the additional use of a back-shield louvre in parking zone 1 would also contribute to limiting the spill of light beyond the car park and thereby seek to limit the light pollution experienced within the local environment and residential amenity.
72. As discussed above, it is beneficial to use a high a mounting height as possible, giving due regard to the daytime appearance of the installation and that a lower mounting height can create a higher level of light spill and require additional lighting points. Higher mounting heights allow for lower main beam angles, which can assist in reducing glare.
73. The height and design of the lighting columns are consistent with existing lighting on site. Officers recognise that the height of the lighting columns is taller than the existing fencing and vegetation that borders parking zones 1 and 2, and therefore would be visible to the neighbouring properties. However, when considering the proposal against the guidance outlined by the ILP the proposal for a 4m high light column is proportional for the purpose of providing sufficient lighting for users of the school car park to minimise the level of light spill and avoid more lighting points being required. A lower height for the lighting columns has been modelled within the submission but it has been demonstrated that this does not provide sufficient lighting coverage for the car parks and their purpose. The CLC also acknowledges that a lower level of lighting such as bollard lighting would not provide adequate lighting for the car park areas and that shadowing from vehicles would impact further on light levels.
74. RBBC consider that the proposed scheme is suitable for the urban location that the application site is located in and also within the context of providing lighting for a school car park during specified operational hours.
75. The CLC considers that the RELUX Modelling Output Reports and additional lux level plot submitted illustrates that there is limited spillage to adjacent properties and that there is limited illumination on the vertical plane of adjacent properties. The CLC considers that the proposed lighting scheme meets the compliance with CIE150 – Guide on the limitation on the Effect on Obtrusive Light and the use of back shield louvres would assist with limiting glare in line with CIE150 and the ILP Guidance. Officers consider that an alternative solution for a lower height of the columns would not provide the suitable level of light required for safety purposes of the car park and could also result in greater light spill. In this respect Officer consider the design of the proposal proportionate to the need and context of a school car park and as such Officer consider that the proposal accords with the Development Plan Policy in this regard to the how much light shines, subject to a condition stipulating that the lighting scheme shall be installed in accordance with the details submitted and that a verification report should be submitted to ensure that the lighting scheme is installed in accordance with the details submitted in this application.

Possible Ecological Impacts

² Table 2: Environmental Zone – Institute of Lighting Professionals Guidelines (Guidance Note 01/21)

76. The application site is not located adjacent to any protected habitats and no habitats of interests have been identified close to the site. Officers consider Oakwood School is located in Environmental Zone E3 Suburban which has a lighting environment of medium district brightness³ and it is recognised that there is an existing level of brightness in the area. Because of this existing use of the site as an established car park and the proposed predetermined timings of the lighting being switched on to a limited set of hours, and the suburban context of the site, adjacent to a B-road (Balcombe Road) Officers do not consider that in terms of the proposed operational hours of use that there would be unacceptable impact on local ecology.
77. In terms of the design of the lighting, the type of light fitting proposed is LED and is to be 4000 Kelvin (K) which is within the range of 'cool white'. Paragraph 005⁴ of the NPPG states that in regard to the colour of the light, white light, with more blue content or with ultraviolet content, is generally more disruptive to wildlife than yellow/orange light. Similarly for humans, light intrusion by white/blue light is more disruptive to sleep. The use of modern white light sources that filter out blue or ultraviolet light may mitigate these effects, as well as offering superior directional control. However, whiter light aids people's vision and ability to perceive colour; it also facilitates CCTV use.
78. The ILP Guidance Note (GN08/23) provides guidance on bats and artificial lighting in the UK and recognises that lighting can impact both bat roosts and foraging activity. Many night flying species of insect that bats hunt are attracted to light sources that emit an ultraviolet component or a high blue spectral content and this can impact foraging. The guidance outlines that the key is the reduce blue content to protect bat species, that LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability; luminaires should be mounted horizontally with no light output above 90° and/ or no up/down tilt; column heights should be carefully considered to minimise spill; and lighting to be set to motion sensors. The guidance recognises that accessories such as baffles, hoods or louvres can also be used to reduce light spill and direct it to only where it is needed.
79. Officers consider that as the lighting scheme is to assist users of the car park the colour of a cool white light will aid users' visions. The use of a photocell and timer to limit the time period that the lighting scheme is on will assist with limiting the impact of the lighting on the local environment. As such Officers consider that the proposal would not have a harmful impact on the ecology/biodiversity of the area in terms of the type of lighting used, and in this respect, Officers consider that the proposal accords with the Development Plan Policy.

