

Report

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Report to:	Planning Committee
Date of Meeting:	21 June 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CL/11/0206
Planning Proposal:	Erection Of Floodlighting On 12m High Columns And 5m High Perimeter Fencing With Overhead Ball Stop Netting

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Morgan Sindall
- Location : Blackwood Primary School
Carlisle Road
Kirkmuirhill

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Consent (Subject to Conditions – Based on Conditions Attached).

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

a) Other Information

- ◆ Applicant's Agent: Aedas Architects
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy RES6: Residential Land Use
Policy CTY1: Primary School Modernisation Proposal
Policy DM1: Development Management
Policy ENV30: New Development Design

- ◆ Representation(s):

- ▶ 2 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

SportScotland

Planning Application Report

1 Application Site

- 1.1 The application site extends to 0.5 hectares and consists of a grass outdoor sports pitch. The use of the pitch is associated with Blackwood Primary School located to the western boundary of the site, however it is available for informal public use after school hours. The existing pitch is at a notably lower ground level than the land on three sides (approximately 3m lower than the footprint of the existing school building) and is on a slightly lower level to housing to the north boundary.
- 1.2 To the north of the site are a row of single storey dwellings with their rear gardens bounding onto the site. These houses are located a minimum of 5.5m from the site boundary. The houses which bound the outdoor pitch to the east are detached in nature and are a mixture of single and two storey houses. These houses are located between 1.5m-11.5m from the site boundary. The south of the site is bounded by Carlisle Road with detached houses beyond.

2 Proposal(s)

- 2.1 Approval has been given through planning consent CL/10/0211 for the upgrade and alteration of the sports pitch in association with the erection of the new Blackwood Primary School. This current proposal now involves the repositioning of the pitch to create a facility measuring 66m by 40m. This has had the effect of shortening the overall length of the pitch and increasing the distance between it and the northern boundary to between 18 and 22m. The pitch would be from 7m from the eastern boundary along most of its length although the distance narrows to 5m at the closest point. It is now proposed that the new pitch will be to a 3G specification, rather than grass proposed under the earlier consent, which is preferred for football use. The pitch can also be used as one large facility or sub-divided to form three smaller pitches.
- 2.2 The proposal specifically proposes the erection of six floodlighting columns at a height of 12 metres and 5m high perimeter fencing with overhead ball stop netting around the perimeter of the sports pitch. The floodlights will be located 5m from the eastern boundary although the distance to the houses would be a minimum of 12.5m. The installation of floodlighting will enable extended use of the pitch for community use until 10pm on weekdays, 6pm on Saturday and 9pm on Sundays.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Plan identifies the site as being in a Residential Land Use area. Policy RES6: Residential Land Use states that each application will be judged on its own merits with particular consideration given to the impact on the character and amenity of the residential area. In particular, the residential area must not be impaired by reason of visual intrusion or noise. The site is also identified as a site for Primary School Modernisation where Policy CTY1: Primary School Modernisation advises that the Council proposes to complete the modernisation and redevelopment of Council primary schools by 2016.
- 3.1.2 Policies ENV30: New Development Design and DM1: Development Management require that all planning applications take into consideration the local character and built form to which the proposal is related. In particular, development should ensure that there is no conflict with adjacent land uses and no adverse impact on existing properties in terms of overlooking, noise or disturbance.

3.2 **Relevant Government Advice/Policy**

3.2.1 None.

3.3 **Planning History**

3.3.1 Planning consent was granted for a new Blackwood Primary School and community facilities on February 2011 under application ref CL/10/0211. This included the upgrade and alteration of the sports pitch. The ground levels of the outdoor pitch were to be increased in height by approximately 1m and were to be infilled with material from the demolished school building. An improved drainage system will be incorporated into the outdoor pitch to prevent surface water flooding issues which currently occur and renders the pitch unusable on occasions. At the time of consent it was proposed that the blaes surface would be removed and replaced with grass and a 3m ball stop fence would be erected around the pitch perimeter.

4 **Consultation(s)**

4.1 **SportScotland** – do not object to this application, and support the upgrading of the sports pitch as it will enable the playing capacity of the pitch to be increased.

