

Application Number	13/1772/FUL	Agenda Item	
Date Received	9th December 2013	Officer	Miss Catherine Linford
Target Date	3rd February 2014		
Ward	Trumpington		
Site	The Leys School Fen Causeway Cambridge CB2 7AD		
Proposal	Erection of flood lights on the single tennis court comprising three eight metre high lighting poles with light fittings and one bracket with lighting mounting on the sports hall.		
Applicant	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed floodlights would not have a significant detrimental impact on the surrounding area; and 2. The proposed floodlights would not have a significant detrimental impact on the occupiers of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The Leys School is situated to the west of Trumpington Road, and to the south of Fen Causeway. Sheeps Green and Coe Fen Straits, directly to the south of the site, are County Wildlife Sites and Protected Open Space in the Cambridge Local Plan (2006). The site is within a Conservation Area.

2.0 THE PROPOSAL

2.1 Full planning permission is sought for the erection of floodlights on the single tennis court comprising three eight metre high lighting poles with light fittings and one bracket with lighting mounting on the sports hall.

3.0 SITE HISTORY

Reference	Description	Outcome
C/84/0274	Provision of 4 synthetic turf tennis courts	A/C
C/98/0606	Construction of tennis and netball court enclosed by 2.75m high chain link fence.	A/C
C/03/1402	Laying of an all weather (astro turf) pitch over existing grass tennis courts to provide new and improved netball and tennis courts.	A/C

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 4/1 4/2 4/3 4/6 4/11 4/13 4/15

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No comment.

Head of Refuse and Environment

- 6.2 No objection in principle, subject to conditions relating to construction hours and details of the lighting.

Urban Design and Conservation team

- 6.3 I have been advised by the Nature Conservation Officer that they will not be objecting to the application. Their formal comments will be reported on the Amendment Sheet.

Nature Conservation Officer

- 6.4 I have been advised by the Nature Conservation Officer that they will not be objecting to the application. Their formal comments will be reported on the Amendment Sheet.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

- Vicarsbrook, Chaucer Road
- 12 Chaucer Road
- 14 Chaucer Road
- 15 Latham Road
- 16 Chaucer Road
- 18 Chaucer Road
- 20 Chaucer Road
- 11 Latham Road
- 15 Latham Road
- 5 Southacre Close
- Southacre, Latham and Chaucer Road Residents' Association (SOLACHRA)

- 7.2 The representations can be summarised as follows:
- In the appeal for the Perse Girls School, Latham Road the Inspector ruled that no increase in light pollution should be allowed;

- Coe Fen is a nature reserve and the increase in activity at the Leys School has resulted in light and noise pollution affecting the wildlife on Coe Fen
- Trees have been removed by the School and the City Council which have exacerbated light pollution. These trees should be replaced
- Existing noise from the School now continues throughout the summer and this will get worse
- The existing lighting on the hockey pitch is very intrusive
- The lighting from the hockey pitch spills over onto the tennis court and additional lighting is not needed
- If the lighting is allowed this should be on the basis that the lighting does not spread and cause light pollution
- The School should alter their existing lighting so that it does not have an impact on Coe Fen. The proposed lighting would exacerbate this problem
- The lights should only be on when the facilities are in active use
- The Leys School is higher than Coe Fen which increases light spillage

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Third party representations

Principle of development

8.2 Policy 6/2 of the Cambridge Local Plan (2006) states that development for the improvement of a leisure facility will be permitted if it improves the range, quality and accessibility of facilities, is of an appropriate scale for the locality, and would not have a negative impact on the vitality and viability of the City Centre. Intensive-use sports facilities such as floodlit multi-use

games areas and synthetic turf pitches contribute greatly to sports development. The policy sets out that proposals for these will be supported provided there would not be undue intrusion or significant adverse impact on the immediate locality or wider environment.

- 8.3 This application must, therefore, demonstrate that the proposed lighting is appropriate to the surrounding area, and that this would improve the quality of the existing sports facility. I am satisfied that this application appears to firmly enhance sporting provision in Cambridge by developing an existing facility to ensure that its use is maximised to make the best use of land and facilities. I consider that the improvement and enhancement of the existing facility is not unreasonable and is supported by policy 6/2 of the Cambridge Local Plan 2006 that notes the scarcity of land for such developments and promotes the efficient use of land for such uses in suitable locations. There is no intrinsic harm in the development of this existing sports site to meet the requirements of the School.

