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By email only to: Emma.Watts@BATHNES.GOV.UK and development_management@bathnes.gov.uk

4 June 2021

Dear Emma

APPLICATION NO: 21/01862/FUL

DESCRIPTION: Proposed refurbishment and replacement of existing floodlighting and columns.

LOCATION: Ball Courts, Sports Training Village, University Of Bath Campus, Claverton Down, Bath

The above planning application, which is for a proposed development within the Cotswolds National Landscape¹, has been brought to the attention of the Cotswolds Conservation Board ('the Board').

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.² The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 ([link](#));
- Cotswolds AONB Landscape Character Assessment ([link](#)), particularly, in this instance, with regards to Landscape Character Type 9 (High Wold Dip Slope);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)), particularly, in this instance, with regards to LCT 9 ([link](#)), including Section 9.1 and 9.10;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds Conservation Board Position Statements ([link](#)), particularly, in this instance, with regards to the Dark Skies & Artificial Light Position Statement ([link](#)), including Appendices A ([link](#)), B ([link](#)) and C ([link](#)).

We have a number of concerns about the proposed floodlighting which leads us to object to planning application, as outlined below.

Dark Skies of the Cotswolds National Landscape

The dark skies of the Cotswolds National Landscape are one of the area's 'special qualities'. As such, they are a key attribute on which the priorities for the area's conservation, enhancement and management should be based.

In recognition of this, Policy CE5 of the Cotswolds AONB Management Plan 2018-2023 specifies that development proposals should avoid, minimise, remove and reduce light pollution. As indicated above, this issue is also addressed in the Board's Dark Skies and Artificial Light Position Statement.

Cotswolds Conservation Board

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

cotswoldsaonb.org.uk

Chairman:
Brendan McCarthy
Vice Chair:
Rebecca Charley

The Board recognises the need to update the floodlighting at the Sports Training Village. We also acknowledge that the replacement system would potentially be more energy efficient and offer increased light control compared to the current system. However, this does not necessarily mean that light pollution would be minimised, as explained in more detail below.

Obtrusive Light Limitations

The submitted Lighting Report (March 2021) states, at page 6:

- *Due to its location on the outskirts of the town within sight of open countryside the lighting should be designed to comply with an environmental zone E2 in order to maintain the relatively dark background and to protect the amenity of existing residents.*

However, the site lies fully with the Cotswolds National Landscape. As such, the relevant 'environmental zone', as defined in the Institution of Lighting Professionals' (ILP) Guidance Notes for the Reduction of Obtrusive Light, would be E1 not E2. The obtrusive light limitations should therefore be more stringent than is indicated in the Lighting Report, as outlined in Table 2 of the ILP guidance.

We acknowledge that the site is on the edge of the urban area of Bath and that this location is therefore affected, to some degree, by light pollution from Bath. However, this does not provide a valid reason for setting less stringent obtrusive light limitations in what is an integral component of the Cotswolds National Landscape.

The submitted Lighting Report indicates that the floodlighting system would comply with the obtrusive light limitations for environmental zone E2 but provides no indication as to whether the system would comply with the more stringent requirements for environmental zone E1.

If the proposal does not comply with the ILP guidance then it would not be consistent with the Board's Dark Skies & Artificial Light Position Statement. By extension it would also not be compatible with the policies of the Cotswolds AONB Management Plan.

Therefore, we recommend that planning permission should be refused unless the applicant can demonstrate that the proposal complies with the obtrusive light limitations for environmental zone E1, as specified in the ILP guidance.

Extent of Lighting

The applicant's supporting information, including the 'Lighting Details', indicates that, in addition to lighting the hockey pitches, the floodlighting (specifically on poles P7 and P8) will be used to illuminate the adjacent 3G artificial 'training strip' to the east, with this lighting extending onto the rugby pitch further east.

Given that the training strip was only granted planning permission in 2019, this area has presumably not been illuminated by the current floodlights. Furthermore, the planning permission for the training strip (Ref: 19/02848/FUL) explicitly states that '*nothing in this consent purports to grant permission for the installation of any artificial lighting*' (Condition 3 – Lighting). It also states that '*full planning permission is required for the installation of any artificial / flood lighting*'.

We therefore consider that the proposed development extends beyond the remit of a 'like-for-like' refurbishment and replacement of the existing floodlights and columns. It does this by incorporating floodlighting for the adjacent 3G training strip without explicitly seeking the necessary planning permission for this.

Although the majority of the luminaire intensity associated with this east-facing floodlighting would be focussed on the 3G training strip, the fact that there would be additional lighting projected in this direction means that the lighting would be a more visually prominent lit element in the night-time landscape of the Cotswolds National Landscape than it needs to be.

