

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	24 October 2012
Title:	Proposed floodlighting of the existing ball court at Four Lanes Community Junior School, Hanmore Road, Chineham, Basingstoke, RG24 8PQ (Application number: BDB/75531) (Site Ref: BAE004)
Reference:	4348
Report From:	Head of County Planning

Contact name: Kristina King

Tel: 01962 846496

Email: kristina.king@hants.gov.uk

1. **Executive Summary**

- 1.1. Planning permission is sought for the erection of four, eight metre high floodlighting columns for a ball court at Four Lanes Community Junior School, Chineham, Basingstoke.
- 1.2. The application was initially considered at the Regulatory Committee on 25 April 2012, following a site visit on 5 March 2012. Members resolved that the application be deferred until a management plan had been completed and submitted as additional information for the planning application.
- 1.3. The main issues raised by this planning application are increased volumes of traffic, parking, highways safety, noise pollution, visual impact, light pollution, increased antisocial behaviour and vandalism, inappropriate hours of use, inappropriate application title as it should be a change of use and inappropriate use of Section 106 funding.
- 1.4. It is considered that the proposal would be in accordance with the development plan as it will not generate a level of light spill that will be a nuisance to nearby residential properties and the visual impact will not be significant due to the existing belt of established trees. The proposal is not likely to increase the amount of antisocial behaviour on the school site and could lead to a reduction in the potential for crime to occur. The traffic generated will be outside the peak arrival and departure times of the school and is therefore unlikely to generate a capacity issue of the surrounding road network. The proposal therefore accords with Policy E1. The lighting

will improve the existing informal community play facilities in the Chineham area thereby complying with policy C7.

2. Site

- 2.1. Four Lanes Community Junior School is situated in the centre of Chineham near Basingstoke. The junior school is located to the south east of Four Lanes Infant School. Both the junior and infant schools are accessed off Hanmore Road, on the north western corner of the combined site. The site has one staff car park which serves both schools.
- 2.2. The proposed site is located to the east of the junior school on the northern section of an existing hard-court play area (as detailed on the attached site location plan). Immediately to the south of the site is a larger unfenced hard-court play area and beyond this is Great Sorrells Copse, a Site of Importance for Nature Conservation (SINC). The eastern boundary of the site is lined by a deciduous tree belt beyond which lies a footpath and housing. The tree belt runs north from the site defining the boundary of the school. To the north west and west is the grounds of the junior school. The boundary of the nearest property is approximately 10 metres to the east of the proposed site, the house is located approximately three metres beyond the boundary.

3. Site History

- 3.1. Planning permission was granted for a purpose built fencing system and ball court on the northern section of the existing hard-court play area (BDB/75481) on 12 January 2012.

4. Proposal

- 4.1. The proposal is for the erection of four, eight metre high galvanised steel lighting columns to illuminate the recently permitted ball court facility (BDB/75481). Each column will have one 250W lamp orientated to point at the centre of the pitch. The columns are to be located in the four corners of the court as detailed on the block plan (attached).
- 4.2. The floodlighting would enable the ball court facility to be used throughout the year for longer periods of the day. The intention is that this would encourage a wider informal community use and enable the community centre to apply a hire charge should local community groups wish to book the facility. The court will be utilised by the schools during the school day and will only be open to the community out of school hours. Community centre staff are on site between 0830 and 2130 Monday to Thursday, 0830 and 1800 Friday and when required at the weekends.
- 4.3. It is proposed that the lighting will be controlled so it can operate only once the natural light levels have reduced to a certain level and until a specified

time. It is proposed that the lights will have the potential to be in use Monday to Thursday until 2100 and Friday until 2000. Due to the proposal including a pitch-side push button if the court is not in use the lighting will not operate. When the push-button is activated the lighting will remain on for one hour. The lighting can be controlled to ensure the push button does not work after the specified hour.

- 4.4. The Governing Body of Four Lanes Community Junior School state it has a petition with 277 signatories on it stating that the local community wants the facility and wants to use the proposed facility.

