



meeting **PLANNING COMMITTEE**

date **18 MAY 2004**

from: **Director of Environment**

agenda item number

8

**BROXTOWE BOROUGH COUNCIL 5/03/00493/CCR
ERECTION OF FLOODLIGHTING TO SCHOOL PLAYGROUND
ALBANY JUNIOR SCHOOL, PASTURE ROAD, STAPLEFORD,
NOTTINGHAMSHIRE
APPLICANT: ALBANY JUNIOR SCHOOL**

Purpose of Report

1. To consider a planning application for the installation of floodlighting to the school playground at Albany Junior School. The application has given rise to various concerns principally relating to visual, noise and light impact. The recommendation is to grant planning permission subject to planning conditions.

The Site and Surroundings

2. The site lies towards the western edge of Stapleford and is bounded to the east and south by residential property along Grenville Drive and Hickings Lane respectively. Further residential property lies to the west of the site within Pasture Road. To the north of the site lies an industrial works and the Albany Infants and Nursery School, which is fenced off from the junior school.
3. The site comprises a relatively open complex, accommodating the main junior school buildings within the south-western part of the campus. The main school comprises a CLASP style, single storey building and to the immediate east of this lies a hard play area together with a relatively extensive playing field just to the north-west. A location plan is attached.

Proposed Development

4. The application seeks to erect four floodlighting columns in order to illuminate the existing hard play area, which is used as a netball court. The floodlighting columns would be positioned at each corner of the play area on what is currently shallow grassed banking.
5. The scheme would incorporate four galvanised floodlighting columns to a height of 8.00m, with a proposed illumination value of up to 211 lux. Each of the four columns would have an asymmetric 'flat glass' type of floodlight with an asymmetrical light distribution meaning that the hard play area would be illuminated without the lamps being visible beyond this designated area.

Planning Policies

6. The Nottinghamshire Structure Plan Review (November 1996) contains no policies that are relevant to the proposal, but Policy EV13 of the Broxtowe Local Plan, which is concerned with amenity issues and most specifically the need for high standards of design, is a relevant consideration. It states that a high standard of visual appearance for all development should be the aim.
7. The amenity issue is given greater clarification in the enhanced Policy E1 of the Broxtowe Local Plan Review Revised Deposit Draft (January 2001), which states that planning permission for new development will normally be granted provided that there is no significant adverse effect upon the amenity of the surrounding area and that the scale, mass and materials of the proposal are in sympathy with the character of the surroundings and respect the overall setting.
8. Policy RC3 of the Broxtowe Local Plan Review Revised Deposit Draft (January 2001) supports proposals for community facilities where:
 - (i) the proposal would be well located in relation to the community it serves and to public transport; and
 - (ii) the amenity of neighbouring properties would not be adversely affected; and
 - (iii) appropriate provision would be made for vehicle parking and highway safety; and
 - (iv) the character of the area would not be adversely affected.

All relevant policies are set out in Appendix 1.

Consultations

9. **Broxtowe Borough Council** raises no objection.
10. **Powergen** has made no response.
11. **Severn Trent Water** has made no response.
12. **Transco** has drawn attention to the fact that there is apparatus in the area.
13. **EMEB** raises no objection but has drawn attention to the fact that there is apparatus in the area.
14. **The Crime Prevention and Architectural Liaison Officer** raises no objection and has determined that the floodlighting would actually enhance the level of security at the school site.

Publicity

15. The application has been advertised by means of one statutory site notice and letters of notification sent to the occupiers of Nos. 1-31 (odds) Grenville Drive, Nos. 8-56 (evens) Hickings Lane, Nos. 3-45 (odds) Pasture Road and No.

13a Pasture Road. One letter of representation has been received signed by thirteen residents. The letter objects to the proposal on the following grounds:

- a) light pollution affecting the local environment;
- b) increased noise pollution;
- c) loss of quality of life;
- d) the only use of the floodlights would be for an outside organisation, namely the women's netball team, rather than for a school/educational use;
- e) concerns that use could be extended to seven evenings a week;
- f) floodlights would give the appearance of 'a detention centre';
- g) impact of intense lighting on wildlife that depends upon the two adjacent hedgerows, for example hedgehogs.

Highway Observations

- 16. There are no highway objections.

