PLANNING APPLICATIONS COMMITTEE
19 May 2011

UPRN APPLICATION NO. DATE VALID
10/P2641 16/09/2010

Address/Site: Lessa Sports Ground Grand Drive, Raynes Park, SW20 9EB

Ward West Barnes

Proposal
Installation of 30 x 6.7m high floodlighting columns for the five tennis courts with associated pavilion approved under application ref 08/P1869 for the partial redevelopment of the former sports fields for flats, houses and sports/open space uses.

Drawing No’s
Site plan, ALX 3035-B1 Rev A with Key; and ALX3035-B2 (light control shields) dated 13 April 2011

Contact Officer Leigh Harrington (020 8545 3836)

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions.

CHECKLIST INFORMATION.
- S106: N/A.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted – No
- Press notice – No
- Site notice – Yes
- Design Review Panel consulted – No
- Number of neighbours consulted – 45
- Density – N/A.
- Number of jobs created: N/A.

1. INTRODUCTION
1.1 The application is brought back before the Planning Applications Committee following deferral at the February meeting.
1.2 A decision on the application was deferred in order to obtain more the following detailed information on the following:
(a) The submission of further details of light mitigation measures to prevent light spillage into neighbouring properties that would normally have been sought through a planning condition; and
(b) The provision of better plans showing the location of the lights on the site and in relation to surrounding properties.

1.3 This information has now been received in the form of details of the light control shields for the floodlighting and drawing ALX 3035-B1 Rev A that shows the location of adjacent buildings, the location of the 30 floodlighting columns and light spillage levels for properties in Blenheim Close, Blenhiem Road and Westway.

1.4 Additional comments from the Council’s Environmental Health Officer are set out at paragraph 6.4 with the additional information considered at paragraph 7.6. Other changes include a replacement condition 3 and the removal of an informative.

2. SITE AND SURROUNDINGS
2.1 The application site is an area of land located in the northwest corner of the former LESSA playing fields on Grand Drive in Raynes Park. The tennis courts will be located adjacent to properties in Blenheim Road and Westway. The site is not located within a Conservation Area.

3 CURRENT PROPOSAL
3.1 The current application for the installation of floodlighting for the five tennis courts, with 6.7m high lighting columns. The application has been submitted by a local tennis club, The Raynes Park Tennis Club which proposes to relocate from its existing site at 129 Grand Drive, approximately 250 metres away.

3.2 The tennis courts and a club house are to be provided by the site developer, Bellway, as part of a unilateral undertaking relating to a grant of planning permission on appeal in October 2009 for the redevelopment of site for the provision of houses, flats, sports pavilion and playing fields (LBM Ref 08/P1869).

3.3 This application seeks permission for the installation of 30 floodlights covering five tennis courts. There would be a floodlight either side of the net and two at each end of the court giving a total of six floodlights per court. There are a combination of three designs of floodlight head all using metal haline bulbs, denoted on the submitted plans as A, B and C, all of which would be mounted on the same design of 6.7 metres high of mounting pylon. The application is accompanied by a an amended light spillage diagram, ALX 3035-B1 Rev A.

3.4 The nearest column to the rear of the houses in Westway is approximately 27 metres away and the nearest column to rear of neighbouring properties at 46-60 Blenheim Road is approximately 13
metres away whilst the houses 18-28 Blenheim Road are more than 30 metres away and Blenheim Close is more than 100 metres away.

4. **PLANNING HISTORY.**
4.1 2009 – LBM Ref 08/P1869 - Permission granted on appeal for redevelopment of existing private sports ground to provide: -44 residential units (20 semi detached [5 bedroom] houses & 24 flats [6 one bedroom, 12 two bedroom & 6 three bedroom] on 0.6 hectares of the site; -67 car parking places & 74 cycle parking spaces; -the retention & re-use of 4.07 hectares of playing fields providing two rugby/football pitches, cricket ground and tennis courts for community use; -erection of two sports pavilions (383 sq.m) and refuse store/cycle parking building; -formation of vehicular & pedestrian access from grand drive (with demolition of existing property at 119 Grand Drive - provision of pedestrian and cycle access from Westway.

4.2 Permission has been implemented and Planning officers have been engaged in discharging various conditions.

5. **RELEVANT POLICIES.**

Adopted Unitary Development Plan (October 2003).

5.1 The relevant planning policies in the Adopted Unitary Development Plan (October 2003) are ST.24: Leisure and Recreation, Arts and Culture, L.5: Urban Green Space, BE.22 Design of New Development, BE.15 New Buildings and Extensions - Daylight, Sunlight, Privacy, Visual Intrusion and Noise and PE.3 Light Pollution

The London Plan (February 2008).

5.2 The relevant policies in the London Plan (February 2008) are: - 3A.3 (Maximising the potential of sites) and 3A.18 (Protection and enhancement of community facilities).

