

09/01202/DISCHG: DISCHARGE OF CONDITION C1 OF PLANNING PERMISSION  
09/00896/FUL – RETROSPECTIVE EXTERNAL LIGHTING SCHEME AT THE  
THOMAS WALKER MEDICAL CENTRE, 87 – 89 PRINCES STREET,  
PETERBOROUGH  
VALID: 15 OCTOBER 2009  
APPLICANT: ASSURA PROPERTIES  
AGENT: SYNERGY ARCHITECTS – DUNCAN BEARD  
REFERRED BY: CLLR PEACH  
REASON: PLANS SUBMITTED TO DISCHARGE THE CONDITIONS ARE  
INSUFFICIENT  
DEPARTURE: NO  
CASE OFFICER: MISS L C LOVEGROVE  
TELEPHONE: 01733 454439  
E-MAIL: louise.lovegrove@peterborough.gov.uk

---

---

## 1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- Whether the design of the light shields will prevent backwards light spillage.

The Head of Planning Services recommends that the conditions are **DISCHARGED**.

## 2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

### Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

#### The Peterborough Local Plan (First Replacement)

**DA2** The effect of development upon on the amenities and character of an area – planning permission will only be granted if development can be satisfactorily accommodated within the site, it would not affect the character of an area, it would have no adverse impact upon the amenities of occupiers of nearby properties.

**DA12** Light Pollution – Proposals for lighting schemes will only be granted if glare and light spillage from the site is minimised and the amenity of the area is not harmed.

## 3 DESCRIPTION OF PROPOSAL

Under 09/00896/FUL, planning permission was retrospectively given for a lighting scheme at the Medical Centre. The permission was subject to a number of conditions:

**C1** Notwithstanding the approved plans, within three months of the date of this permission, shields shall be fitted to the lights in those car parking columns sited directly adjacent to the public highway in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The shields shall be thereafter retained and maintained to an acceptable standard.

Reason: In order to prevent light spillage and protect the amenity of surrounding occupiers in accordance with policies DA2 and DA12 of the Peterborough Local Plan (First Replacement).

- C2 The lighting shall not be illuminated before 7.00am; and after 8.30pm on any day.**  
Reason: In order to protect and safeguard the amenity of the adjoining occupiers, in accordance with Policy DA12 of the Adopted Peterborough Local Plan (First Replacement).
- C3 The use of the columns for lighting the car parks shall not exceed the obtrusive light limitations for category E2 in relation to sky glow, light into windows, source intensity and building luminance specified in the Institution of Lighting Engineers document “Guidance Notes for the Reduction of Light Pollution (Revised) (2005).**  
Reason: In order to protect the amenity of local residents and highway safety in accordance with policies T1, DA2 and DA12 of the Peterborough Local Plan (First Replacement).

The application now before Committee is to partially discharge condition C1 in so far as a design for the shields has been submitted for approval.

Conditions C2 and C3 require compliance for the lifetime of the lighting scheme, these conditions therefore cannot be discharged.

**4 DESCRIPTION OF SITE AND SURROUNDINGS**

The application site covers an area of approximately 0.63 hectares and is located between Princes Street and Huntly Grove. The building is comprised of part-two storey part-single storey elements and contains independent General Practitioner surgeries, a pharmacy, dental practice and mental health services. The site has a car park along the Princes Street frontage for use by visitors and patients, and a car park from Huntly Grove for the use and access of staff. The surrounding area is characterised by predominantly two storey terraced and semi-detached residential properties.

The lights to which this discharge application relates comprise of 4 no. pole mounted floodlights to the Princes Street car park and 4 no. pole mounted floodlights to the Huntly Grove car park which have been in operation since their erection in January 2000.

**5 PLANNING HISTORY**

Application Number	Description	Date	Decision
99/01231/FUL	New medical centre and pharmacy – revised	16.12.1999	PER
01/00748/FUL	Development of optician, dental access centre and community mental health team and mental health assessment team base for NW Anglia Healthcare	12.06.2001	REF
01/01452/FUL	Development of optician, dental access centre and community mental health team and mental health assessment team base for NW Anglia Healthcare – resubmission	25.02.2002	REF
02/01444/FUL	PMS Doctors surgery community mental health base – revised scheme	27.11.2002	PER
06/00355/FUL	Erection of 3 storey primary care facility and modifications to existing medical centre	09.06.2006	PER
07/00625/FUL	Erection of 3 storey primary care facility and modifications to existing medical centre – revised	19.07.2007	PER
09/00896/FUL	Retrospective external lighting scheme	25.09.20	PER

**6 CONSULTATIONS/REPRESENTATIONS**

**INTERNAL**

**Environmental Protection Officer** – On the basis of only receiving one light complaint in the past year, recommends the discharge of the light conditions as the introduction of shields will prevent backward

light spillage. However, if there is any future justified complaint about the lighting, the responsibility lies with the applicant to again demonstrate that the condition has been complied with.

## **NEIGHBOURS**

Two letters of objection have been received from local residents. The objections relate to:

- Insufficient information in order to determine the application
- Impact of the lighting upon the amenity of the surrounding area

One resident considers that planning permission should not have been given to the lighting scheme in the first place because:

- The consultation on the application was not wide enough
- The lighting columns and white light are not in keeping with the local area
- The levels of light spill and light glare are detrimental residential amenity

[Officer comment – the committee can only consider whether or not the shields satisfy the objectives of the condition and cannot require any other changes to the lighting scheme]

## **COUNCILLORS**

Councillor Peach referred the item to committee following a discussion with one of the objectors. He is concerned that the details submitted to discharge the conditions are insufficient.

## **7 REASONING**

The shields are required to be fitted to those lighting columns that are adjacent the public highway in order to reduce the level of backward light spillage onto the public highway and the residential properties along both Huntly Grove and Princes Street.

The details submitted with regards to the light shields are considered acceptable. The Environmental Protection Officer has expressed acceptance of the details and their effectiveness at preventing backwards light spillage.

## **8 CONCLUSIONS**

Condition C1 (shield fitting) – the details submitted with regards to the light shield design are acceptable. The submission element of this condition is therefore discharged. Development must be carried out in accordance with the approved details.

## **9 RECOMMENDATION**

The Head of Planning Services recommends that Condition C1 of planning permission reference 09/00896/FUL be **DISCHARGED**.

Copy to Councillors Kreling, Lowndes, Peach

This page is intentionally left blank