Observations

- 17. The proposed development would increase the sporting proficiency of the school and foster an enhanced community use. More specifically, it would be of benefit to the Stapleford Women's Netball Club, which presently uses the Albany School playground area as a netball court. This club has used the site on two evenings per week and Saturday mornings for the past three years and is funded by Broxtowe Borough Council. The overall aim of the Stapleford Netball Club is to bring sport and a sense of community back into the local area.
- 18. The netball club operates in partnership with Albany School to encourage children and adults into sport. It has developed strong links with the pupils and has been involved in after-school clubs and integrating the school's activities and sports curriculum into the netball club's development. The local community now has a successful junior team together with teams for the Under 10's, Under 11's, Under 13's and Under 14's.
- 19. The lack of lighting provision at Albany School means that the netball club has to go out of the Stapleford area for training sessions from September onwards, for the duration of the winter months. There is a need to enhance the current facilities so that members of the club can remain at Albany School throughout the year. It is noted that training outside the local area is not in keeping with the ethos of promoting a sense of local community and bringing sport into the Stapleford area.
- 20. The provision of floodlighting would mean that jointly the school and netball club would be able to extend the current level of activities for the pupils including more after school-clubs.

21. The proposed floodlighting columns would have some impact on the appearance of the school campus. However, it is noted that there is a relatively high degree of mature hedging and trees along the southern boundary with properties in Hickings Lane, which would provide an element of screening of the proposal. The lighting would be most visible from those dwellings along Grenville Drive that are sited directly to the east of the hard play area. This would comprise properties Nos. 1-23 (odds), which maintain an open rear aspect across the school site. The existing boundary fencing and ornamental hedgerow is not considered sufficient to provide adequate screening of the floodlighting from these dwellings. Therefore, it is recognised that there may be some loss of visual amenity for the occupiers.
22. Due to the position of the existing hard play area, two of the floodlighting columns would be positioned only some 20m from the eastern boundary with dwellings in Grenville Drive. This relatively close proximity of the lighting together with the open aspect of properties means that the proposed floodlighting would have a moderate visual impact for these residents during the winter months when the use extends into the early evening.
23. In order to mitigate this, planning conditions could require the submission of a suitable landscaping scheme, including the planting of a native hedgerow to the rear of the perimeter fencing of properties Nos. 1-23 (odds) Grenville Drive. In acknowledging that this would take some time to establish before providing an effective screen to the development, it is recommended that an element of native tree planting around each of the proposed lighting columns should be incorporated into the scheme. Native trees have the advantage of being quick to establish and, if planted in groups of no more than four to the rear of the lighting columns, would provide a suitable screen which would establish quickly. This would filter any direct views of the lighting columns from properties in Grenville Drive whilst the hedgerow becomes established over the longer term. The landscaping would play an important role in softening the visual amenity for residents and address the concern that the floodlighting would give the school site the 'appearance of a detention centre'. It is important that such a landscaping scheme is put in place at the earliest possible stage, and if possible prior to the commencement of the development.
24. In recognition of the residents concern with regard to the local wildlife, it is considered that the landscaping scheme and in particular the establishment of a new native hedgerow to the rear of boundary fences with dwellings in Grenville Drive, would assist in the protection of the wildlife presently seen along the boundary hedges.
25. Visual impact from the proposed floodlighting on adjacent occupiers could be mitigated by the positioning and angling of the floodlights, together with incorporating into the scheme the lowest level of luminance required for the satisfactory use of the hard play area as a netball court. Planning conditions could ensure that the luminance level is controlled and the proposed floodlighting positioned correctly.
26. The community use is presently approximately five hours per week, with the use of the hard play area on Saturday mornings throughout the year and

during the summer two evenings a week. It is recognised that the provision of floodlighting would extend the hours of use of the hard play area. However, it is envisaged that this increase in use would be moderate, with the possible provision of extra curricular activities and after-school club provision for the Albany Junior's school children. In seeking a balance between the needs of the school to maximise the use of the existing facilities and those of the residents, in terms of their local amenity, it is considered reasonable to allow the proposed floodlighting to be used on four weekday evenings only, subject to a requirement for that use to cease at 9.00pm. No use of the floodlights would be allowed on Saturdays, Sundays and Bank and Public Holidays, so allowing the residents to enjoy their local amenity uninterrupted by lighting at these key times.