6. **CONSULTATION**

6.1 The submitted planning application has been publicised by means of a site notice and individual consultation letters sent to 45 neighbouring residential properties.

6.2 As a result of this consultation 4 letters have been received from neighbours and the Raynes Park & West Barnes Residents Association objecting to the proposal on the following grounds:

- Challenging the classification of the playing fields as Environmental Zone E2 stating that it is absolutely dark on site and the classification should be E1. (Officer’s note; This is a grading scheme for light levels used by the Institute of Lighting Engineers whereby E1 is an “Intrinsically dark landscape” such as a National Park and E2 is a “low district brightness area” such as a rural area, small village or relatively dark urban area).

- Inaccuracies on the plans relating to the height of the pylons with lower pylons increasing reflected light levels.
- Light levels on the boundaries will be above acceptable levels and would be 9 and not zero as stated by the applicant and queries over which standards, UK or US will be applied as the lights are being provided by an American manufacturer. (Officer’s note; Regardless of the place of manufacture lux levels are a universal unit of light measurement). The development will reduce current poor sunlight levels in neighbouring properties;
- Excessive sky glow due to reflected light.
- Bats utilise the area and will be affected by floodlights.
- The floodlights will be visually obtrusive
- Loss of privacy during the hours of darkness as windows will be illuminated by the floodlights.
- The application is premature and should await the construction of the new flats near the site to allow consultation.
- The hours of operation should be limited to 9pm.
- The existing floodlights at the Raynes Park Tennis Club’s site should be removed.

6.3 **Environmental Health** Following the decision to defer a decision on the planning application the Council’s Environmental Health Officer has provided the following further comments on the additional information submitted.

6.4 The submitted information shows that the level of light falling onto the facade of the properties 46 - 60 Blenheim Road appears within that recommended by the Institute of Lighting Engineers guidance. The Environmental Health Department have no objection to this application subject to the attachment of a planning condition controlling the hours of use of the floodlighting (not to be used between 22:00 and 8:00).

6.5 **Sport England**. Supports the proposal.

6.6 **Natural England** The proposal did not impact on any priority interests. Natural England do not object to the proposal nor did they wish to offer any further comments.

6.7 **Ecology Officer**. Confirmed that there are no records of Bats roosting in the area although they may well forage in the area and any floodlights should be designed so as not to exclude bats from the area. The design of the lighting cowls is such that the lighting is directed onto the playing surfaces with as limited a spillage as possible. An informative will be added that The development should be undertaken in line with the Bat Conservation Trust and Institute of Lighting Engineers best practice guidance, “Bats and Lighting in the UK”.

7. **PLANNING CONSIDERATIONS**
7.1 The tennis courts and the pavilion have been previously approved and this proposal relates solely to the installation of floodlighting on the site. The planning considerations in this case relate to the design, height
and position of the lighting columns and their impact on neighbour amenity, including hours of use, and wildlife.

7.2 The floodlights are to be mounted on a standard 6.7m high light pole that will be painted 'holly-bush' green - BS14C39 so as to reduce their visual impact during daylight hours. They will be sited at the end of each tennis court as well as at each corner and along the touch lines with the light baffles angled down towards the playing area. Three different designs of light baffle, shown as A, B and C on ALX3935-A Rev A will be deployed atop the support columns.

**Neighbour Amenity**

7.3 Policy PE.3 states that developments that would have a significantly adverse effect on the amenities of nearby occupiers by reason of light emissions will not be permitted unless the effect can be overcome by mitigating measures.

7.4 The site for the courts has existing residential properties along two of the boundaries and new residential buildings comprising flats will be built shortly on a third boundary. As part of that residential development a landscaping and planting scheme has been approved. This scheme will provide a vegetation screen between the courts and the existing residential properties although this will be a native mix that is fairly slow growing and the full benefit will not be felt for around five years but some reduction will be felt from the start.

7.5 There were objections to the proposal claiming the land should be classified as E1 totally dark. The Environmental Health section have confirmed that the site would not be E1 and that in fact the applicants were being generous in categorising the land as E2 when it is more closely E3. The new flats will themselves reduce the levels of darkness on site by virtue of the ambient light they will emit. In order to further reduce the impact of the floodlighting a condition limiting the use to 9.30pm is recommended.

7.6 After assessment of the additional information the Environmental Health Officer has confirmed that the level of light falling onto the facade of the properties 46 - 60 Blenheim Road appears within that recommended by the Institute of Lighting Engineers guidance. The Environmental Health Department have no objection to this application subject to the attachment of a planning condition controlling the hours of use of the floodlighting (not to be used between 22:00 and 8:00). It should also be noted that the light levels provided on the submitted plans will be further reduced by future tree planting. After this assessment it is considered that the proposal is in accordance with UDP policy PE 3 Light Pollution.