Conclusion

80. In assessing the proposal against the implication for light pollution, Officers have assessed the potential harm against where the light would shine, when the light would shine, how much the light would shine and the possible ecological impacts. Officers consider that the proposed lighting scheme is appropriate for the location with an Environmental Zone of E3 and is required for users of the school to safely access and egress the existing car parks. The applicant has demonstrated within the lux level plots and illumination modelling submitted that the light spill and illumination to adjacent properties will be limited. As the lighting will be controlled via the use of a photocell and timer on the lighting with back shield louvre used on lighting heads in parking zone 1 the lighting will only be operational during the operational hours of the school and will only be on when the daylight levels drop. Overall, Officers consider that the proposal accords with Development Plan Policy and the ILP Guidance in regard to design, light pollution and residential amenity. Officers do not consider that the proposal would cause an unacceptable impact on the local environment.

³ Table 2: Environmental Zone – Institute of Lighting Professionals Guidelines (Guidance Note 01/21)

⁴ Paragraph: 005 Reference ID: 31-005-20191101

Design of the Lighting Columns

81. The nine lighting columns are proposed to be 4m in height in a galvanised steel (grey) colour, with the lighting fittings in parking zone 1 also proposed to include a back shield louvre in a black colour. Representations received raised concern regarding the finishing of the proposed lighting and raised that lighting columns along Balcombe Road and the surrounding areas are finished in a green powder coat. No specific colours for lighting columns or lighting heads are defined within the Horley Design Guide Supplementary Planning Document (2006) or in the RBBC Local Character and Distinctiveness Design Guide Supplementary Planning Document (2021). Officers recognise that the proposed galvanised steel (grey) colour is in keeping with the existing lighting columns at Oakwood School in parking zone 3 and also by the gate at the entrance to the School site. The existing lighting within parking zone 3 is also recognised to have black lighting head fittings. In this respect Officers consider the proposal is consistent with the existing infrastructure on site and is not incongruous with the surrounding area. Officers do not consider the design colour of the proposal would not negatively impact the character of the surrounding area and would not adversely impact upon the amenity of occupants of existing nearby buildings, nor result in a significant adverse or unacceptable impact on the natural or built environment; and thereby accords with the Development Plan Policy.

Human Rights Implications

82. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
83. The proposal involves the installation of nine lighting columns within two existing car parks to provide illumination for the users of the car park. The proposal sets out these would be time controlled so that they would be switched off after 1800 hours with the exception of 30 days a year where they could be on later. It is recognised that the development has the potential to impact the local environment and amenity in terms of lighting. Issues and concerns have been raised by objectors on this matter.
84. These issues are acknowledged and have been assessed and discussed in the body of the report. It is recognised that the columns would be a new feature themselves in the car parks but these are not incongruous to car parks. It is recognised that the proposal would introduce lighting into the car parks which currently there is none. The scale of the impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and, if planning permission were to be granted any impact is capable of being controlled or mitigated by the measures incorporated in the planning application proposal and planning conditions.

