

REGULATORY SERVICES COMMITTEE

REPORT

Subject Heading:

P0283.15 Installation of 6no. 13 metre high galvanised steel columns with floodlighting to serve the existing Rugby pitch and adjacent training areas.

Ward

Upminster RFC, Upminster Hall Playing Fields, Hall Lane, Upminster

Cranham

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

This application has been called-in for consideration by the committee by Councillor Gillian Ford on the grounds of the potential impact on a large number of residential properties.

The application concerns the erection of six 13 metre lighting columns to illuminate a rugby pitch and training area within Upminster Hall Park for both matches and training. It would replace existing mobile lighting units. The detailed specification and light spillage calculations demonstrate that the proposal would meet the guidance levels set by the Institution of Lighting Professionals on the impact of artificial light. On balance the visual impact of the proposed columns is also judged to be acceptable given that the proposed six columns would minimise light spillage whilst maximising lighting effectiveness. As a consequence Staff consider that the proposed development would, on balance, not have a significant adverse impact on the amenities of nearby residents or on the character and appearance of the area. The grant of planning permission is recommended accordingly, subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission is granted subject to the following conditions:

1. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The floodlights hereby permitted, excepting for the five minute safety period, shall not be illuminated between 21:30 hours and 15:30 hours the following day, and shall be fitted with a time switch so that the lights are not illuminated between those times.

Reason: In order to minimise the impact of the development on surrounding areas in accordance with policies DC56 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

3. The floodlights hereby approved shall be used only on Mondays to Saturdays and not at all on Sundays, Bank or Public Holidays.

Reason: In order to minimise the impact of the development on surrounding residents in accordance with policies DC56 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

4. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications, including the luminaire details set out in the design and access statement.

Reason: In the interests of residential and visual amenity in accordance with policies DC56 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document. The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

Informatives:

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

Call-in

The application has been called in for determination by the committee by Councillor Gillian Ford on the grounds of the potential impact on a large number of residential properties.

1. Site Description

- 1.1 The application site comprises a grassed area at the western end of Upminster Hall Park which is used as a rugby pitch and an adjoining area of grass used for training. The site lies to the north of the park pavilion and surfaced play and sports areas and to the south of the park boundary with houses in Chelmer Road. There is a belt of trees at the western end of the pitch. The area around the park is mainly residential. The nearest properties are about 95metres away from the pitch. Vehicular access to the site is from Hall Lane and there are various pedestrian access points from other roads adjoining the park.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 6no. 13 metre high galvanised steel lighting columns which would support 10no. downlighting luminaries. 8 of the luminaries would serve the main pitch and 2 to serve the training area to the south. The lighting would be controlled through a meter located in the clubhouse fitted with a one hour time clock. One of the lights would remain on for 5 minutes after the agreed cut-off time to allow players to safely exit the playing field area. The columns would have a

diameter of 0.3 metre at the base tapering towards the top. It is proposed to use the lights between September and April from 16:00 to 21:30 Mondays to Saturdays, although it would not be on every day.

3. **History**

- 3.1 P1398.12 – 6 no. floodlights to rugby pitch – withdrawn for further consultation with land owner
- 3.2 P0195.04 – Use of portable floodlights and the erection of metal fence for sports equipment storage, including football and rugby posts – withdrawn
- 3.3 P0998.91 - Erection of floodlights for training purposes -refused

4. **Consultation/Representations**

- 4.1 110 neighbours were notified of the application and 14 responses have been received raising the following matters:
 - Would undermine the current rural feeling of the park;
 - Visual impact of lighting columns would have urbanising effect and will be present even when rugby is not being played;
 - Rugby club has played in the park for many years without the need for lights;
 - Light interference to nearby houses would be an invasion of privacy;
 - Temporary lighting currently used is adequate and not on site all year round;
 - Would increase the amount of car parking associated with the use and activity in the vicinity of the clubhouse;
 - Could lead to further pitches being lit;
 - Increased noise levels through wind blowing around the structures
- 4.2 Streetcare has no objections.
- 4.3 Public Protection requests a condition on details of external lighting.

5. **Relevant Policy**

- 5.1 Policies CP7 (Recreation & Leisure); DC18 (Protection of public open space, recreation, sports and leisure; DC55 (Noise); DC56 (Light); and DC61 (Urban design) of the Core Strategy and Development Control Policies and the guidance in the National Planning Policy Framework are material considerations.

6. **Staff Comments**

- 6.1 The NPPF states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

Development Plan Planning Policy DC18 states that the Council will seek the retention and enhancement of all public open space and recreation, sports and leisure facilities that are in private and public ownership.