This is a particularly important consideration given that east-facing floodlighting in this location, 15m above ground level in the exposed setting of Claverton Down, could theoretically be seen from a distance of up to approximately 60km to the east (in the North Wessex Downs AONB), well beyond the eastern extent of the Cotswolds National Landscape - see Appendix 1 for further details.

Therefore, we recommend that the proposed east-facing floodlighting from poles P7 and P8 (i.e. floodlighting of the 3G training strip) should not be permitted.

If you have any queries regarding this consultation response please do get in touch.

Yours sincerely,

A handwritten signature in black ink that reads "John Mills". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

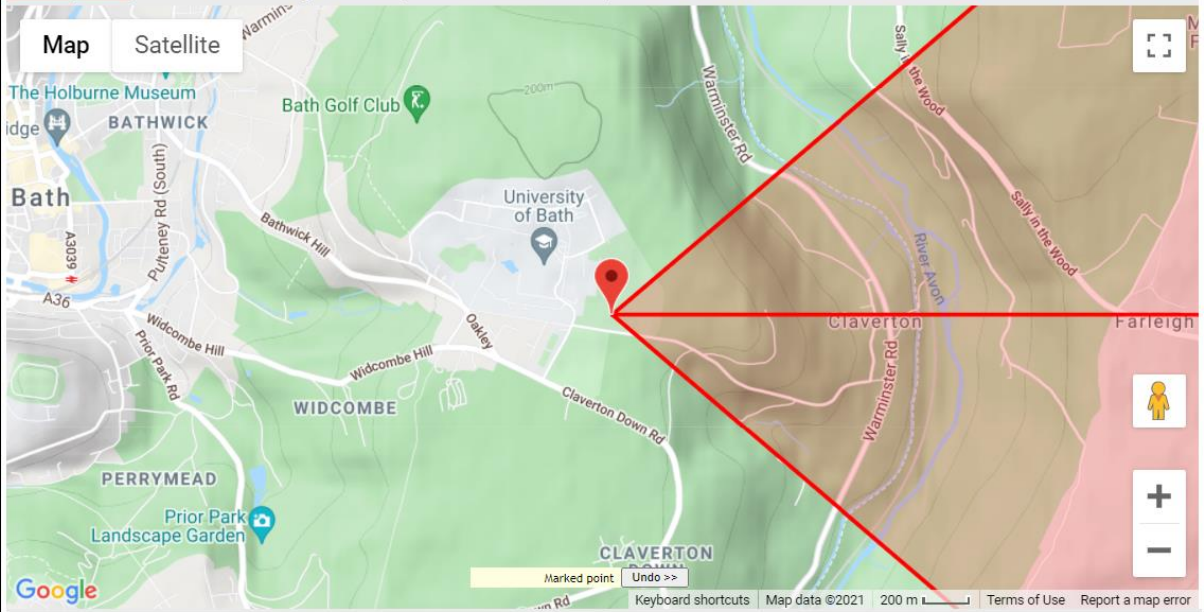
John Mills
Planning & Landscape Lead
john.mills@cotswoldsaonb.org.uk | 07808 39122

NOTES:

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) Section 85 of the Countryside and Rights of Way Act 2000.
www.legislation.gov.uk/ukpga/2000/37/section/85
- 3) The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
 - a. Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023
www.cotswoldsaonb.org.uk/management-plan
 - b. Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
 - c. Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
 - d. Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
 - e. Cotswolds Conservation Board Position Statements
www.cotswoldsaonb.org.uk/ps1

APPENDIX 1. DISTANCE FROM WHICH THE PROPOSED DEVELOPMENT COULD POTENTIALLY BE SEEN

The information presented below uses visual panorama software from the Ulrich Deuschle website (https://udeuschle.de/panoramas/makepanoramas_en.htm). This indicates that east-facing flood lighting, 15m above ground level in this location could, theoretically, be seen from up to approximately 60km away.



The screenshot shows a Google Maps interface with a red pin placed on a hillside near the University of Bath. A red line extends from the pin towards the east, indicating a view direction. The map shows various landmarks including Bathwick, Widcombe, and Claverton. Below the map is a control panel for a panorama tool.

Second option: Select viewpoint from a list

Name of the summit begins with contains (* as wildcard)

View direction N NE E SE S SW W NW 360°

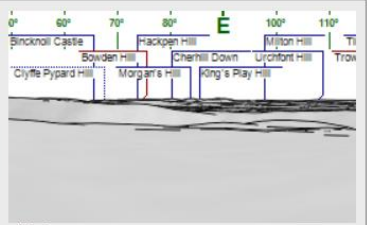
Third option: Set viewpoint data directly

Latitude (°): Longitude (°): Altitude (m): + Camera height (m): Look for summit point automatically

Set panorama data directly

View direction (°): Horizontal extension (°): or Left edge (°): Right edge (°): Zoom factor: or Resolution (pix/deg):

Preview:



Altitude: 181 m
Most distant point: 61 km