Conclusion

85. The proposal seeks consent for the erection of five lighting columns and LED lighting lanterns within parking zone 1 and four lighting columns and LED lighting lanterns within parking zone 2 (part retrospective) into car parks where there is currently no lighting. The purpose of the lighting scheme is to provide sufficient lighting in users of Oakwood School's car parking zones 1 and 2 during the operational hours of the school. As such the proposal details that the lighting scheme is to be controlled by a photocell controller and timer to ensure that the lighting scheme is only in operation when necessary (when there is insufficient daylight) and that the lighting scheme is set to a timer to ensure that it does not go on outside of specified hours. The proposed operational hours of use are between 08:00 to 18:00 hours in parking zone 1 and 07:30 to 18:00 hours in parking zone 2. Outside of these hours the lighting would be set to 'off'. During specific school events, such as parent's evening, the applicant has requested that the lighting hours are extended to reflect a later

closing time of the school, extending the 'on' period to 22:00 hours in both parking zones 1 and 2. The applicant has requested this for an allowance of up to 30 days per year.

86. The lighting columns are proposed to be 4m high with the LED lighting lanterns adjusted to 10 degree angle to minimise sky glow and glare effect. The proposal also includes back-shield louvres to be included on the lighting heads within car parking zone 1 to further assist with minimising potential light spill beyond the car park boundary and it is noted that it is not possible to accurately model the lighting with shields added.
87. Officers consider that Oakwood School is located within Environmental Zone E3 'Suburban' which has a lighting environment of medium district brightness⁵ and therefore it is recognised that there is a level of brightness that exists within the area. Therefore, within the locational context of the proposal Officers consider that the proposed lighting would not give rise to significant adverse effect in terms of light pollution and should be considered in the context of what already exists on the existing school site and the wider context of the Environmental Zone of E3.
88. No objections have been received from RBBC subject to a condition regarding a post installation assessment to ensure that the lighting is installed correctly. No objection has been received from the CLC. The County Planning Authority (CPA) has received nine representations, one in support of this proposal and eight objecting broadly on the grounds of light pollution, height of the lighting columns in relation to the neighbouring residential properties that surround the application site, concern regarding extended use hours, and the submission of a retrospective planning application.
89. Officers have assessed this proposed design against Development Plan Policies and ILP Guidance. Officers recognise that there is limited distance between the proposed light scheme and neighbouring properties and the height of the 4m columns would cause some visual impact to neighbouring properties. However, when considering the proposal against the ILP Guidance the proposed 4m high light column is proportional for the purpose of providing sufficient lighting for users of the school car park to minimise the level of light spill and avoid more lighting points being required. A lower column height has been modelled within the submission but it has been demonstrated that this does not provide sufficient lighting coverage for the car parks and their purpose. The CLC also acknowledges that a lower level of lighting such as bollard lighting would not provide adequate lighting for the car park areas and that shadowing from vehicles would impact further on light levels. In addition, RBBC consider that the proposed scheme is suitable for the urban location that the application site is located in and also within the context of providing lighting for a school car park during specified operational hours.
90. Officers consider that the applicant has demonstrated within the RELUX Modelling Output Reports and the lux level plots submitted that the illuminance level and light spill to adjacent properties is limited and the design is compliant with CIE150. Officers recognise that an alternative solution for a lower height of the column would not provide the suitable level of light required for the safety purposes of the car park and could result in increased light spill. In this respect Officer consider the design of the proposal proportionate to the need and the context of the light scheme for a school car park.
91. As the proposal includes the use of a photocell controller and timer to only allow the lighting scheme to be on between specific hours (predominately on from 07:30 and 08:00 hours and off from 18:00 hours, apart from on specific occasions where school activities, such as parents evening occur the lighting would be turned off at 22:00 hours), Officers consider that the impact of the light pollution to local residents would be within standard curfew hours for lighting and the impact of the lighting pollution would therefore be limited to a specified time frame. In this respect Officers consider that the proposal would not negatively impact the

⁵ Table 2: Environmental Zone – Institute of Lighting Professionals Guidelines (Guidance Note 01/21)

character of the surrounding area and would not adversely impact upon the amenity of occupants of existing nearby buildings, nor result in a significant adverse or unacceptable impact on the natural or built environment, amenity or health and safety due to light; and thereby accords with the Development Plan Policy in this regard to the use of when the lighting is used, subject to a condition stipulating the operational hours of use.