- 6.2 The proposed works would replace the existing mobile lighting to provide more effective lighting of the pitch area. It would allow the more effective use of the pitch during winter months. The proposal would allow members of the community to participate more in recreational activity and the proposed development is therefore considered to be in accordance with the above intentions of the NPPF and Policy DC18, subject to the impact of the proposal on neighbours' living conditions and on the appearance of the surrounding area.
- 6.3 The main issues arising are the impact on the character and appearance of the area from the six lighting columns and the potential for light spillage from the site into residential properties and the increase in noise disturbance from any additional usage of the pitch.

Visual Impact

- 6.4 Given the openness of the park the lighting columns and luminaires would be readily visible from residential properties around the park and from within the park itself. The impact would be during the day and during the winter evenings when the pitch is illuminated. The floodlighting design, including column height, seeks to optimise the angle of the luminaires to minimise light spillage whilst maximising the light of the pitch. The columns are higher than at other sports pitches in Havering, such as St. Georges Playing Fields, but the extra height means that the number of columns is less for the same light coverage. Lower columns also result in a greater area of light spillage because of the reduced light angle. Lower columns would also give rise to health and safety issues as the ball would be much less visible when it is kicked into the air.
- 6.5 The columns taper towards the top and would be grey in colour. During the day they would be seen mainly against the sky which would limit their prominence. There are also trees around parts of the park boundary and to the west of the pitch which would also help to reduce the visual prominence. The columns would be set back over 100 metres from Hall Lane and therefore, not readily visible from the public highway.
- 6.6 Whilst the columns would be much more prominent than other structures within the park, such as the rugby posts (which are removed at the end of the season) and the mobile floodlights staff judge that the columns would not appear overly intrusive or out of character within the context of a public sports field. The park is within the urban area and the floodlighting of sports pitches is not an uncommon feature. The layout proposed strikes a balance between the number and height of the columns for the required light coverage and helps to limit light spillage.

Impact on amenity

6.8 The guidance in the NPPF is that planning decisions should seek to limit the impact of light pollution from artificial light on local amenity and on intrinsically dark landscapes. LDF Policy DC56 considers that in order to minimise the intrusion of artificial lighting, planning permission should only be granted for development, including artificial lighting, where it does not have a negative impact on the amenity of residents or public safety. Planning conditions should be used to control impact by setting lighting levels and hours of operation. Policy DC61 seeks to protect the amenities and privacy of existing occupiers from the adverse impacts of new development.

6.8 There are two main potential impacts – light spillage and noise from increased use of the rugby pitch. Details submitted with the application demonstrate that the light spillage, glare and upward leakage would accord with guidance produced by the Institution of Lighting Professions. The scheme has been assessed as being within an area of ‘low district brightness’ such as a ‘relatively dark outer suburban location’ which best describes this location. The light spillage has been calculated for the nearest properties in Chelmer Road and Hall Lane. At both locations the spillage would be below the guidance levels. The source intensity (glare) would also be within the guideline levels. This demonstrates that the proposed lighting would not result in a material adverse impact on residential amenity, especially light intrusion through windows.

6.9 The installation of permanent lighting could increase the usage of the pitch during winter evenings. This could adversely affect residential amenity through increased noise during sessions and increased traffic on local roads. Objectors have referred to parking in neighbouring streets on match days. Whilst permanent lighting could result in increased activities the application details state that the pitch would not be used every evening and activities would cease by 21:30. A condition is recommended to control hours and should members be concerned about the number of times a week the pitch is used then a condition could be imposed restricting this to say, two or three evenings. In considering the need for a restriction regard should be had to the current situation where there are no controls over the number of evenings or on the use of mobile lighting.

7. Other Considerations

7.1 There would be no light spillage onto any of the nearby roads, in particular Hall Lane which is the main route carrying any significant traffic. All roads are over 100metres away from the proposed columns. Therefore, there would be no adverse impacts on highway safety.

7.2 As no new floor space would be created by the development it would not be liable for any Mayoral CIL payment.

8. Conclusions

- 8.1 The proposed lighting columns are intended to replace the current use of mobile lighting.
- 8.2 As a matter of judgement Staff consider that the proposed lighting would not be materially harmful to the character and appearance of the surrounding area and would not be materially harmful to the amenities of nearby residents. Whilst there would be some adverse impact staff consider that on balance the proposal is acceptable.
- 8.3 The proposals would accord with the relevant guidance in the NPPF, the guidance issued by the Institution of Lighting Professions and policies DC56 and DC61 of the Core Strategy and Development Control Policies DPD. The grant of planning permission subject to conditions is recommended accordingly.

IMPLICATIONS AND RISKS

Financial Implications and risks: None

Legal Implications and risks: None

Human Resource Implications: None

Equalities and Social Inclusion Implications: The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Planning application and supporting documents received on 02-03-2015