

Planning & Regulatory Committee 27 September 2023

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UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL RE23/01392/CON

DISTRICT(S) REIGATE & BANSTEAD

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).

Amending Information to Update Officer Report

The applicant has provided clarification that the lighting scheme proposed in parking zones 1 and 2 will only be operational during Oakwood School's term time. Outside of Oakwood Schools term time the lighting scheme is proposed to be set to 'off' within parking zones 1 and 2.

CONSULTATIONS AND PUBLICITY

Additional key issues raised by public

An additional letter from a representation who has previously made comments, has been received since the publishing of the Officer Report. The concerns raised are summarised below.

The resident considers there is a lack of robust justification as to why the lighting columns have been erected whilst there is no planning permission for them and therefore this application should be rejected. The resident considers the applicant is using the laying of tarmac as an excuse to installing the columns and is of the opinion that the columns could have been installed after the tarmac was laid. The resident also considers the construction contract for the school extension did not include lighting and therefore would need revising and the contractor would have been aware of there was no planning permission in place for the lighting columns.

Officers Response

A retrospective planning application is considered on its own merits in the same way as other planning applications in accordance with national and local policy and development guidelines. The County Planning Authority have considered this planning application as set out in the Officer report and is satisfied that the information submitted by the applicant and is satisfied that the proposal meets Development Plan Policy.

Whilst justification for the retrospective application was requested by the County Planning Authority, Officers cannot enforce that this information is submitted for this application to be determined. The application can only be considered against local development framework and national planning policy framework, and County Planning Authority considers the proposal meets Development Plan Policy.

The concerns raised in relation to the construction contract is outside of the County Planning Authorities remit for this planning application and the contracts referred to do not constitute as a material planning consideration. Whilst the applicant has installed the lighting columns without

planning permission, the planning application has been considered on its own merits against local and national policy and the method of submitting the planning application and the behaviour of the applicant is not a material consideration.

Whilst the phasing of the works undertaken by the applicant is not ideal, the County Planning Authority has not authority to determine the order of works that the applicant may choose to take or whether a scheme is fully implemented.

Officers recognise that as part of planning permission ref: RE21/02101/CON, that application did not advance a lighting scheme, however this does not mean subsequent planning applications cannot be put forward.

RECOMMENDATION

Amend wording of Condition 4, the changes are highlighted in **bold** text to assist.:

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 in parking zones 1 and 2 shall only be operational during the School's term time.

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

Reason: *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).*