27. The potential for some increase in noise impact on the local amenity of residents is recognised. However, there is already an established existing evening use for much of the year, with the netball club having used the Albany School playground on two evenings a week for the past three years. This can be mitigated by ensuring that the use of the floodlights ceases at 9.00pm on weekday evenings. This will ensure that the use of the hard play area will only be extended up to this time, during the winter months.
28. It is unlikely that the proposed development would result in any increase in traffic congestion along Grenville Drive. Albany Junior School is not accessed by vehicular traffic via Grenville Drive but off the main Pasture Road. The use by community organisations would take place outside normal school hours and it is envisaged that this would only involve the local ladies netball team who already use the unlit hard play area. It is not anticipated that the extended level of use associated with the proposed floodlighting would generate any substantial increase in traffic. There is also adequate car parking provision on site, with the junior school car park being made available for use in association with this facility.

Conclusions

29. If a degree of effective screening can be put in place this would mitigate the visual impact of the floodlighting on dwellings within Grenville Drive. Overall, it is important that the school can function properly and deliver good quality sports provision to its pupils, whilst also fulfilling a community role.

Statutory and Policy Implications

30. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and users. Where such implications are material, they have been brought out in the text of the report. Members' attention is, however, drawn to the specifics as follows:-

Human Rights Act Implications

31. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are affected. The proposal

has the potential to introduce moderate impacts of light and visual intrusion as well as increased noise intrusion for residents within Grenville Drive and to a lesser extent Hickings Lane. However, these considerations need to be balanced against the benefit that the proposal would bring to both the pupils at Albany Junior School and the wider community.

RECOMMENDATION

32. It is RECOMMENDED that planning permission is granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in Appendix 2. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

REASON FOR DECISION

33. The proposal has the potential to impact negatively on the amenity of local residents, but is considered capable of being successfully mitigated. The proposal is in accordance with policies of the Development Plan and will bring benefits to the school and local community.

PETER WEBSTER
Director of Environment

Director of Resources' Financial Comments

This report considers the planning application and has no direct financial implications. [DJK 6.5.04]

Head of Democratic and Legal Services' Comments

Planning Committee have powers to decide the Recommendation. [SHB 6.5.04]

Background Papers Available for Inspection

One letter signed by thirteen residents dated the 25.06.03.

Electoral Division(s) Affected

Stapleford N & W

EPD.DW/EP4521
29 April 2004

RELEVANT PLANNING POLICIES

Broxtowe Borough Local Plan

Policy EV13

THE BOROUGH COUNCIL WILL SEEK TO ENSURE A HIGH STANDARD OF DESIGN AND LAYOUT TO SECURE ATTRACTIVE DEVELOPMENT AND TO SAFEGUARD AND ENHANCE THE EXISTING ENVIRONMENT.

Broxtowe Local Plan Review Revised Deposit Draft (January 2001)

Policy E1

PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT WHICH DOES NOT MEET EACH OF THE FOLLOWING CRITERIA:

- a) THE CREATION OR MAINTENANCE OF A HIGH STANDARD OF AMENITY FOR ALL USERS OF THE NEW DEVELOPMENT AND OCCUPIERS OF NEIGHBOURING PROPERTY;
- b) DESIGN FEATURES TO ENABLE SAFE AND CONVENIENT USE OF BUILDINGS AND FACILITIES BY PEOPLE WITH LIMITED MOBILITY;
- c) MEASURES TO ASSIST IN WASTE MINIMISATION AND RECYCLING;
- d) A SAFE AND SECURE ENVIRONMENT, WHERE NECESSARY INCLUDING CRIME PREVENTION FEATURES;
- e) A HIGH STANDARD OF ARCHITECTURAL DESIGN IN TERMS OF SCALE, MASS AND MATERIALS;
- f) RESPECT FOR THE CHARACTER OF THE SETTING OF THE PROPOSED DEVELOPMENT;
- g) A HIGH STANDARD OF LANDSCAPING;
- h) A HIGH STANDARD OF DESIGN OF OPEN SPACES WITHIN THE DEVELOPMENT, WHERE PROVIDED; AND
- i) SAFE AND CONVENIENT ACCESS FOR VEHICLES, CYCLISTS AND PEDESTRIANS.

