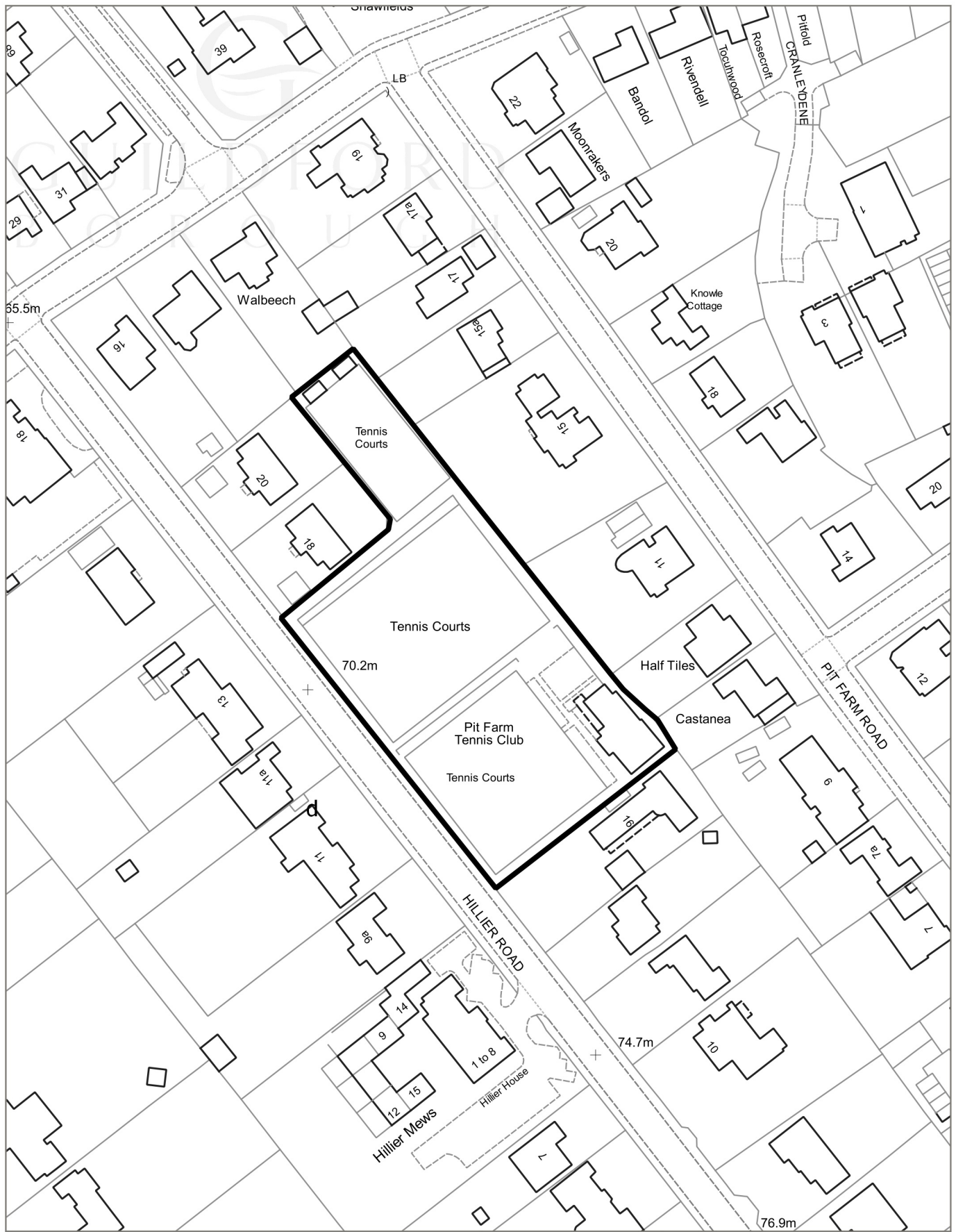


20/P/00176 - Pit Farm Tennis Club, Hillier Road



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Print Date: 04/05/2020

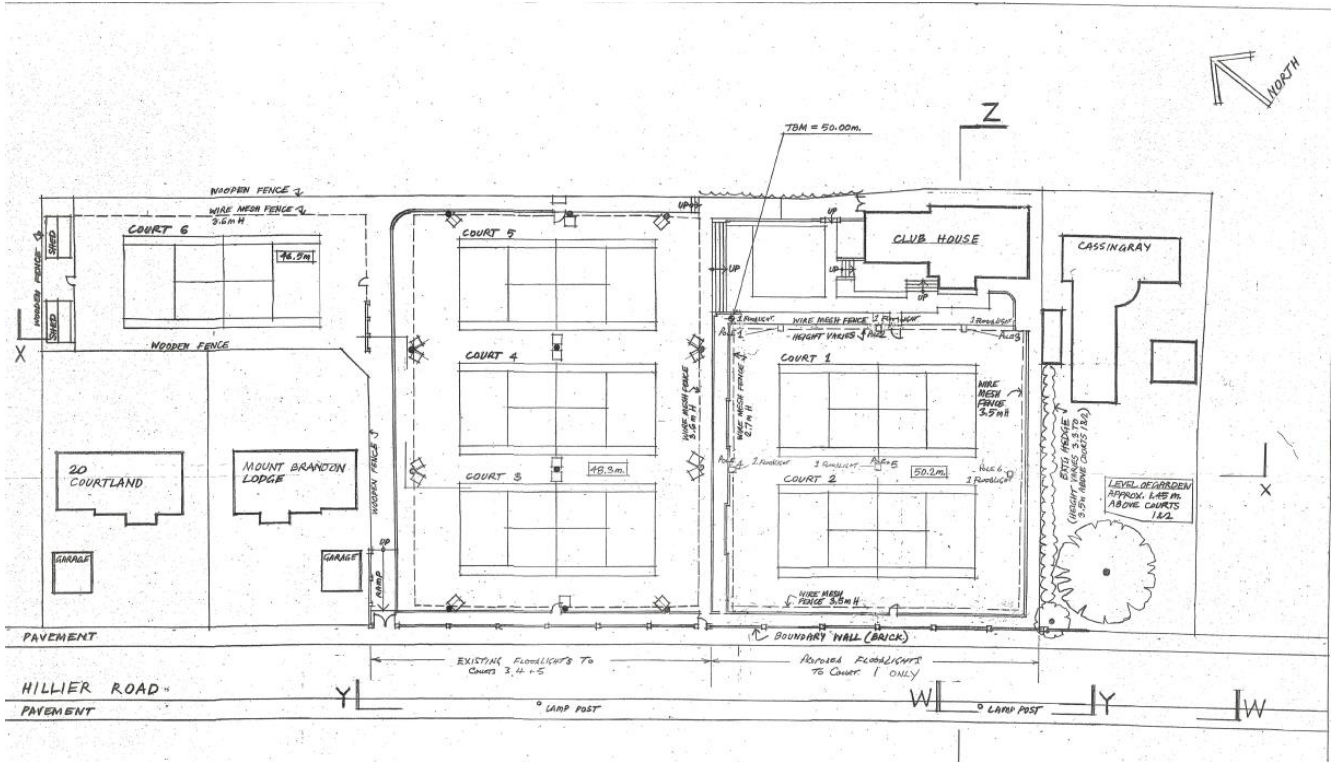


Not to Scale



GUILDFORD
BOROUGH

20/P/00176 – Pit Farm Tennis Club, Hillier Road, Guildford



Not to scale

App No: 20/P/00176
Appn Type: Full Application
Case Officer: Charlotte McSharry
Parish: Christchurch
Agent :

8 Wk Deadline: 25/05/2020

Ward: Christchurch
Applicant: Mr P Childs
Pit Farm Tennis Club
Hillier Road
Guildford
Surrey
GU1 2JQ

Location: Pit Farm Tennis Club, Hillier Road, Guildford
Proposal: Erection of floodlighting to court 1.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

Key information

Number of Floodlights: 6
Proposed column dimensions: 5.5 metres high, 0.09 metre diameter
Proposed Philips ClearFlood Large Asymmetrical LED (495W) dimensions: 0.7 metres by 0.5 metres by 0.05 metres
Back shields to floodlights 3, 5 and 6

Summary of considerations and constraints

Previous refused applications have proposed floodlighting to both courts 1 and 2. The current scheme is for floodlighting to court 1 only.

Excluding court 2 from the scheme addresses concerns over the impact on the residential character of the area as no floodlights are proposed adjacent to Hillier Road.