5. Further Information

- 5.1. The applicant has produced a management plan setting out how the site will be managed and monitored, and clearly states the expectations for behaviour of users of the facility. In addition to this it sets out that the floodlights will be monitored for a period of 12 months following the installation, with adjustments being made as necessary to ensure compliance with the lighting design parameters.
- 5.2. Additionally the hours of use of the floodlighting has been amended from Monday to Saturday until 2100 to Monday to Thursday until 2100 and Friday until 2000 in response to the level of concern about weekend use of the floodlights. There will be no use of the floodlighting on Saturdays, Sundays, Bank Holidays or Public Holidays.
- 5.3. The management plan was made available for the local community to comment on over a three week period from 5 July 2012. Letters inviting comments were distributed to 27 households nearest to the proposed development. The following groups/individuals were also invited to comment:
- (i) Ward Councillors (x3);
 - (ii) County Councillor;
 - (iii) Chineham Parish Council;
 - (iv) Local Police Officers (x3);
 - (v) Local PSO;
 - (vi) Local Community Patrolling Officer;
 - (vii) Community Safety Team at Basingstoke & Deane Borough Council;
 - (viii) Outreach Community Development Officer;
 - (ix) Potential user groups (x12);

- (x) Junior School parents (x308);
 - (xi) Infant School Parents (x270).
- 5.4. Of the 628 individuals/households/groups/organisations living, working or operating within the Chineham community 16 responses were received.
- 5.5. The management plan has been submitted to support the planning application, and all those who had previously commented on the application were notified. A copy of the management plan is attached to this report as an appendix.

6. Development plan

- 6.1. The relevant development plan document is the Basingstoke and Deane Borough Local Plan Review 1996–2011 (Adopted July 2006).
- 6.2. The appropriate policies for consideration are policies E1 (Development Control) and C7 (The Protection, Enhancement and Replacement of Existing Leisure and Community Facilities or Open Spaces).

7. Consultations

- 7.1. **Councillor Still** understands the concerns of the local residents regarding the potential for light spill but also believes that the proposed development would be an asset to the community. Councillor Still raises no objection to the proposed development so long as the lighting is erected in line with the results shown in the Urbis Vertical Spill Light Illuminance Calculations (Jan 2012). Councillor Still also requests that there are appropriate conditions attached if planning permission is granted to ensure all lighting is switched off at 2100 hours and that the lighting spill is appropriately monitored.
- 7.2. **Following the consultation on the management plan Councillor Still** is in support of the management plan which has been submitted as part of the planning application.
- 7.3. **Basingstoke and Deane Borough Council** raises no objection subject to conditions to control the hours of operation and the maximum level of luminance.
- 7.4. **Basingstoke and Deane Borough Council Environmental Health** raise no objection to the proposed development.
- 7.5. **Highways Authority** raises no objection to the proposed development. It is noted that the proposals are to introduce evening use. The additional traffic associated with this use will occur outside of the peak traffic hours and is unlikely to cause any capacity issues on the highway network.
- 7.6. **Chineham Parish Council** raises objection to the proposal because of the adverse impact on neighbouring dwellings, particularly adjacent properties

in Cibbons Road. Lighting late into the winter evenings could cause extra disturbance over and above that experienced during daylight hours.

8. Representations

8.1. Four letters of support have been received. The main points raised by the letters of support are:

- (i) community and school need a safe and secure play facility; and
- (ii) beneficial facility to the school and the community.

8.2. Thirteen letters of objection have been received. One of the letters stating they were writing on behalf of the closest 39 local residents, and also a letter from a planning consultant on behalf of these residents. The main issues raised are summarised below:

- (i) increased volumes of traffic;
- (ii) parking;
- (iii) highways safety;
- (iv) noise pollution;
- (v) visual impact;
- (vi) light pollution;
- (vii) increase in anti-social behaviour and vandalism;
- (viii) inappropriate hours of use;
- (ix) inappropriate application title as it should be a change of use; and
- (x) inappropriate use of Section 106 Funding.

8.3. One further representation was received following consultation on the management plan. The issues raised were:

- (i) visual impact;
- (ii) noise pollution;
- (iii) highway safety; and
- (iv) increase in anti-social behaviour and vandalism.