Response: Noted.

4.2 **Environmental Services** – do not object subject to conditions being attached requiring further details of the floodlighting scheme to be submitted, including details of how light spillage and glare will be addressed. A noise impact assessment submitted demonstrates that there will be no adverse noise issues created from the extended hours of use of the sports pitch.

Response: Noted. Should consent be granted conditions will be attached to address the above and ensure that the neighbouring properties are not adversely affected by the proposed floodlights.

5 **Representation(s)**

5.1 Following the carrying out of statutory neighbour notification and the advertisement of the proposal in the Lanark Gazette due to the scale and nature of the development, two letters of representation were received. The grounds of objection are summarised as follows:

- a) **The intensified use of the sports pitch outwith school operating hours will create noise issues and disruption to residential amenity through the high level of activity and associated verbal disruption. The ground levels of the pitch will be raised, and this will exacerbate the noise issues. No mitigation measure is proposed to create a noise buffer between the pitch and the neighbouring properties. The noise levels will adversely impact the ability for neighbouring residents to enjoy their rear garden and will adversely affect their residential amenity of their property as a result. Furthermore, the noise impact assessment carried out is not sufficient, as the measurements have not considered the village situation where houses are closely located to the pitch.**

Response: The applicant has submitted a noise impact assessment which demonstrates that there will be no significant increase in noise levels at the site due to the existing background noise levels which were detected. The Council's Environmental Health Service has assessed the report and is satisfied with the methodology of how the assessment was carried out and its conclusions. It should also be noted that the existing blaes pitch is available for informal use without any restriction on hours of use at the moment. It is intended that use of the improved facility would be managed through a booking system and only those authorised to

use the pitch would have access. The improved management of the facility will therefore significantly enhance residential amenity when compared to the current uncontrolled situation.

b) The floodlights will create adverse light pollution to the rear of neighbouring properties and main habitable rooms.

Response: The lighting detail submitted by the applicant is sufficient at this stage to demonstrate that light pollution is unlikely to adversely affect the amenity of neighbouring properties. Should consent be granted then conditions will be attached to ensure that further detailed lighting specifications and mitigation measures are submitted to prevent inappropriate light spillage or glare from the lights.

c) The objector wants clarification of the technical term “coulombs” in the neighbour notification description.

Response: This was a typing error and the application description has been corrected to “columns”. The columns are the poles on which the lights would be erected.

d) The pitch could create loitering, vandalism and unsocial behaviour.

Response: This is not a planning issue. Should such activity occur then this is a matter for the Police to investigate.

e) The hours of operation are not appropriate. The pitch is located too close to houses to allow the activity to be carried out till 10pm. The late night disruption will adversely affect the residential amenity of neighbouring residents.

Response: The pitch operating hours have been considered in the noise impact assessment and it concludes that there will be no significant increase in noise disruption to that of the existing situation. This has been accepted following consideration by Environmental Services. As noted above, the current use of the pitch is not controlled but the new facility would be formally managed.

f) The proposal for 3 pitches is excessive and not required at this site.

Response: The pitch will accommodate one full size pitch similar in size to that existing and will provide the flexibility for the pitch to be divided into 3 for smaller games.

g) The increase in ground levels of the pitch will create overlooking to neighbouring properties.

Response: The increase in the ground level of the pitch has been approved under planning consent CL/10/0211. This was fully considered at that time and it was concluded that no overlooking would occur which would adversely affect the residential amenity of neighbouring properties.

h) The increase in the ground levels could create drainage issues to neighbouring properties.

Response: The increase in the ground level of the pitch has been approved under planning consent CL/10/0211. The drainage issues were considered at this time, and the increase in ground levels will enable a drainage system to be installed which will address surface water runoff. This will also ensure that there is no water run-off into neighbouring properties.

