



# REGULATORY SERVICES COMMITTEE

16 July 2015

# REPORT

**Subject Heading:**

P0683.15 To install floodlights to the skatepark, BMX track and multi-Use games area.

Central Park, Petersfield Avenue, Harold Hill, Romford

**Ward**

Gooshays

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
Development Control Policies  
Development Plan Document

National Planning Policy Framework  
National Planning Practice Guidance

London Plan

**Financial Summary**

Not applicable

## 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 is reported to the Committee as it is a Council application and a third party objection has been received.

The application concerns the erection of 12no. 8 metre high lighting columns to illuminate the skate park, BMX track and Multi-use Games Area (MUGA) at Central Park, Harold Hill. There would be four columns for each facility. The visual impact of the columns is considered acceptable within the context of a public park that includes leisure facilities. The submitted light spillage calculations demonstrate that the impact on residential areas and on the public highway would be acceptable. However, the light spillage into the Paine's Brook wildlife corridor would be excessive and directional lighting needs to be installed to reduce this impact. A suitably worded condition is proposed. The visual impact of the proposed columns is also judged to be acceptable. 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. Time Limit - 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. *Hours of use* - The floodlights hereby permitted shall not be illuminated between the hours 22:00 hours or after the park has closed in the evening, whichever is the earlier and 15:30 the following day. The lights shall be fitted with a time switch so that the lights are not illuminated between these times.

Reason: In order to minimise the impact of the development on surrounding areas in accordance with policies DC56, DC 58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

3. *Accordance with plans* - 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.

4. *Lighting levels* – The development hereby permitted shall not commence until a lighting scheme has been submitted to and approved in writing by the local planning authority. The lighting scheme shall include details that demonstrate that the light spillage beyond the surfaced path between the skate park and Paine’s Brook would not exceed a Lux level of 2 and that the upward light ratio would not exceed 2.5%. The lighting shall be installed in accordance with the approved details and thereafter retained for the life of the development.

Reason: Insufficient information has been submitted with the application to demonstrate that the Paine’s Brook wildlife corridor would not be adversely affected by light spillage or that the amount of upward obstructive light would not be excessive. The submission and approval of a lighting scheme that sets out these details prior to erection is necessary to prevent excessive light spillage into the Paine’s Brook corridor and into the sky in accordance with policies DC56, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

5. *Materials/colour* - The lighting columns hereby approved shall be finished in a colour or in materials in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been submitted with the application on the proposed finishes or materials of the lighting columns. The submission and approval of these details is necessary to minimise the visual impact on the area in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Informatives:

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management) Order 2015: 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

### 1. Site Description

1.1 The application site forms a part of Central Park, Harold Hill close to the boundary of the park with Dagnam Park Drive and Paine's Brook. The site comprises:

- (a) a multi-use games area (MUGA) which is a hard surfaced court surrounded by a 4metre high mesh fence;
- (b) A skate park which is a surfaced area with dips and jumps;
- (c) A BMX track which is an unsurfaced dirt track with a series of humps.

The sports facilities lie within a gated compound surrounded by metal railings.

1.2 To the west of the site on the other side of Paine's Brook is the 'My Place' community centre and the Harold Hill Leisure Centre. Within the leisure complex are several open floodlit games courts. The corridor of Paine's Brook is well vegetated and includes a number of mature trees.

1.3 The north of the site on the other side of Dagnam Park Drive is the Brookside Primary School and residential properties, the nearest of which is about 50 metres away.

### 2. Description of Proposal

2.1 The application seeks permission for the erection of 12no. 8 metre high lighting columns which would support 2no. downlighting luminaries on each column. There would be four columns for each of the sports areas. It is proposed to use the lights up to the park closing times of 22:00 hours Monday to Saturdays and to 21:00 hours on Sundays and Bank and Public Holidays. The facility would be staffed and users would need to pay a charge.

### 3. History

3.1 None relevant

### 4. Consultation/Representations

4.1 42 neighbours were notified of the application and one response has been received raising the following matters:

- Would encourage the use of the facilities after dark;
- The extension to the hours of use could result in additional crime and drug dealing which is already a problem;

- Nuisance arising from users leaving the facility at night and congregating outside of 'My Place'.

4.2 Streetcare has no objections.

4.3 Environment Agency recommends that the lighting levels should not exceed 2 Lux within the Paine's Brook wildlife corridor.

## 5. Relevant Policy

5.1 Policies CP7 (Recreation & Leisure); DC18 (Protection of public open space, recreation, sports and leisure); DC55 (Noise); DC56 (Light); DC58 (Biodiversity and Geodiversity) 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 lighting of the facilities would allow their more effective use especially 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.

6.3 The main issues arising are the impact on the character and appearance of the area from the 12 lighting columns and the potential for light spillage from the site into adjoining areas, in particular the wildlife corridor of Paine's Brook. There would also be the potential for an increase in noise disturbance for nearby residents from any additional usage of the facilities.

### Visual Impact

6.4 The compound lies on the edge of the park and is well screened from views from outside of the park by the vegetation along Paine's Brook and along Dagnam Park Road. The proposed lighting columns would not, therefore, be readily visible from residential areas. From within the park itself the proposed columns would be readily visible, but seen against the backdrop of the vegetation along Paine's Brook. A condition is recommended to enable the colour of the columns to be agreed prior to erection to help minimise any visual impact.

6.5 Staff consider that columns would not appear overly intrusive or out of character within the context of a public park. The park is within the urban area and the floodlighting of sports facilities is not an uncommon feature.

There are floodlights serving the sports pitches to the west adjacent to the swimming pool for example. The layout proposed strikes a balance between the number and height of the columns for the required light coverage.

#### Impact on amenity

- 6.6 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.
- 6.7 There are two main potential impacts on amenity – light spillage and noise from increased use of the facilities. Details submitted with the application demonstrate that the light spillage would not adversely affect the nearest residential occupiers in Dagnam Park Road and would be in accordance with the guidance provided by the Institution of Lighting Professionals.
- 6.8 The installation of permanent lighting would increase the usage of the facilities and this could adversely affect residential amenity through increased noise during sessions. Whilst permanent lighting would result in increased activities at the site these would be supervised by park staff and would be closed by 22:00 on weekdays and Saturdays and 21:00 on Sundays and Public/Bank holidays. A condition is recommended to control hours and given the distance from the nearest residential properties Staff consider that there would be no material adverse impact arising from the extended usage of the facilities.

#### 7. Other Considerations

- 7.1 The Paine's Brook wildlife corridor (defined in LDF Policy DC58) lies close to the application site, in particular the skate park. The light spillage calculations submitted show significant spillage into the corridor. The Environment Agency has advised that there should be a maximum Lux level of 2 within the corridor. This is similar to the recommendation within the guidance for light intrusion into windows of residential properties. The applicant has advised that it would be possible for the light spillage to be reduced through the use of better directional lighting that keeps light spillage to a minimum. On this basis Staff recommend that a condition is imposed requiring details showing how this would be achieved.
- 7.2 There would be no light spillage onto any of the nearby roads, in particular Dagnam Park Road which is the main route carrying any significant traffic in the vicinity. The road is over 50 metres away from the proposed

columns and there have been no objections from the highway authority on safety grounds.

7.3 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 would allow the extended use of existing sports facilities with the park, mainly during the winter months.

8.2 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. There would also be no material impacts on the ecology of the Paine's Brook wildlife corridor from any light spillage subject to a condition on light levels.

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, DC58 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:** The planning merits of the application are considered separately to the Council's interests as landowner and applicant

**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 11-05-2015