Lighting levels and impact on the Conservation Area, Nature Reserve and Residential Amenity

- 8.4 The representations received have drawn my attention to the Appeal Decision at the Perse Girls School on Latham Road (04/0271), which sought permission for eight floodlights to the existing all weather pitch. This Appeal Decision is attached as Appendix 1. The Appeal was dismissed (in part) because the Inspector took the view that the proposed floodlights would have introduced 'a major intrusion into the rural and semi-rural feel' of the area, as it would have resulted in a 'block of light seen from some external vantage points'. Whilst there are similarities between the Perse application and this application, there are also differences. In the Perse Appeal Decision, the Inspector was concerned about the introduction of floodlights because he felt that they would be visually alien alongside the existing features'. In my opinion, the same could not be argued here. There are other floodlights on the Leys School site with substantial floodlights lighting the hockey pitch directly adjacent to the tennis court. These floodlights are not a positive feature in my view, but they do form part of the character of the immediate area, and must be taken into consideration when assessing the visual impact of the proposed floodlights. In my opinion, the floodlight structures would not be out of character

with the immediate area or detrimental to the character or appearance of the Conservation Area.

- 8.5 Policy 4/15 of the Cambridge Local Plan (2006) requires proposals including new external lighting to demonstrate that the lighting proposed is the minimum required to undertake the task. The Institute of Lighting Professionals (ILP) has published a Guidance Note for the Reduction of Obtrusive Light (GNO1:2011), and according to this document, the Leys School site would be considered to be in Environmental Zone E2 (a relatively dark outer suburban location). The ILP recommends that in this area the Upward Light Ratio (the level of illumination upwards towards the sky) is no more than 2.5%. The explanatory report submitted by the applicant explains that no direct light would be emitted upwards and the proposal therefore complies with this advice. The ILP advises that light intrusion into neighbouring windows should be no greater than 5 lux before 11:30pm. The applicant has demonstrated that the 5 lux level contour, ie the spill of the light at 5 lux would not extend beyond the school boundary, and the proposal therefore complies with this advice.
- 8.6 The Lawn Tennis Association (LTA) Factsheet 'Floodlighting Outdoor Tennis Courts' provides guidance on the installation of floodlights. This guidance indicates that the minimum standard of illumination should be an average of 300 lux on the total playing area (TPA) and 400 lux on the principal playing area (PPA), which means the court and the areas outside it at the ends and sides which form part of the playing area. The recommended average is 400 lux. In order to ensure that the lighting level is uniform across the court, it is recommended that the uniformity is 0.7%.
- 8.7 The tennis court is larger than a standard tennis court as it is also used for netball. The proposed lighting level does exceed the standards provided by the LTA, but due to the larger size of the court this is necessary in order for the lighting to meet the uniformity requirement. Reducing the wattage of the lights, or removing one of the floodlights would reduce the lux level down to the recommended level, but this would render the court unusable in the hours of the darkness as the level of lighting would not be uniform. The lux level could be reduced by increasing the number of floodlights but this would have a detrimental visual impact.

- 8.8 Concern has been raised about the impact of the existing floodlights at the School, and more specifically the floodlights to the hockey pitch. These floodlights cannot be controlled through this application. The hockey pitch floodlights have been in situ for some time, and since their installation advances have been made which means that the proposed floodlights would be more easily directed and controlled than the existing floodlights on the School site.
- 8.9 In my opinion, the applicant has demonstrated that the level of lighting is the minimum required to undertake the task, with the minimum impact on the appearance of the surrounding area, and the occupiers of neighbouring properties. The applicant has proposed that the hours of use of the floodlights are restricted so that they are not in use after 9pm, which I consider to be appropriate. The Environmental Health Officer has raised no objection. I, therefore, recommend a condition requiring the floodlights to be switched off when not in use or by 9pm (3).
- 8.10 No information has been submitted regarding the potential impact the proposed floodlights may have on biodiversity. In saying that, the information submitted by the applicant demonstrates that light spill at a level of 5 lux would not spread beyond the School boundary and it is therefore my view that the impact on biodiversity would be minimal. As the floodlights would be switched off by 9pm at the latest, the impact on wildlife would be greatly reduced. The formal comments of the City Council's Nature Conservation Officer are awaited, and will be reported on the Amendment Sheet. It is understood from the Arboricultural Team that the removal of trees along the boundary was carried out by the School, and it is the Nature Conservation Officer's initial view that as these trees were *Leylandii* these works have had a minimal impact on the spread of light and the neighbouring County Wildlife Site. In order to ensure that this is the case I recommend that a landscaping scheme relating to the area of the school site adjacent to the common boundary with Coe Fen Straits is required by condition (4).
- 8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/11, 4/13 and 4/15.

Third Party Representations

8.12 The issues raised in the representations received have been addressed above.

9.0 CONCLUSION

9.1 In my opinion, the proposed floodlights are acceptable as they would not have a significant detrimental impact on the surrounding area or neighbouring residential properties.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. The floodlights hereby approved shall only be switched on between the hours of 4pm and 9pm and shall be switched off when not in use.

Reason: To protect the amenities of nearby residents, ecology and the character and appearance of the Conservation Area (Cambridge Local Plan 2006 Policies 4/11, 4/13 and 4/15)

4. Prior to installation, a landscaping scheme relating to the area of the School site adjacent to the common boundary with Coe Fen Straits shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To protect the amenities of nearby residents, ecology and the character and appearance of the Conservation Area (Cambridge Local Plan 2006 Policies 4/11, 4/13 and 4/15)