92. Overall, Officers are satisfied that the proposal accords with the development plan and national policy and guidance and should be granted subject to relevant conditions.

Recommendation

93. That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning application ref: RE23/01392/CON be granted subject to the following conditions.

Conditions:

Approved Plans

1. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:
 - Drawing ref: OWL-PEL-ZZ-ZZ-DR-A-001, 'Car Park External Lighting Location Plan' dated May 2023
 - Drawing ref: OWL-PEL-ZZ-ZZ-DR-A-003, 'Car Park External Lighting Site Plan As Existing' dated May 2023
 - Drawing ref: OWL-PEL-ZZ-ZZ-DR-A-002, 'Car Park External Lighting Site Plan As Proposed' dated May 2023
 - Drawing ref: OWL-PEL-ZZ-ZZ-DR-A-004, 'External Lighting 4m Column Elevations as Proposed' dated 28 June 2023
 - Drawing ref: 21045-HAW-ZZ-00-DR-E-5201, rev. A 'Electrical Services External Lighting Layout' dated 9 May 2023
 - Drawing ref: ZG-AGI-0002261568-EX1-R00-069023, R0, 'Oakwood School External Light Plan' dated 6 September 2023

Construction Hours

2. In carrying out the development hereby permitted, no construction activities shall take place other than during the hours of:

Monday to Friday 0800 – 1800
Saturday 0900 – 1300

No works shall take place on Sundays, Public, Bank Holidays, or National Holidays.

Use of Lighting

3. The installation of external lighting as part of the development hereby permitted shall be implemented in accordance with approved drawing ref: OWL-PEL-ZZ-ZZ-DR-A-002, 'Car Park External Lighting Site Plan As Proposed' dated May 2023. In order to avoid any upward glare of light from the external lighting installed and to minimise light spill outside the boundary of Oakwood School parking zones 1 and 2, all external lights shall be downwards facing; and back-shield louvres shall be installed on the lighting heads in parking zone 1; and shall be fitted with a photocell operation with timeclock which turns all luminaires off at 18:00 hours (with the exception set out in Condition 4 when the time clock which turns all luminaires is set at 22:00hours) and with a manual override on.

4. The lighting hereby permitted shall not be illuminated except between the hours of:
 - Parking Zone 1 car park: 08:00 to 18:00
 - Parking Zone 2 car park: 07:30 to 18:00

Notwithstanding the above, for up to 30 days within a calendar year the lighting in Parking Zone 1 and Parking Zone 2 may be illuminated between the hours of 18:00 to 22:00 hours Monday to Friday for uses solely in direct connection with the Schools function such as parents evening. Accurate records of the number of days that the extended hours have been used in Parking Zone 1 and Parking Zone 2 shall be maintained for up to 12 months at any one time and shall be made available to the County Planning Authority upon request.

The lighting scheme shall not be operational during Saturdays, Sundays, Public Holidays, Bank Holidays, or National Holidays.

5. The lighting hereby permitted shall be installed and maintained such that light trespass into windows of residential properties as defined by the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Light Pollution at no time exceeds vertical luminance of 10 lux (pre-curfew) and 2lx (post curfew) in accordance with Environmental Zone E3 set out in Table 2 of that Guidance.
6. The floodlights hereby permitted shall be installed and maintained such that the Upward Light Ratio of the installation (ULR) as defined by the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Light Pollution at no time exceeds 5% in accordance with Environmental Zone E3 set out in Table 2 of that Guidance.

