

Application No: 16/0216M

Location: Pownall Park Tennis Club, CARRWOOD ROAD, WILMSLOW, SK9 5DN

Proposal: Floodlights installed at tennis club to enable all year round use of the courts. The hours of operation of the floodlights shall be limited to 10am to 9pm Monday to Saturday and 10am to 6pm Sundays or Public Holidays

Applicant: Mr Paul Eaton

Expiry Date: 17-Mar-2016

SUMMARY

It is considered that the design of the proposed flood lights is acceptable as is the relationship with the street-scene and the impact on the character and appearance of the area. The potentially extended use into the evenings during certain times of the year is considered not to cause any additional highways safety issues. The proposed would not result in any significant ecological impacts. The key issue to consider has been the impact of the proposed flood-lighting on neighbouring residential amenity.

Pownall Park Tennis Club proposed to operate floodlighting until 10.00pm Monday to Sunday. Such operations seven days a week until 10.00pm were considered excessive at this location. The applicant therefore agreed to amend the proposed hours to bring it in line with the Rugby Club as suggested by Environmental Protection. The proposed hours are now deemed acceptable.

Concerns identified in the previous refused applications are considered to have been overcome. The proposed is considered to accord with all relevant development plan policies and all other material considerations. Therefore, bearing the above aspects in mind, it is recommended the application be approved, subject to conditions.

SUMMARY RECOMMENDATION

Approve subject to conditions

DESCRIPTION OF SITE AND CONTEXT

The application site is Pownall Park Tennis Club, Carrwood Road, Wilmslow. The site contains 3 tennis courts which are located on an elevated plot. The tennis club is situated to

the north west of Wilmslow. The Lawn Tennis Club (LTC) was originally set up in 1934. The LTC has approximately 235 members with just under half of the members being juniors.

The site is bordered by residential properties to the north and east which are located along Carrwood Road, Pownall Hall School is located to the south west and a pond is located to the west. There is a clubhouse located to the south east of the site. The site is a designated Existing Open Space with the land directly to the north and east being designated as Predominantly Residential Area of Wilmslow, as defined in the Local Plan. The site is a wooded area and surrounded by a Tree Preservation Order.

Carrwood Road is an unadopted road. There are currently 6 on-street parking spaces on the unadopted road which are owned by the LTA. These 6 spaces are to be retained.

DESCRIPTION OF PROPOSAL

The application seeks full planning permission for: ' Floodlights installed at tennis club to enable all year round use of the courts up to 10pm Monday to Sunday'. The proposal is for 12 floodlights. Each floodlight will be 6.95m high.

RELEVANT HISTORY

96/1832P FLOODLIGHTING TO 3 TENNIS COURTS. Refused 13/02/1997

96/0245P NEW TENNIS CLUBHOUSE. Refused 03/04/1996

96/0244P FLOODLIGHTING TO 3 TENNIS COURTS. Refused 03/04/1996

42550P EXTENSION TO CLUBHOUSE. Approved 26/09/1985

35890P PROPOSED CLUBHOUSE EXTENSION AND FLOOD LIGHTING OF TENNIS COURTS. Refused 19/01/1984

28347P EXTENSION TO EXISTING COURTS AND RE-ERECTION OF NETTING. NEW RETAINING WALL AND PRACTICE AREA. Approved with conditions 18/11/1981

POLICY

Macclesfield Borough Local Plan – Saved Policies

BE1 (Design Guidance)
RT1 (Open Space)
H13 (Protecting Residential Area)
DC1 (New Build)
DC3 (Amenity)
DC9 Tree protection
DC6 (Circulation and Access)
DC64 (Floodlighting)
NE11 (Nature Conservation)

Other Material Considerations

National Planning Policy Guidance
National Planning Policy Framework
CE Local Plan Strategy – Proposed Changes Version(March 2016)

SPG (Floodlighting for Sporting Activities)

(ILP) Guidance Notes for the Reduction of Obtrusive Light GN01:2011

Sport England Design Guidance Note: Artificial Sports Lighting – Updated Guidance for 2012

CONSULTATIONS

Environmental Health - No objection subject to conditions relating to hours of operation, intensity of illumination, priority of court use and the lights shall not be switched on at any time they are not required to illuminate the court.

Head of Strategic Infrastructure - No objections

Wilmslow Town Council - No Objection

OTHER REPRESENTATIONS

8 letters of representation have been received in total, 7 objecting to the proposals and 1 supporting the application from the Vice President of the tennis club.

The planning comments raised are summarised below:

Support

- A survey of 63 responses from members resulted in a 97% support in the installation of floodlights

Objections

- Inadequate parking
- Highways safety issues
- Traffic generation
- Access
- Light Pollution
- Noise
- Loss of amenity/privacy
- The floodlights would appear higher due to the raised ground levels
- Concerns over guests leaving and lighting
- Children playing unsupervised
- The use of private driveways as a turning point
- Double parking of cars
- Poor road conditions on un-adopted road
- The private informal arrangement with Pownall Hall School still causes an issue due to the use of Carrwood Road and the car park regularly exceeds the additional number of spaces

- Concerns over biodiversity/geological conservation
- Plan does not include the extension at number 49 Carrwood Road or extra windows

Concerns have also been raised about the extent of notification of the planning application. It is confirmed that all adjoining neighbours have been consulted, and a site notice has been posted, which meets the statutory publicity requirements.