9. Commentary

- 9.1. The comments relating to the funding of this planning proposal are noted, however they are not a planning consideration. It is considered that Hampshire County Council has a significant interest in the application due to the land being owned by Hampshire County Council and the school using the proposed facility during school hours. Consequently it is considered appropriate for Hampshire County Council to be the Planning Authority and determine the application under Regulation 3 of the Town and Country Planning General Regulations 1992.
- 9.2. There is currently a community centre being run from the Four Lanes Junior School and this will remain into the future. The site is currently open to members of the public and many already make use of the existing hard court play area therefore the comments relating to the inappropriate application title are noted but it is not considered appropriate to have the title of the application changed.
- 9.3. It has been demonstrated (Lighting Plan 04) that the spill from the four lighting columns will not extend beyond the belt of trees to the east of the site and will not therefore, in terms of light pollution, pose a nuisance to the nearest residential properties. It is recommended that a condition is attached if planning permission is granted to ensure that during commissioning the equipment is adjusted to provide the results shown in the calculations provided. It is acknowledged that during the winter months the lighting will be slightly visible from the nearby housing but it is considered that the trees will screen the columns and the lit area to a certain extent and therefore there is not considered to be a significant visual impact.
- 9.4. It is not considered likely that the installation of the lighting columns will significantly increase the level of antisocial behaviour on the school site. The site is currently open to members of the public and consequently members of the public currently use the hard court play areas. The installation of the lighting could be seen to prevent antisocial behaviour as the surveillance of the site would be improved and due to the increased use of the site it could lead to a reduction in the potential for crime to occur. Subject to planning permission it is recommended that a condition is attached stating that the lighting can only be used Monday to Thursday until 2100 and Friday until 2000.
- 9.5. There is a level of noise to be expected with the use of a hard court play area. The facility is existing and can therefore, at present be used in the evenings during the summer months. By the addition of the lighting there will be an increase in the noise levels in the evenings during the winter months however this is not considered to be inappropriate to the area and will not cause undue detrimental impact on those living close to the site. The management plan further supports this and explicitly states the level of behaviour that will be expected of users at the site and how the site will be monitored.

- 9.6. The facility will not generate a level of traffic that is of a type or amount that is inappropriate to the area as there would be no additional vehicle movements during the school day. Additional traffic associated with the use in the evenings will occur outside of the peak traffic hours and is unlikely to cause any capacity issues on the highway network. Also there is sufficient on-site car parking provision for the drop off and pick up of children. In addition to this the school site is within the centre of Chineham and therefore it can be expected that a number of the users will walk or cycle to the site.
- 9.7. Overall it is considered that the proposal complies with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 9.8. The installation of the lighting will mean that the hard court play area will be accessible to all members of the local community to use on an informal and potentially formal basis outside the school opening hours. It will consequently improve the quality of a community facility within Chineham for which there has been an identified need. Therefore the planning proposal accords with Policy C7 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 9.9. In summary it is considered that the proposal would be in accordance with the development plan as it will not generate a level of light spill that will be a nuisance to nearby residential properties and the visual impact will not be significant due to the existing belt of established trees. The proposal is not likely to increase the amount of antisocial behaviour on the school site and could lead to a reduction in the potential for crime to occur. The traffic generated will be outside the peak arrival and departure times of the school and is therefore unlikely to generate a capacity issue of the surrounding road network. The proposal therefore accords with Policy E1. The lighting will improve the existing informal community play area in the Chineham area thereby complying with Policy C7.

10. Recommendation

- 10.1. That planning permission in respect of the installation of four floodlighting columns at the existing ball court at Four Lanes Junior School, Hanmore Road, Chineham, Basingstoke, RG24 8PQ (Application No: BDB/75531) (Site Ref: BAE004) be approved for the above reasons, subject to the conditions listed in Integral Appendix B.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

Proposed floodlighting of the existing ball court at Four Lanes Junior School, Hanmore Road, Chineham, Basingstoke RG24 8PQ

County Planning, First Floor, Elizabeth II Court West, The Castle, Winchester

CONDITIONS

Commencement

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 (as amended) of the Town and Country Planning Act 1990.

Plans and Particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

Hours of Working

3. There shall be no access to the development site by any traffic associated with the construction/demolition (i.e. no delivery vehicles, no contractors' cars, nor plant and machinery) in the morning between 0730 and 0900; and in the afternoon between 1515 and 1600.