The scheme would include mitigation against any impact on neighbouring residential property, Cassingray. This includes setting the lighting columns in from the shared boundary and affixing back shields to those floodlights nearest to Cassingray.

Lighting technology has significantly improved since the 1996 dismissed appeal. Light spillage would now be less than 3 lux, which is a negligible lighting impact. Environmental Health have raised no objection to the proposal.

The proposal has been assessed in line with Policies G1, G5 and R6 of the Guildford Borough Local Plan 2003, D1 of the LPSS 2015-2034, the NPPF 2019 and all other material considerations. The proposal would have an acceptable scale and design for the use and would not result in detrimental impact on the residential character of the area or the amenities of neighbouring properties.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan PJC/16/002, Site Plan 17/1 Rev C, Existing Section XX 17 Rev C, Proposed Section WW and XX 17/2 Rev C, Proposed Section YY and ZZ 17/3 Rev C, Schedule of Floodlights and Fittings, and Obtrusive Light Report by Midlands Lighting Solutions Limited dated 04 December 2019, received on 29 January 2020.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. The floodlighting hereby permitted to court 1 shall not operate other than between the hours of 15:00 to 21:00 Mondays to Saturdays (inclusive) and 15:00 to 18:00 Sundays or Bank or National Holidays.

Reason: To safeguard the residential amenities of neighbouring properties.

4. The development should be carried out in strict accordance with the submitted scheme and shall not be altered without the prior written approval of the Local Planning Authority. The floodlighting (including all screens / shields) shall be installed, maintained and operated, throughout the life of the installation, in accordance with the approved details unless the local planning authority gives its written consent to the variation.

Reason: In the interests of visual and/or residential amenity.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

Officer's Report

Site description.

The application site comprises court number 1 at Pit Farm Tennis Club. The club has 6 courts, of which numbers 3, 4 and 5 benefit from existing floodlighting. The site is designated as protected open space within the urban area of Guildford. The club is surrounded by residential properties on all boundaries, with the exception of the western boundary which is bordered by Hillier Road with residential properties on the opposite side of the road. The land slopes down from the Epsom Road end (south east) to its junction with Cranley Road (north west). Courts 1 and 2 and the clubhouse are located on higher land than the remainder of the tennis courts.

Proposal.

Erection of floodlighting to court 1.

Columns: 6 tubular steel columns 0.9 m diameter by 5.5 metre high (5.7 metre to the top of light).
Lights: 6 x 495W Philips ClearFlood asymmetrical LED.

Accessories: Back shields fitted to floodlights 3, 5 and 6. Back shields consist of a 200mm plate fixed to the rear of the fitting.

Switching: The floodlighting system would be controlled via a time clock to prevent use outside of the permitted hours of use.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
19/P/01043	Floodlighting to courts 1 and 2.	Withdrawn 28/08/2019	N/A
15/P/02308	Extension to front of clubhouse, rear extension to kitchen, extension of existing viewing balcony including screening, new railings and steps and new bi-folding doors to existing clubhouse.	Approve 29/02/2016	N/A

13/P/01561	Erection of floodlights to Court No. 1.	Withdrawn 30/05/2014	N/A
10/P/01812	To allow the use of the existing floodlights serving courts 3, 4 and 5 on Sundays and Bank Holidays until 6pm.	Approve 03/12/2010	N/A
08/P/02175	Addition of floodlights to courts 1 & 2.	Refuse 04/02/2009	N/A
05/P/0187	Floodlighting to court 5	Approved	N/A
99/P/1876	Extend hours of floodlighting for courts 3 & 4 from 9pm until 9.30pm on weekdays.	Approved	N/A
96/P/1236	Floodlighting on five metre high poles to courts one and two.	Refused	Dismissed at Appeal
93/P/00892	Variation of condition 4 of 89/P/00080 to allow extension to operation of floodlights from 9-9.30pm on Tue, Wed and Thurs.	Refused	N/A
89/P/00080	Installation of lo-line floodlights to courts 3 and 4, new boundary wall and fence.	Approved	N/A

Consultations.

Statutory consultees

County Highway Authority: No objection. The additional floodlights will have no impact on the highway.

Internal consultees

Head of Environmental Health and Licensing: No objection, subject to conditions.