An objection has also been raised regarding a breach of a covenant. Covenants are a civil matter and is not a material planning consideration in this case.

OFFICER APPRAISAL

Principle of Development

The principle of providing floodlighting for recreational facilities can be acceptable, subject the following considerations:

- Landscape character
- Residential amenity
- Historical or wildlife features
- Highway safety
- Intensification of use the site

Character and appearance of the area

There is a belt of woodland between the proposed floodlights and Carrwood Road, which is the nearest public vantage point to the application site. It is also noted that there are street-lamps and telegraph poles within the vicinity of the application site, and if glimpses of the floodlights or the glow of the lighting can be achieved then they will be seen in the context of these existing structures. It is therefore considered that the design, size, scale and materials of the proposed flood-lights is acceptable and that the proposed development will have an acceptable relationship with the street-scene and an acceptable impact on the character and appearance of the area. The proposed is considered to adhere to policies BE1, DC3, DC64 and H13.

Residential Amenity

The Environmental Protection Team has been consulted on the application, assessing the impact upon residential amenity in terms of light spillage and noise. Environmental Protection have concluded that when the floodlights are on their presence will be visible (there will be some 'sky glow') as the site is on an elevated position at Carrwood Road.

The two dwellings that are closest to the proposal are number 49 Carrwood Road which is located 16.2m from the closest floodlight and number 56 Carrwood Road is located 37.9m away from the closest floodlight. Due to the distance from these properties Environmental Protection advise that the impact upon the living conditions of these neighbours will be acceptable. Between the dwellings and the floodlights lie trees and bushes which helps reduce any amenity issues even further.

Additional artificial illumination by way of lighting is provided by street lamps along the entrance road to Pownall Hall School. This lighting scheme adds to the background artificial

lighting at Carrwood Road as tree canopies conceal the light source (light bulbs) but the absence of low level shrubs results in light being visible at ground level illuminating the Pownall Hall School entrance road.

To the north of the site at the junction of Carrwood Road and Kings Road, Wilmslow Rugby Club operates. The club has a floodlighting scheme in place. The hours of operation permitted under 14/5158M are:

10.00 to 21.00 hours on Monday to Friday,
10.00 to 21.00 on Saturday and
10.00 to 18.00 on Sundays or Public Holidays.

Therefore, at Carrwood Road, current background artificial lighting is provided by existing street lights on Carrwood Road and Pownall Hall School and to the north an established floodlighting scheme is in operation at Wilmslow Rugby Club.

Pownall Park Tennis Club wishes to operate until 10.00pm Monday to Sunday. Such operations seven days a week until 10.00pm are considered to be excessive at this location.

The above hours of operation imposed on Wilmslow Rugby Club are established and have not given rise to illumination or noise complaints. For this reason, Environmental Protection recommends that the same hours of operation are imposed upon the use of the proposed floodlighting scheme at Pownall Park Tennis Club.

The applicant has submitted an Outdoor Tennis Lighting Design scheme in support of their application by Luminance Pro Lighting Systems, Project Code: 3626a, date: 25/09/15.

The submitted information has been assessed against the Institution of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' (ILP) re reduction of obtrusive light. This is the standard used in this application and the standards used for Sport England ('Design Guidance Note: Artificial Sports Lighting – Updated Guidance for 2012').

The Lighting scheme report has used E2 (Rural) to describe the lighting environment at this location: 'low district brightness' examples are village or relatively dark outer suburban locations. This descriptor is acceptable and agreed to describe the lighting environment of this area.

For an E2 Environmental Zone, light intrusion into windows pre-curfew is 5 lux and post-curfew 1 lux (pre-curfew is normally defined as the period before 23:00).

The lighting scheme report details that for the various residential sensitive receptors on Carrwood Road that the illumination design guidance for 'light intrusion' pre-curfew 5 lux to prevent the light being obtrusive to sensitive residential receptors is NOT exceeded at any elevation. The maximum lux level predicted at a point on the façade of one of the properties was 1.46, which is at the lower end of the recommended E2 scale.

In addition, no account has been taken of any existing foliage; thus the wooded area in which the tennis courts are located may afford additional protection providing illumination attenuation. During evening visits to the area in February 2016 to assess the application,

Environmental Protection noted that the vegetation was very dense and provided effective screening of the tennis courts from Carrwood Road – even at this time of year.

Following the above advice from Environmental Protection, the applicant has agreed to amend the proposed hours of to:

10.00 to 21.00 hours on Monday to Friday,

10.00 to 21.00 on Saturday and

10.00 to 18.00 on Sundays or Public Holidays.

This is now in line with the Rugby Club hours of operation for floodlights, which is slightly further along Carrwood Road, and the new proposed hours will minimise any amenity issues.