Reason: In the interests of public safety, to avoid traffic conflict at the times of the day when pupils are arriving and departing from school in accordance with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

4. No work relating to the construction of the development approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1300 on Saturday and not at all on Sunday or recognised public holidays.

Reason: In the interests of amenity of local residents in accordance with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Tree Protection

5. The trees to be retained shall be protected during building operations by the erection of sturdy protective fencing in strict compliance with the requirements of the Local Planning Authority to ensure their protection. The existing trees shall not be lopped, topped, felled or destroyed.

Reason: To ensure the protection of the existing tree belt thereby retaining the natural features in accordance with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Hours of Use

6. The floodlights for the hard court play area shall only be switched on when necessary and then only between the hours of 0900 and 2100 Monday to Friday, 0900 and 2000 Friday and not at all on Saturday, Sunday, Public Holidays or Bank Holidays.

Reason: In the interests of amenity of local residents in accordance with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Floodlighting

7. The floodlights shall be installed in accordance with the results shown in the Urbis Vertical Spill Light Illuminance Calculations (Jan 2012).

Reason: In the interests of amenity of local residents in accordance with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

8. Before the floodlights are erected and brought into use, written details of how the lighting shall be monitored for overspill within the first 12 months of use shall be submitted to the Local Planning Authority. Any overspill (outside of the area detailed in the Lighting Plan 04) from the lantern shall be reduced by adjusting them as soon as possible from the date of notification of the overspill and within a maximum of 10 days to the satisfaction of the Local Planning Authority. The monitoring process shall be subsequently carried out including after the lighting has been lowered and re-erected following any necessary maintenance.

Reason: To ensure the impact of the lighting is minimised on the occupiers of nearby properties.

Advice Note

There is a Management Plan setting out how the site will be managed and monitored, and clearly states the expectations for behaviour of users of the facility.

*Annexe to Reasons for Conditions
(as required by Article 22 of the Town and Country Planning
(General Procedure) Order 1995 – as amended)*

**BASINGSTOKE AND DEANE BOROUGH LOCAL PLAN REVIEW 1996–2011
(ADOPTED JULY 2006)**

Policy E1 – Development Control

Proposals for new development will be permitted provided that they are of a high standard of design, make efficient use of land, respect the amenities of neighbouring occupiers, and do not result in inappropriate traffic generation or compromise highway safety. All development proposals should therefore:

- (i) respond to the local context of buildings in terms of design, siting, density and spacing, reinforce attractive qualities of local distinctiveness and enhance areas of poor design; extensions should respect their host building;
- (ii) provide a comprehensive landscaping scheme, where appropriate, enabling the development to successfully integrate with the landscape and surrounds, and no result in the loss of or have a potentially adverse impact on protected trees;
- (iii) not generate traffic of a type or amount inappropriate for roads, properties or settlements in the locality, and provide safe and convenient access for all potential users, integrating into existing movement networks and open spaces;
- (iv) provide a co-ordinated and comprehensive scheme that does not prejudice the development of adjoining land;
- (v) incorporate features to minimise the energy consumed in the construction and future use of the building, conserve water and minimise water use;
- (vi) create attractive public spaces, which are safe, minimise opportunities for crime, facilitate public enjoyment, and foster the legibility of the built environment; and
- (vii) minimise the potential for pollution of air and soil and not create noise or light which harms living and working conditions or the public's enjoyment of the built and natural environment.

Policy C7 – The Protection, Enhancement and Replacement of Existing Leisure and Community Facilities or Open Spaces

Proposals for the redevelopment, replacement or improvement of existing leisure and community facilities or public open space and private open space, will be permitted provided that:

- (i) the replacement or improved facilities will be at least equivalent in terms of quality, quantity and accessibility, and there will be no reduction in the overall capacity of leisure facilities and/or open spaces in the area of the development to accommodate demand; or
- (ii) the Council accepts that there is no need for the existing facilities either now or in the foreseeable future and a clear environmental justification can be made for an alternative use; or
- (iii) the proposed development will be sufficient benefit to the community to outweigh the detriment cause by the loss of the existing facilities or open space; or
- (iv) development proposals will improve facilities ancillary to its use.

Where considered necessary, proposals involving the loss of recreational facilities or open space (as described above) should be accompanied by a detailed assessment of the current supply of facilities, their quality and an assessment of need.