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To: Cllr Sally Davis - Chair Development Management Committee

And: Ms Lisa Bartlett - Divisional Director – Development

Bath & North East Somerset Council
Place Directorate
Lewis House
Manvers Street
Bath .
BA1 1JG

Dear Cllr Davis/Ms Bartlett

**PROPOSED ERECTION OF SKATEBOARD PARK LIGHTING – KEYNSHAM MEMORIAL
PARK
UNDER PERMITTED DEVELOPMENT RIGHTS**

Further to the pre-application response received in February 2017 from the Planning Department, the Town Council has considered the matter carefully in respect of the design together with addressing the reasonable concerns raised by various Departments within B&NES.

The Town Council now wishes to submit a new proposal that is designed to have minimal impact on the Ecological, Environmental and Historical features of Memorial Park and recognises the Park as an important green space within the Conservation Area that needs to be preserved/enhanced for all Keynsham residents to enjoy (ref CP6 Environmental Quality, D2 General Design & Public Realm Considerations, D4 Townscape, BH6 Development within a Conservation Area, HE1 Historic Environment, UD1 General Urban design Principles, UD2 Local Character and Distinctiveness, NE2 Conservation & Enhancing the Landscape and Landscape Character, NE2A Landscape Settings of Settlements)

Further to the serious assault in Memorial Park in July this year, the erection of this lighting is now considered a priority by residents and Councillors alike, as not only will it enable young people in Keynsham to be able to use the skatepark in winter months, but it will also provide additional security and reduce fear of crime for pedestrians connecting between the Railway Station, the Town Centre and Bath Hill Car parks. In these respects therefore, the Town Council believes that the installation will enhance the existing public realm and open up more opportunities for use than currently.

The Town Council is also aware of impending proposals by B&NES in respect of installation of CCTV in Keynsham and the possibility of extending this from the Town Centre into Memorial Park. The Town Council will be considering at its October meeting how best it can work in partnership with B&NES to support CCTV installation in anti-social behaviour hotspots such as Memorial Park and also Queens Road, and as such recognises the necessity to ensure that any lighting proposed for the skatepark supports CCTV functionality.

According to Part 12, Class A (Development by Local Authorities) of the Town and Country Planning (General Permitted Development) Order 2015, the erection of lighting columns by the Town Council would not require planning permission providing that these do not exceed 4 metres in height. Although the land is owned by B&NES, it is leased to the Town Council who own the skateboard park and are responsible for maintaining the area.

Whilst it is acknowledged that Memorial Park is in a Conservation Area, there are no plans to demolish anything or make alterations to any trees/hedges. Therefore the Town Council believes that the conditions associated with Permitted Development Rights within a Conservation Area are satisfied.

Notwithstanding the above, this matter has clearly aroused some strong (but also subjective) opinions for and against lighting the area, not least from B&NES departments. I therefore attach full details of our revised proposal for 3 lights not exceeding 4m in height (for the skatepark only)

The pre-application report mentioned other applicable planning policies and I have therefore included an impact summary with further details pertaining to the new proposal that I hope will demonstrate that, Permitted Development Rights aside, the Town Council has put together a responsible proposal designed to comply with all relevant planning policies.

I would be grateful for your early response confirming that the proposed lighting design now falls within the above legislation under Permitted Development Rights and an assurance that the Town Council can now proceed with this project without the need to apply for Full Planning Permission.

Yours sincerely

DR CHERYL SCOTT
Town Clerk

Cc Cllrs C Gerrish, L O'Brien, B Simmons, A Hale (B&NES)
Cllr C Fricker (Chairman, Keynsham Town Council,
Chairman Development Committee & Chairman NDP Steering Group)

SPECIFICATIONS - SKATEBOARD PARK LIGHTING – KEYNSHAM MEMORIAL PARK

Site address	KEYNSHAM SKATEBOARD PARK– KEYNSHAM MEMORIAL PARK, BATH HILL, KEYNSHAM, BRISTOL BS 31 2BL
Current land use and ownership	Keynsham Memorial Park is in the ownership of Bath and North East Somerset Council. Keynsham Town Council own the skateboard park but lease the land it is built on from B&NES on a long-term repairing lease. The skateboard park was opened in 2010 and lighting of the skatepark has been the subject of a protracted campaign by young people in Keynsham since 2012 to enable them to use the facility in the evenings during the winter months.
Site	<p>The skateboard park is situated at the NW end of the park, furthest from the River Chew corridor and not within the Flood Risk Area. It abuts the main footpath through the park used by pedestrians to access the railway station from either High Street or Bath Hill. Visibility to motorists on the bypass is shielded by the tree-line. It is a public area that is currently unlit, except when the floodlights for the adjacent tennis courts are in use.</p> <p>There have been two serious assaults in the last year in the proximity and there are currently calls from the public to install lighting and CCTV to enhance the safety of the area and reduce anti-social behaviour.</p>
Users	The young people who use the skateboard park are well known to Keynsham Town Council Youth Outreach service and are not those associated with anti-social behaviour in Keynsham. Their intention is to self-police use of the skateboard park to minimise litter, noise (from e.g. portable music devices) and anti-social behaviour.
Lighting Design	<p>It is proposed to erect 3 split-type AE2 4510 solar-powered LED street lights with columns not exceeding 4m high. The columns will be painted leaf green to blend in with the landscape.</p> <p>The lights comprise a separate 40W power solar panel with lithium LiFEPO4 battery and separate luminaire with 10Watt Matrix LED.</p> <p>2 Type A Luminaires will provide downward directional lighting within a contained radius, whilst the third, a type B luminaire will provide lighting designed to cover a larger area at the opposite end of the skatepark.</p> <p>Polar diagrams and horizontal Illuminance maps are provided.</p> <p>The lighting is to BS 5489-1:2013 & BS EN 13201-2:2015 CLASS P4 (Eav 5.00 TO 7.50 LUX, Emin 1.00 LUX) and the design complies with P4 as varied by S/P Ratio 2.10 (Eav 3.35 TO 5.02 LUX, Emin 0.67 LUX)</p>