As mentioned above, applications were refused in the past for floodlights on this site. The reason for refusal has been taken into consideration and positive amendments have been made with the current application. For example the previous proposed height of the floodlights was 12m, whereas the new proposed height is approx. 6.95m high and the hours of operation of the floodlights was to be up to 10pm, whereas the new proposed hours of operation which are in line with the Rugby Club (up to 9pm) are an improvement.

As regards impact of the proposed development on the amenities of the surrounding residential properties, the key issues to consider (in accordance with policies DC3 and D64 of the Local Plan, para 17 of the NPPF and the ILP document Guidance Notes for the Reduction of Obtrusive Light GN01:2011) are light spillage, noise, increased use of facilities, privacy, traffic, presence of the masts/lamps and hours of usage. It has been concluded above that the proposed floodlights are considered to have an acceptable impact on the character and appearance of the area.

Noise

During evening visits to the area in February 2016, it was noted by Environmental Protection that the existing noise climate at this location is subject to intermittent aircraft noise from ground operations, arrivals and departures to Manchester International Airport and distant road traffic noise. Intermittent aircraft noise and distant road traffic noise may potentially mask noise from the use of the tennis courts.

Pownall Park Tennis Club is an established activity at this location; currently the tennis club use is greater during the summer months where natural brighter evenings extend its use. It would therefore be expected that during brighter nights, when the club is in operation that the sensitive residential receptors would also be utilising their garden areas to a greater degree than during the winter: colder, darker months. The use of the club during the summer, brighter later nights has not given rise to any noise complaints. Conversely in the winter darker months, residents are less likely to fully utilise garden areas for entertainment purposes, therefore are less likely to be disturbed by extended tennis play.

A British Standard assessment has been completed and the applicants have considered and assessed the influence of vehicle doors and boots being shut and the use of tennis courts. Both noise sources have been measured and calculated as per the standard, which results in a 'rating of low impact'. No significant noise issues are raised.

Highways

As noted above, the Strategic Highways Manager raises no objections and therefore it is considered that there are no highway safety issues arising from the application. The proposed development complies with policy DC6 and DC64.

Pownall Park Tennis Club is an established activity at this location. The application is for floodlights which will serve 3 existing tennis courts. It is noted there are local concerns over the existing parking and future parking issues. However as the application is solely for floodlights and the number of people at any one time playing tennis is not going to change, it is deemed there are no highways implications associated with this application.

It is noted the applicant has confirmed there are 6 on-site parking spaces and the 6 spaces are to be retained. The applicant has since confirmed the 6 spaces are all located on the private unadopted road. The applicant has confirmed due to the road being unadopted the LTA own the part of the road directly outside the site to the middle of the road. With this information in mind Highways were re-consulted and their comments have not changed.

The Vice President of the LTA has confirmed they have an arrangement with the school next to the tennis club. The arrangement enables members to use the school parking area out of normal school hours during the week and at weekends. This alleviates the use of the unadopted road outside the tennis club (Carrwood road).

Trees

As noted above, the Arboricultural Officer does not object to the proposed development.

Pownall Park Tennis Club is surrounded by a tree preservation order. The application is supported by an Arboricultural Statement submitted by Cheshire Woodlands Arboricultural Consultancy (Ref CW/7919-AS) dated 19th October 2015.

No trees require removal to facilitate the proposed floodlights with only minor pruning proposed to both clear and maintain the existing perimeter fencing and establish clearance for light attenuation.

The proposed lighting columns and associated supply cables are all installed within the existing tennis court hard surfacing. There are incursions with RPA's but unacceptable damage is not considered likely given present ground conditions and the construction depth of the tennis courts. The Arboricultural Statement addresses the issues in terms of implementation with installation to be directly supervised by an on site Arboriculturalist working within the guidance of current best practice BS5837:2012 and NJUG. Tree protection details have not been provided but this can be addressed by condition, to ensure the continued well being of the trees in the interests of the amenity of the locality.

Ecological impact

The Nature Conservation Officer does not object to the proposed development, considering that there would be no significant ecological impact. The proposed development accords with policies NE11 and DC64.

PLANNING BALANCE & CONCLUSIONS

All representations have been taken into consideration. In summary, it is considered that the design of the proposed flood lights is acceptable as is the relationship with the street-scene and the impact on the character and appearance of the area. The potentially extended use into the evenings during certain times of the year is considered not to cause any additional highways safety issues. The proposed would not result in any significant ecological impacts. The key issue to consider has been the impact of the proposed flood-lighting on neighbouring residential amenity.

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Concerns identified in the previous refused applications are considered to have been overcome. The proposed is considered to accord with all relevant development plan policies and all other material considerations. Therefore, bearing all the above aspects in mind, it is recommended the application be approved, subject to conditions.

Recommendation: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A02TR - Tree protection
5. Carried out in accordance with Cheshire Woodlands Arboricultural Statement
6. The hours of operation of the floodlighting
7. Intensity of illumination of the lights
8. luminaire intensity shall not exceed that recommended for zone E2
9. Court 1 to be used first
10. lights shall not be switched on at anytime they are not required to illuminate a court for playing purposes or for maintenance/repair purposes
11. NPPF
12. CONSTRUCTION HOURS OF OPERATION – Noise Generative Works

