

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**

**2024/90260 land off Boothroyd Lane, Dewsbury, WF13 2LL**

**Erection of boundary fence, flood lights and speed humps**

**Responding Date:**  
**16<sup>th</sup> April 2024**

**Responding Officer:**  
**SR**

**Responding Ref:**  
**WK202411196**

**Comments**

We have reviewed application 2024/90260 and make the following comments and recommendations. The application includes the erection of three lighting posts, whilst we do not object to the application we require further detailed information prior to installation of the posts regarding light spill and glare and clarification that the lighting will only operate at times when the facilities are open for use and not be left on overnight. The applicant should demonstrate there will be no loss of amenity to nearby sensitive receptors on Boothroyd Lane. We therefore recommend a condition.

**Recommended Conditions**

**LC1 External Artificial Lighting - Condition**

Before the installation of external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

- a) The proposed hours of operation of the lighting.
- b) The location of all the luminaires.
- c) The proposed design level of maintained average horizontal illuminance for the areas that need to be illuminated.
- d) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site, including the fitting of any cowls.
- e) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.

**Reason:** To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

**LF1 Artificial lighting - Footnote**

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with *the "Guidance Note 01/21 for the Reduction of Obtrusive Light"* by the Institution of Lighting Professionals: 2021 [www.theilp.org.uk](http://www.theilp.org.uk). The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone (i.e. E0 to E4).

**LF2 Artificial lighting - Footnote**

Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.