5.2 The letters have been copied and are available for inspection in the usual manner and on the Planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of floodlighting on 12m high columns and 5m high perimeter fencing with overhead ball stop netting around the perimeter of the sports pitch at Blackwood Primary School, Carlisle Road, Blackwood. The principle of increasing the ground levels and upgrading the pitch has already been established through planning consent CL/10/0211. The main considerations in determining this application are therefore its compliance with local plan policy and its impact on the visual and residential amenity of the surrounding residential area.
- 6.2 The proposed floodlights would enable use of the pitch outwith school hours and until 10pm at night on weekdays, 6pm on Saturdays, and 9pm on Sundays. The community will also be able to use the pitch during school hours in agreement with the School. This will therefore allow the provision of an enhanced facility for the wider community. The impact of this increased activity on residential amenity is critical in assessing the proposal. The floodlighting columns are acceptable in terms of scale and design and would not have an adverse impact on visual amenity. However the control of light spillage to adjoining properties will be necessary to avoid light pollution for residents. A condition would be attached to any consent granted to require the submission of detailed specifications for the lights and an assessment of the impact on adjoining properties. Work would not be able to start until these details are approved. In addition, further conditions requiring the implementation of the approved scheme before the lights are brought into use and the switching off of the floodlights in the event that complaints are received to allow this to be investigated are also proposed.
- 6.3 Due to the increase in the level of activity outwith school hours a noise impact assessment was carried out to assess the impact on the residential amenity of neighbouring properties. It was concluded that due to the existing background noise levels at this site that the use of the pitch during the proposed hours would not lead to noise nuisance. In view of the above it has been demonstrated that there will be no adverse impact on the residential amenity of the surrounding area through noise nuisance or disturbance. Importantly, use of the facility will now be the subject of formal management rather than the uncontrolled operation at present.
- 6.4 The increase in the ballstop perimeter fencing from 3m to 5m and the inclusion of overhead ballstop netting is considered acceptable as the improvements will benefit neighbouring properties by preventing any stray balls from entering properties. The increase in height is not considered significant to adversely impact on the visual or residential amenity of neighbouring properties or use of their rear gardens. In view of the above it has been demonstrated that there will be no adverse impact on the visual or residential amenity of the surrounding area; the proposal therefore complies with local plan Policies RES6, ENV31 and DM1.
- 6.5 In view of the above, the proposal would provide an improved community sports pitch. I am satisfied that the visual and residential amenity of the surrounding residential area will not be adversely affected by the development. I therefore recommend that planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal would provide an improved sports facility for educational and community use and complies with the aims of Policies RES6, ENV31 and DM1 of the

adopted South Lanarkshire Local Plan. There will not be an adverse impact on visual or residential amenity.

Colin McDowall
Executive Director (Enterprise Resources)

13 June 2011

Previous References

- ◆ CL/10/0211

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - SportScotland 31/05/2011
 - Environmental Services 01/06/2011

- Representations
 - Representation from
 - Mr and Mrs Dewar, 6 Cherry Tree Drive, Blackwood ML11 9TF 05/06/2011
 - Mr P McGuigan, 12 Cherry Tree Drive, Blackwood 06/06/2011