Lighting control	<p>The lights are designed to operate between dusk and dawn at 30% intensity and power up to 100% when movement is detected by a Passive Infra-red sensor. The smart light controller then powers the lights back down to 30% after a set period of time (programmable by the operator) if no further movement is detected.</p> <p>The lights will also come equipped with a LoRA system to enable wireless connectivity for over-riding and changing the setting of the control panel/timer</p> <p>It is proposed that the lighting will not operate at all beyond 9pm at night.</p>
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IMPACT AND COMPLIANCE SUMMARY

Subject	Impact mitigation	Relevant policies
Lighting levels	<p>1.1. This is a public area and lighting is designed to a suitable level of illumination in accordance with BS 5489-12013. The level of lighting for this site accords to P4 standard</p> <p>1.2. The downward-directional luminaires using LED lighting provides suitable lux levels over the skateboarding area for users to see adequately but minimises overspill to either side of the area or up into the sky</p> <p>1.3. The hours of operation are controllable and restricted to between dusk and 10pm. After dusk, the lighting turns on and operates at a base level of 30% illumination, only powering up to 100% whilst motion is detected</p> <p>1.4. The lighting is in an unlit area of the park (except when the tennis court floodlights are in use which is rarely) where there have been two serious assaults in the last year. The area is also the main pedestrian walkway to the Station from car parking at Bath Hill East. Pedestrians/commuters feel nervous walking the route after dusk. The lighting will therefore help to enhance the safety of the area and reduce the fear of crime</p> <p>1.5. The lighting will also enable more young people to use the skateboard park after dusk during the winter months, increasing accessibility and inclusion for a particular section of the Keynsham population. The removal of the BMX track near the Railway station and lack of upkeep of the one in</p>	<p>D8 – Lighting BH22 External Lighting</p> <p>D10 Public Realm UD1 General Urban Design Principles UD2 Local Character and Distinctiveness UD3 Urban Fabric UD4 (f) (h) Streets and Spaces</p> <p>LCR5 Safeguarding Existing Sport & Recreation Facilities</p>

	<p>Kelston Park means the skatepark is now the only useable facility available in Keynsham for multi-wheel activities. Provision of lighting will hopefully contribute to removing the anti-social cycle activities experienced in Market Walk over the last year</p> <p>1.6. See below for Heritage/Conservation Impact</p> <p>1.7. See below for Ecological Impact</p>	
<p>Historic Environment and Conservation Area</p>	<p>2.1. Memorial Park is within the Conservation Area. The skatepark is situated adjacent to the Bowling Green/Clubhouse and the Tennis Courts with their associated floodlights</p> <p>2.2 There are no plans to demolish anything. Nearby trees/hedgerow/planting will not be affected</p> <p>2.3. The lamp columns will be painted green to blend in with the surrounding backdrop so will not detract from the current character/appearance of the surrounding area.</p> <p>2.4 . The archaeological remains of the Abbey are in the north east corner of the park across the bypass and therefore not in close proximity to the existing skatepark</p> <p>2.5. The skatepark is built on a large raised area of previously-imported top soil that elevates it above original ground-level. The lighting columns will be erected within the footprint occupied by the skateboard park area.</p> <p>2.6 This method of solar-powered lighting has been chosen to negate the need to dig trenches across the park to install a</p>	<p>BH6 Development within or affecting Conservation Areas</p> <p>BH12 – Important Archaeological Remains</p> <p>ES15 Contaminated Land</p> <p>PCS5 Contamination</p>