Verification Report

7. Within one month of the installation of the development hereby permitted, a verification report carried out by a qualified lighting engineer shall be submitted to and approved by the County Planning Authority in writing. This must demonstrate that the lighting scheme hereby permitted has been installed in accordance with the plans and details that form part of the development hereby permitted.

Reasons:

1. For the avoidance of doubt and in the interest of proper planning.
2. To protect the amenity of noise sensitive receptors during the construction phase of the development in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019) and the Reigate and Banstead Borough Council Noise Advice for Builders Noise | Noise advice for builders | Reigate and Banstead (reigate-banstead.gov.uk).
3. To safeguard and protect the existing community in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019).
4. To safeguard and protect the existing community in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019).

5. To safeguard and protect the existing community in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019).
6. To safeguard and protect the existing community in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019).
7. To safeguard and protect the existing community in accordance with Policies DES1 and DES 9 of the Reigate and Banstead Local Plan – Development Management Plan (2019).

Informatives:

1. The applicant's attention is drawn to the comments and requirements of UK Power Networks (UKPN) letter dated 11 July 2023 (and three attachments) copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
2. The applicant's attention is drawn to the comments and requirements of Scotia Gas Networks Limited (SGN) letter dated 11 July 2023 (and five attachments) copies of which have been provided to the applicant or can be obtained from the County Planning Authority,
3. The applicant's attention is drawn to the comments and requirements of SES Water within their letter dated 11 July 2023 (and three attachments) copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
4. The applicant's attention is drawn to the comments and requirements of Zayo Group UK Ltd (Zayo) letter dated 12 July 2023 (and two attachment) copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
5. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. The applicant has also been given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2023.

Town and Country Planning Act 1990 – guidance on the determination of planning applications

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to '*have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations*'. This section of the 1990 Act must be

read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: '*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*'

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Local Plan 2019-2033 adopted December 2020 (comprised of the Surrey Waste Local Plan Part 1 Policies and Surrey Waste Local Plan Part 2 Sites)
- Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)
- Any neighbourhood plans (where they have been approved by the local community at referendum)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the National Planning Policy Framework (NPPF) 2023 and subsequent updates; the March 2014 national Planning Practice Guidance (PPG) and subsequent updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2021; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council, the district/borough council or neighbourhood forum in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The [National Planning Policy Framework](#) (NPPF) was revised in September 2023. The revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018, February 2019 and July 2021. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG), as amended, provides related guidance. The NPPF should be read alongside other national planning policies for [waste](#); [traveller sites](#); [planning for schools development](#); [sustainable drainage systems](#); [parking and Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social and environmental.

The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 219 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

Human Rights Act 1998

Guidance For Interpretation

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

Contact Jessica Darvill

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Background papers

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Reigate & Banstead Borough Council planning register for this application can be found under application reference RE23/01392/CON.

Other documents

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Reigate and Banstead Local Plan Core strategy \(2014\)](#)

[Reigate and Banstead Local Plan Development Management Plan \(2019\)](#)

Other Documents

[Institute of Lighting Professionals \(ILP\) Guidance Note \(01/21\) for the Reduction of Obstructive Light 2018](#)

[Institute of Lighting Professions \(ILP\) Guidance Note \(5/17\) for Using LEDS](#)

[Institute of Lighting Professionals \(ILP\) Guidance Note \(08/23\) Bats and Artificial Lighting at Night](#)

[Surrey County Council Planning Enforcement and Monitoring Protocol \(February 2022\)](#)

[Horley Design Guide Supplementary Planning Document \(2006\)](#)

[Reigate and Banstead Borough Council Local Character and Distinctiveness Design Guide Supplementary Planning Document \(2021\)](#)

Annex 1: Drawing ref: OWS-PEL-ZZ-ZZ-DR-A-001, rev.005, 'Location Plan' dated July 2021

Annex 2: Drawing ref: OWL-PEL-ZZ-ZZ-DR-A-002, 'Car Park External Lighting Site Plan As Proposed' dated May 2023

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