Third party comments:

23 letters of representation have been received raising the following objections and concerns:

- light pollution
- increased vehicle and pedestrian traffic
- noise disturbance
- negative impact on the residential character of the area
- loss of residential amenity
- existing floodlit courts not in use at capacity / no identified need for additional courts to be floodlit
- previous refusals remain relevant
- the club is not part of the local community as many members are not local
- no back shields on existing floodlights needs to be addressed

54 letters of support have been received outlining the following positive comments:

- Important sporting facility for the local community
- Beneficial after-school coaching for local children
- Health and general mental wellbeing benefits far outweigh any perceived negative impact
- Essential for continuing usage in winter months
- High specification floodlighting
- Back shields prevent light spillage
- Minimal or no impact on neighbours in terms of light and noise disruption
- Time restricted floodlighting is less obtrusive than street lighting
- Membership limitations without additional floodlit court

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

Chapter 8: Promoting healthy and safe communities

Chapter 12. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites:

D1: Place shaping

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1 General Standards of Development

G5 Design Code

R6 Intensification of Recreational Use

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- the planning history
- the impact on the character of the area
- the impact on neighbouring amenity

Principle of development

Paragraph 91 of the Framework states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Policy R6 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07) supports the intensification of recreational use through the introduction of floodlighting where the environmental, traffic and visual impact is acceptable. Subject to this being the case, the principle of development would be acceptable.

Planning History

The planning history of the site is pertinent to the current proposal; namely application 96/P/01236, which was dismissed at appeal, and application 08/P/02175. Both applications were for floodlights on courts 1 and 2, whereas the current application is for court 1 only.

The 1996 Appeal Inspector considered that the effect of floodlighting both courts 1 and 2 in such close proximity to residential properties would, by reason of increased illumination, have a detrimental effect on the amenities enjoyed by the occupiers of Cassingray contrary to Policy 13BE of the then Guildford Borough Local Plan 1993. The increased illumination of court 2 and visual impact of the lighting columns and fittings would also have a detrimental effect on the character of the residential area. The Inspector was satisfied that the proposal would be unlikely to give rise to such an increase in activity from people arriving and leaving as to result in an unacceptable level of additional noise and disturbance to Hillier Road.

Refused planning application 08/P/02175 similarly related to floodlighting both court 1 and 2. The 2008 application was refused because the proposed floodlights, by virtue of their height, number, and location, would result in an enhanced impression of intrusion for the occupants of neighbouring property, Cassingray, contrary to policy R6 and G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07). The LPA also considered that the proposed floodlighting columns would appear visually obtrusive in the street scene. This would result in the whole length of the tennis club's frontage being illuminated which would have a detrimental impact on the residential character of the street.

The concerns of the 1996 Appeal Inspector and those of the LPA in 2008, have largely been overcome by removing floodlighting from court 2. This ensures that the residential character of the area is maintained as the proposed floodlights on court 1 would be substantially set back from Hillier Road. The remaining reasons for refusal relate to the amenity of neighbouring properties. This has been mitigated, not only by the removal of floodlighting from court 2, but by setting in the floodlighting columns closest to Cassingray and affixing back shields. There has also been a significant improvement in lighting technology and the prevention of light spillage in the 24 years since the 1996 appeal decision. For these reasons and those outlined below, it is considered that the current scheme has overcome the reasons for refusal in 1996 and 2008.

Impact on the character of the area

Hillier Road is predominantly residential in character, however, the tennis club has been in existence for over 100 years in this location and is therefore an intrinsic part of the street scene. The land slopes down towards the junction with Cranley Road (to the north) and courts 3, 4, 5 and 6 are set on lower land than courts 1 and 2. Courts 3 and 4 have benefited from floodlighting since 1989 and court 5 since 2005.

The proposed new floodlighting to court 1 would be set higher than the adjacent, lower courts. However, the submitted elevation drawings demonstrate that the proposed floodlights would not be higher than the ridge line of the clubhouse building or the neighbouring property Cassingray. Court 1 is also substantially set back from Hillier Road. For these reasons the proposed floodlights themselves would not appear intrusive in the street scene.

The technical details of the floodlights show that the light spillage outside of the court would be approximately 3 lux, and the impact would be negligible. Whilst the technical data suggests a low level of light spillage outside, the illumination of the courts itself is likely to create some limited sky glow. Having visited the site both during daylight hours and in the evening, it was clear that there is already a level of light pollution from courts 3, 4 and 5, as well as the clubhouse.