7.7 Objections relating to loss of privacy with people being able to see surrounding houses after dark were raised although the fact that the houses could be seen in daylight must also be taken into consideration.
The use of properly angled baffles and the contrast in light levels between the illuminated court and the land around it is such that anyone using the court would have difficulty seeing any detail that far away from the playing area and therefore it is not considered that neighbouring occupiers will be subject to a loss of privacy from people playing tennis on the courts under floodlights.

7.8 The issues of height discrepancies on the drawings were resolved by the submission of amended drawings.

**Hours of Use**

7.9 Policy PE 2 is concerned with pollution and amenity and seeks to ensure that new developments do not have a significantly adverse effect on neighbour amenity by reason of noise generation or disturbance. The use of the land as a sports facility will remain and so any noise generated will be commensurate with a sports use.

7.10 The applicants applied for the use of the courts until 10pm and objectors requested 9pm. It is considered that a curfew time of 9.30pm would allow sufficient playing time for the club members whilst providing a reasonable time by which local residents can expect the use to cease in the evenings. Policy ST 24 seeks to improve the quality and range of sports and leisure facilities within the borough and it is considered that this proposal will accord with that policy.

**Biodiversity**

7.11 Objectors claimed the site was used by bats but neither Natural England or the Council’s Ecology Officer raised objections to the scheme and have stated that there is no evidence of bats roosting on site. The Bat Conservation Trust has developed a best practice guide for lighting and it recommends that lighting does not shine onto possible roosting sites as this affects bat feeding habits. The use of cowls to direct the light onto the courts and not onto potential roosting sites such as trees or buildings will not preclude bats from roosting in the newly landscaped areas around the perimeter of the site should they seek to do so.

9. **CONCLUSION**

9.1 Suitably conditioned to ensure the installation of lighting shields, hours of operation and to regulate the level of luminance of the existing lighting fixtures, the installation of the floodlighting columns would not have an undue impact on neighbour amenity.

**RECOMMENDATION** GRANT PLANNING PERMISSION: subject to planning conditions.

1. A.1 Commencement of development (full application).

2. The floodlighting hereby permitted shall not be used outside the hours of 0800hrs to 2200hrs on any day. Reason for condition: To safeguard
the amenities of surrounding area and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

3. **Non Standard condition** The floodlighting hereby approved shall be installed and operated in accordance with the details shown on drawing ALX 3035-B1 Rev A and shall not exceed the lux levels set out. **Reason for condition:** To safeguard the amenities of the area and occupiers of neighbouring properties and ensure compliance with policy PE.3 of the Adopted Merton Unitary Development plan 2003.

**INFORMATIVES:**

(1) **INF14  Tree felling, Birds and Bats**  
(2) In order to comply with the Wildlife & Countryside Act 1981 the applicant should ensure that all trenches that are left open overnight should include a means of escape for badgers; all large diameter pipes should be closed off during the night and obvious badger pathways should be left clear of obstruction and gaps in or under fences should be left to unable animals to reach foraging areas.

**Reasons for Approval:**  
The design and siting of the floodlighting scheme are acceptable and will not result in any harm to neighbour amenity and therefore the proposal accords with policies contained in the London Plan (February 2008) and the Council’s Adopted Unitary Development Plan (October 2003) as far as are material to the proposals which are the subject of this approval. The policies listed below were relevant to the determination of this proposal:

**Merton Unitary Development Plan (October 2003)**  
ST.24: Leisure And Recreation, Arts And Culture  
L.5: Urban Green Space  
BE.22 Design of New Development  
BE.15 New Buildings and Extensions - Daylight, Sunlight, Privacy, Visual Intrusion and Noise  
PE.3 Light Pollution

**The London Plan (February 2008)**  
3A.3 (Maximising the potential of sites)  
3A.18 (Protection and enhancement of community facilities)  
3D.6 (Sports facilities)  
3D.14 (Biodiversity and nature conservation)
KEY TO PLAN ALX3035 - B1

- TENNIS COURT LAND
- PRIVATE GARDENS ADJACENT TO PROPOSED TENNIS COURTS
- EXISTING DWELLINGS ADJACENT TO PROPOSED TENNIS COURTS
- PROPOSED NEW FLATS ADJACENT TO PROPOSED TENNIS COURTS
- PROPOSED NEW CYCLE STORE/REFUSE/ELECTRICAL BUILDING
- EXISTING GARAGE COURT
- PREDICTED LIGHT CAST ONTO VERTICAL FAÇADE OF EXISTING BUILDING IN THIS AREA

AMENDED
Light Control Shields

One Piece Left Side and Rear Cut-Off Shield

One Piece Rear Cut-Off Shield

One Piece Right Side and Rear Cut-Off Shield

Adjustable Forward Cut-Off Shield

One Piece Sides and Rear Cut-Off Shield

One Piece Right Side Cut-Off Shield

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Direct Burial — Anchor Base Poles

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Anchor Base Installation

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