	<p>cabled electrical supply. The columns will be root mounted necessitating the digging of 3 holes into the banked soil surrounding the skatepark itself. There is minimal risk of harm to health or the environment and no contamination risk to the River Chew</p>	
<p>Ecological Impacts</p>	<p>3.1. The site is at the north-west end of the park furthest away from the River Chew green corridor and as such is not within the strategic flood risk area. The installation of 3 lamp columns will have no impact on flood risk in the surrounding area and has been designed to have minimal impact on the nature conservation value of the site</p> <p>3.2. The site is not close to any nationally important sites</p> <p>3.3 LED lights have been selected rather than using sodium or metal halide in order to minimise any impact on wildlife and the ecological corridors surrounding the River Chew.</p> <p>3.3. LED lights produce light within a much narrower spectrum of wavelengths and do not produce UV. As a consequence, the numbers and types of insects attracted towards the lamp is decreased.</p> <p>3.4. In a recent study on effect of LED lights on city bats, it was shown that because LED lights attract less insects, the activity of light-tolerant early-evening hunters such as pipistrelles and the common noctule reduced around the street lamps, however this also created a beneficial impact for Light sensitive species such as mouse-eared bats that mainly hunt in dark parks and forests.</p>	<p>CP5 Flood Risk Management</p> <p>NE1, Landscape Character</p> <p>NE5, Forest of Avon</p> <p>NE 8 – Nationally Important Species or Habitats</p> <p>NE9 Locally important Species and Habitats</p> <p>NE3 Sites, Species and Habitats</p> <p>NE4 Ecological Services</p> <p>NE5 Ecological Networks</p>

	<p>(Lewanzik D, Voigt CC (2016): White is not white: Pervasive transition from conventional to LED street lighting changes activity of urban bats., Journal of Applied Ecology; DOI: 10.1111/1365-2664.12758)</p> <p>3.5. The lights will come on between dusk and 9pm...which means they will only be operational from September to May (outside this time, sunset is after 9pm). During the winter months, when they will be on for longest, bats will be in hibernation and moths will be inactive.</p>	
<p>Noise/Anti-Social Behaviour</p>	<p>4.1 The skatepark has been used during daylight hours (which extends up until 10pm in summer) since it was opened in 2010 within a large recreational space (Memorial Park). The proposal to erect lighting columns would extend use during the winter months into the evenings however it is not envisaged that there would be any increase in noise above what there is currently during the summer. The Young People had given an assurance they will self-police to ensure there is no loud music played. To date the Town Council has only received one objection to the original proposal to light the skatepark from a local resident on the grounds of increased noise and anti-social behaviour.</p> <p>4.2 Throughout this last year, KTC Outreach Youth Service have been conducting twice weekly visits to Memorial Park between 4 and 8pm (the time at which the skatepark would be most frequently used). There has been no evidence to show young people in the vicinity of the skatepark/using the skatepark are taking drugs or are the cause of anti-social behaviour. Drug taking is focused in the area of the bandstand later at night and most of</p>	<p>ES12 Noise and Vibration</p> <p>PCS2 Noise</p>

	<p>the antisocial behaviour in Memorial Park is not caused by Keynsham Young People but from “out-of-towners” who have been excluded from their own residential areas in Bristol (confirmed during our regular liaison meetings with Avon & Somerset Police)</p> <p>4.3. A similar installation was completed in Nottinghamshire (same lights and 4m high columns). Photographs are detailed in Appendix 1.</p> <p>4.4. The two main differences observed post-installation in Nottinghamshire were as follows:</p> <p><i>1) A complete reduction in the instances of drug dealing/taking at the site. This is evidenced both by the weekly random inspections of who is using the skatepark and also auditing of the waste that has to be removed twice a week from the site. Prior to the lights being installed, needles and drug packets were a common constituent of the waste. These are now eliminated</i></p> <p><i>2) The usage of the site has also changed to encompass a wider cross section of our community, extended usage time into the darker hours and also greater usage in the Winter (darker months). In addition to skate users, we now have younger teenagers on BMX/Cross type bikes using the facility and younger children accompanied by parents are using the site in the daytime when they didn't before. The teenagers in particular have actually engaged with the Parish Council and talk to us. An example of this is they like the lights at 30% power (which is what happens when not triggered by movement) as it gives an edgy and eerie atmosphere that they</i></p>	
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	<i>enjoy yet can see what they are doing.</i>	
Health & Safety/Litter	<p>5.1. There are no regulations pertaining to minimum light levels required for outdoor multi-wheel facilities. It is not intended to use the facility for experienced/competition activities such as held at the indoor Rush Skate Park in Stroud where lighting levels are required to be much stronger/brighter.</p> <p>5.2. Keynsham Town Council Grounds Maintenance team perform weekly safety inspections and daily litter picks on the skatepark area <u>throughout the course of the whole year</u></p> <p>5.3. The provision of lighting in this area of the park will encourage use of the Park by pedestrians/commuters to connect between the High Street, Railway Station and Bath Hill carparks</p>	<p>UD6 Amenity</p> <p>D2 – General Design & Public Realm Considerations</p>
References	<p>These lights have been installed at a skateboard park in Nottinghamshire at 4m column height under Permitted Development Rights.</p> <p>These lights are also installed as full-height street lighting on the Somerdale development in Keynsham by Taylor Wimpey.</p>	

Appendix 1 – Photographs of Nottinghamshire installation



Fig 1: Keynsham's proposal will be for the posts to be painted green to blend in with the landscape.



Fig 2 – Lights at 100%



Fig 3 - :Lights at 30%