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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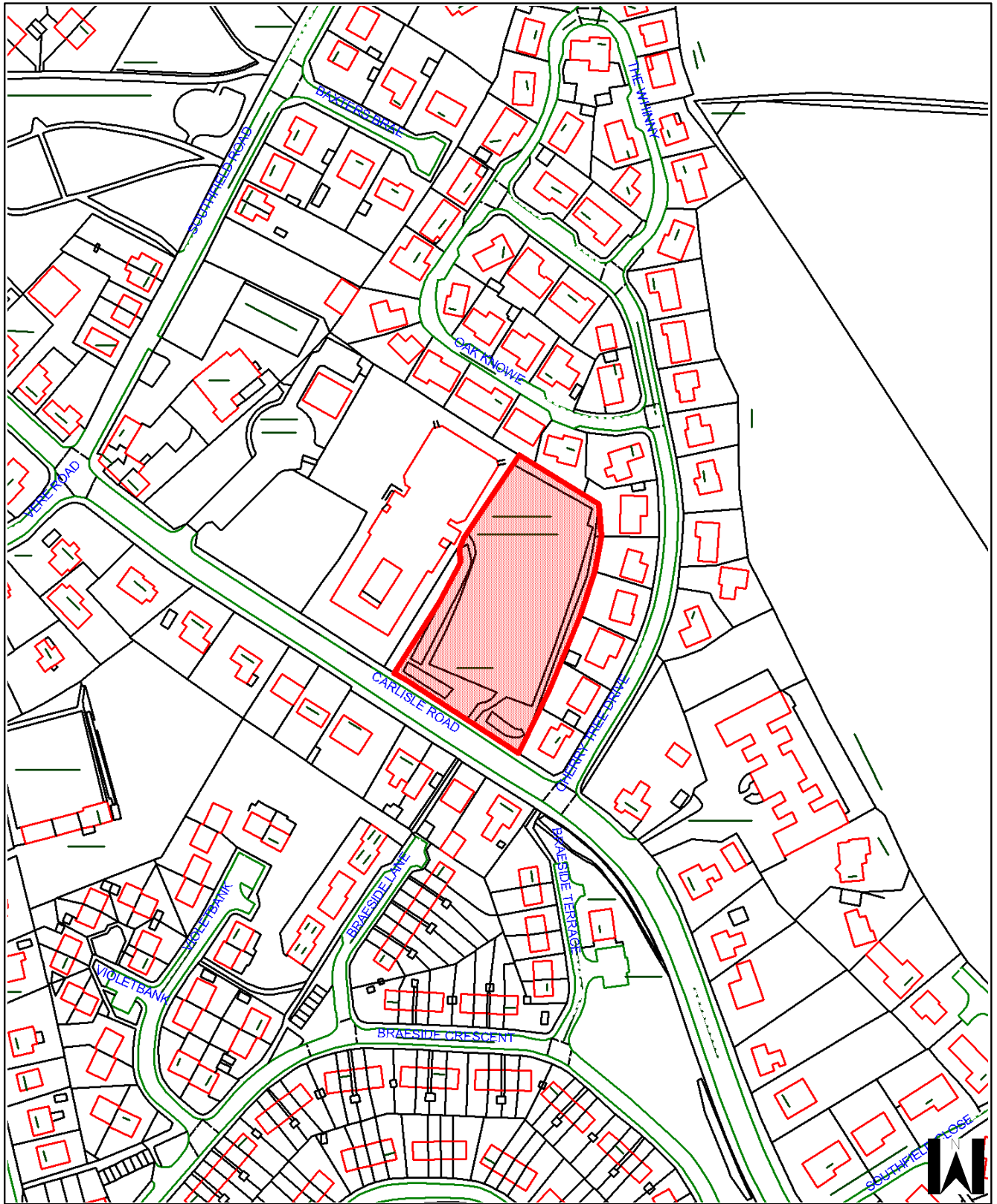
CONDITIONS

- 1 The consent shall be carried out strictly in accordance with drawing numbers: LL(90)P020 Revision B.
- 2 That before the development hereby permitted is brought into use, all the fences for which the permission of the Council as Planning Authority has been obtained under this consent shall be erected and thereafter maintained to the satisfaction of the Council as Planning Authority.
- 3 The sports pitch shall not be used after 22:00 hours on Mondays to Fridays or after 18:00 hours on Saturdays, and 21:00 hours on Sundays and Bank Holidays. The floodlights shall be turned off within 15 minutes of the end of the sports pitch use and in no circumstances shall they be left on for more than 15 minutes from the latest time referred to above.
- 4 Prior to any development commencing on site, details of the proposed floodlighting scheme shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall include, where appropriate, details of all aspects of the installation including specific luminaire and lamp type; beam control; wattage; the use of reflectors; baffles; louvres; cowling (including colouring); lux contours/distribution diagrams and column type/colour. The proposals shall specifically include an assessment of the impact of the proposals on adjoining residential properties and the public road.
- 5 The approved floodlighting scheme shall be implemented prior to the development being brought into use and shall thereafter be operated in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
- 6 Notwithstanding condition 5 above, in the event that complaints are made about the operation of the floodlights, the use of the lights shall be discontinued and the complaint investigated. The lights shall not be brought back into use until the complaint has been resolved to the satisfaction of the Council as Planning Authority, including the implementation of alternative mitigation measures where necessary.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To minimise the risk of nuisance from light pollution to nearby occupants.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 To enable the development to be monitored and reviewed.

For information only



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