Due to the location of court 1 set back from Hillier Road and set against the backdrop of the clubhouse, which is substantially glazed, it is not considered that the extra illumination would add to the existing situation to such a degree that it would cause harm to the character of the area.

Impact on neighbouring amenity

Court 1 is located adjacent to the residential property, Cassingray. There are also residential properties on the opposite side of Hillier Road. Behind the clubhouse are the properties Castanea, Half Tiles, 11 and 15 Pit Farm Road. 18 Hillier Road is positioned to the north west, beyond courts 3, 4 and 5.

Noise Disturbance

There is currently no restrictions on the hours of use for court 1. During the summer months this court can be used until the natural light fades. Accordingly, there is already a level of nighttime disturbance to neighbouring residential properties during the summer months. Restrictions to the hours of use of courts 3, 4 and 5 have only come into force with the introduction of floodlighting. The proposed floodlighting to court 1 would be operational 15:00 to 21:00 Mondays to Saturdays (inclusive) and 15:00 to 18:00 on Sundays and Bank Holidays which is broadly consistent with the hours of use of the floodlights on courts 3, 4 and 5.

The Inspector for the 1996 appeal scheme considered that the proposal would not give rise to such an increase in activity from people arriving and leaving as to result in an unacceptable level of additional noise and disturbance in Hillier Road. On this basis, no objection is raised with regarding increased activity associated with floodlighting one additional court.

Light Pollution

There would be no direct impact on the properties on the opposite side of Hillier Road as these properties are situated approximately 11 metres away from the tennis club. The 1996 Inspector similarly concluded that "there would be no direct impact though light spillage or glare on the amenities of those living on the opposite side of Hillier Road."

The Inspector was concerned about the impact on the amenity of the residents of Cassingray, and the appeal was dismissed for this reason. Previous applications for floodlights on courts 1 and 2 have also been refused on these grounds. Spillage of light and neighbouring amenity has been addressed by floodlighting court 1 only and through the use of superior technology. An Obtrusive Light Report by Midlands Lighting Solutions dated 04 December 2019 has been submitted with the application. This report provides a scheme of lighting which would meet the needs of the tennis club and also the requirements of the Institute of Lighting Professionals Guidance for the Reduction of Obtrusive Lighting. The technical data submitted shows that light spillage at Cassingray and Hillier Road, would be less than 3 lux, which is a negligible lighting impact. It is more likely that the local street lighting, specifically for Hillier Road, would provide more light in the vicinity and therefore cancel out any negative impact from the proposal. Due to the technology employed it would also be possible to switch the lights on and off immediately, without the requirement for 'warming up', therefore allowing lights to be switched off whenever the courts are not in use during the permitted hours of use.

The lighting report has taken into account the approved application reference 19/P/00082 at Cassingray. This would result in velux roof lights on an extension between this property and the tennis club. This extension would contain a music room, home office, bathroom, extension to bedroom 4 and refuse / log store. The current proposal includes back shields fitted to the two lights closest to Cassingray, and to the central light closest to Hillier Road.

The lighting column nearest Cassingray would also be moved slightly further from the boundary wall to reduce any light spillage. The existing mature Laurel hedge between court 1 and Cassingray would remain in situ. The height of the new floodlights would also be mitigated by the topography of the land, as court 1 is approximately 1.5 metres lower than the garden of Cassingray.

The Council's Environment Health Officer has reviewed the submitted details and is satisfied that there would be no undue impact. Accordingly, it is considered that the proposal would comply with policy G1 of the Guildford Borough Local Plan 2003.

Conclusion.

Previous refused applications have proposed floodlighting to both courts 1 and 2. The current scheme is for floodlights to court 1 only. Lighting technology has significantly improved since the 1996 dismissed appeal. The scheme would include mitigation measures against any impact on Cassingray; namely back shields and lighting columns inset from the shared boundary with this residential property.

The proposal has been assessed in line with Policies G1, G5 and R6 of the Guildford Borough Local Plan 2003, D1 of the LPSS 2015-2034, the NPPF 2019 and all other material considerations. The proposal would have an acceptable scale and design and would not result in detrimental impact on the residential amenities of the neighbouring properties. For these reasons, the application is acceptable and is recommended for approval.