Policy RC3

PROPOSALS FOR COMMUNITY AND EDUCATIONAL FACILITIES WILL BE PERMITTED IN CIRCUMSTANCES WHERE ALL THE FOLLOWING APPLY:

- a) THE PROPOSAL WOULD BE WELL LOCATED IN RELATION TO THE COMMUNITY IT SERVES AND TO PUBLIC TRANSPORT SERVICES; AND
- b) THE AMENITY OF NEIGHBOURING PROPERTIES WOULD NOT BE ADVERSELY AFFECTED; AND
- c) APPROPRIATE PROVISION WOULD BE MADE FOR VEHICLE PARKING AND HIGHWAY SAFETY; AND
- d) THE CHARACTER OF THE AREA WOULD NOT BE ADVERSELY AFFECTED.

SUGGESTED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 5 years from the date of this permission.
2. Unless otherwise agreed in writing by the County Planning Authority (CPA) the development hereby permitted shall be carried out in accordance with the details shown on the approved Plan Drawing No. 9756 EL(06) 02, as received by the CPA on the 20th May 2003.
3. Prior to the commencement of the development hereby permitted, measures shall be taken for the protection of all trees and hedges from damage during the course of the development before any equipment, machinery or materials are brought onto the site for the purpose of the development. The means of protection shall include measures to prevent disturbance or reduction in soil levels within the area of the root spread of the hedgerow; and the adequate fencing off of all trees. The means of protection shall be implemented and retained on site until all equipment and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition and the ground levels within these areas shall not be altered nor shall any excavation be made without the prior written approval of the CPA.
4. Any trees or hedges which become damaged during the course of the development shall be replaced in the first available planting season with the same specimens to those originally planted; the size of these trees shall be at least 14-16cm in girth and the hedge shrubs 60-90cm in height.
5. Prior to the commencement of the development hereby permitted, a scheme for the landscaping of the area immediately adjacent to the perimeter fencing along the eastern boundary with properties Nos. 1-23 (odds) Grenville Drive and around each of the four floodlighting columns shall be submitted to the CPA for its written approval. Such a scheme shall include details of planting, seeding, turfing and a maintenance schedule. The scheme shall include a native hedgerow parallel to that part of the site boundary to the rear of properties Nos. 1-23(odds) Grenville Drive and shall also include native tree planting immediately adjacent to each of the four floodlighting columns. The size of these trees shall be at least 14-16cm in girth and these shall be planted in groups of no more than four individual trees around each of the four floodlighting columns.
6. All planting or seeding shall be carried out in accordance with the details approved under Condition 5 in the first available planting and sowing seasons following approval of details pursuant to Condition 5. The planting scheme shall be maintained in accordance with the approved maintenance schedule and good arboricultural practice for a period of five years following its implementation and any plants or trees which die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with similar species to those originally planted.
7. Except with the prior written agreement of the CPA no construction work shall be carried out or plant operated other than between the following hours: 0730

hrs to 1730 hrs Monday to Friday, 0800 hrs to 1330 hrs on Saturday and at no times on Sunday, Bank or Public Holidays.

8. The floodlights shall not have a greater illuminance level than 200 lux and the floodlights shall be positioned, directed and angled downwards to avoid glare and dazzle to neighbouring residents such that this can be verified on site by the CPA within three months of the date of the commencement of the use of these floodlights, the date of which shall be notified to the CPA within 7 days.
9. Except with the prior written agreement of the CPA the floodlights shall only be used between the hours of 0830 hrs to 2100 hrs on any but not more than four evenings per week between Monday to Friday (inclusive) and at no times on Saturday, Sunday, Bank or Public Holidays.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
- 3-6. To ensure a satisfactory visual appearance for the development.
- 7-9. To protect residential amenity and to accord with Policy E1 of the Broxtowe Local Plan Review Revised Deposit Draft.

Note to Applicant

The applicant's attention is drawn to the advice from EMEB and Transco.

EPD.DW/EP4521
29 April 2004

Please note. Copies of the plan referred to in this report may be obtained from: John Sheffield, Environment, Trent Bridge House, Fox Road, West Bridgford, Nottingham NG2 6BJ, tel 0115 977 4499, email john.sheffield@nottsc.gov.uk or from Peter Barker at the same address, tel 0115 977 4416, email peter.barker@nottsc.gov.uk.