

Delegated Report		Analysis sheet	Expiry Date:	01/06/2011
(Members Briefing)		N/A	Consultation Expiry Date:	05/05/2011
Officer			Application Number(s)	
Jennifer Walsh			2011/1602/P	
Application Address			Drawing Numbers	
Three Acres Community Play Project 29-31 Parkhill Road London NW3 2YH			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Retention of four floodlighting columns to existing tennis court				
Recommendation:		Grant Retrospective Planning Permission		
Application Type:		Councils Own Permission Under Regulation 4		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	56	No. of responses	04	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>9 Fountain Mews objects to the proposals on the following grounds:</p> <ul style="list-style-type: none"> - It may cause additional traffic and congestion through to the Mews when they need access to the courts; <i>(Officers response: The community project currently has 120 children on site. There is no increase in children numbers in this application).</i> - The length of time these lights will be on for. Whether it be for a few hours or through the night till dawn? <i>(Officers response: Please refer to paragraph 4.0. A condition is recommended to be added to the permission to ensure that the lights are turned off at 8.30pm)</i> - How bright these lights will be? <i>(Officers response: Please refer to paragraph 1.1 and 3.0. The floodlights will be 400w bulbs).</i> - The level and height of the posts may be unsightly visually. <i>(Officers response: Please refer to paragraph 5.0 and 5.1)</i> <p>11a Parkhill Road objects to the proposals on the following grounds:</p> <ul style="list-style-type: none"> - This is a quiet residential area. The erection of floodlights implies late evening noise and light pollution. <i>(Officers response: Please refer to paragraphs 3.0 and 4.0).</i> - Day use of tennis is enough <i>(Officers response: Please refer to paragraph 4.0)</i> <p>An email of objection was received from 11a Parkhill road dated 12th May 2011:</p> <ul style="list-style-type: none"> - They were extremely surprised last night when the floodlights, which are a subject of planning application ref 2011/1602/P, were on between around 8.30 and 9.30 pm. at Three Acres Community Centre. <i>(Officers response: After speaking with the applicant, the lights were required to be installed at a certain date in order to obtain full funding. The applicant was advised that they could continue with the works at their own risk as the floodlights had not received permission as yet. The applicant was also advised not to switch the lights on, until the application for the development had been fully assessed).</i> - It gave a clear indication of how inappropriate these are going to be. - The bright light flooded my living room and bedroom. <i>(Officers response: Please refer to paragraph 3.0)</i> - They are extremely worried that if this application is approved it will fundamentally change the use of my home. - It will be impossible to be in my living room without the blinds closed. The lights are about 60 feet from my living room window. <i>(Officers response: Please refer to paragraph 3.0)</i> - They are also concerned as to the use the area is to be put to. If it is for general sporting use the noise level will be unbearable as supporters will inevitably be involved. <i>(Officers response: Please refer to paragraph 4.0)</i> <p>A further email of objection was received from 11a Parkhill Road dated 20th May 2011:</p> <ul style="list-style-type: none"> - The light pollution of a quiet neighbourhood – the floodlights will illuminate all the backs of the houses which are the sleeping side generally – people with small children will not be amused. <i>(Officers response: Please refer to paragraph 3.0)</i> - In summer the trees hide some of the effect but in winter it will be there from 1600 onwards <i>(Officers response: Please refer to paragraph 3.0)</i> - Noise is also a big issue – tennis is one thing but if 5 a side football is played it is quite another. <i>(Officer response: Please refer to paragraph 4.0)</i> 					
CAAC/Local groups comments:	Parkhill Road CAAC had no objections					

Site Description

The application site is a large area of open space located to the east of Parkhill Road and to the North of Fountain Mews situated within the Parkhill Conservation Area. The site is designated as an area of Open Space. The site is run as a voluntary sector project providing a range of recreational services for children. The adventure playground includes a football pitch, a grass area, swims and a under fives area. The existing tennis courts are in need of refurbishment.

Relevant History

None relevant

Relevant policies

LDF Core Strategy

CS5 Managing the impact of growth and development

CS13 Tackling Climate Change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity

CS16 Improving Camden's Health and Well-Being

LDF Development Policies

DP15 Community and Leisure Uses

DP24 Securing High Quality Design

DP25 Conserving Camden's Heritage

DP26 Managing the impact of development on occupiers and neighbours

DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

Camden Planning Guidance 2006

Assessment

1.0 Proposal

1.1 This application seeks to erect 4 floodlights on the four corners of the existing tennis courts. Previously there were floodlights in these locations and therefore the proposal seeks to use the existing foundations and posts. The tennis court is existing yet it is in a state of disrepair and is in the process of being resurfaced. There is an existing boundary wall with a chain link fence at high level between the existing tennis courts and the neighbouring properties of Parkhill Road as well as Fountain Mews. The floodlights are to be 5 metres in height, sitting 1.5m above the existing fence and they will be 4 x 400w high pressure sodium floodlights.

2.0 Assessment

2.1 The following are the principal considerations material to the determination of this application:

- Land Use;
- Impact of lights on amenity;
- Noise
- Impact on visual amenity and impact on the sense of openness of the Open Space
- Impact on conservation area

Land use

2.2 The designation of the site is as Open Space and this is the principle issue in the land use policy assessment of the application. Policy CS15 'Protecting Our Parks and Open Space' states that the Council will protect and improve Camden's parks and open spaces. The supporting text to the policy states that the Council will not grant planning permission for development on public and private open space unless it is for "limited development ancillary to a use taking place on the land and for which there is a demonstrable need"; and that the Council will take into consideration the cumulative impact of developments where appropriate.

2.3 In this instance, the floodlights are to be erected to allow use of the existing tennis court facility during the evening. It is important to note that the floodlights are to be erected within an existing tennis court and fencing and therefore do not represent a new structure on their own in an area where there is no existing built form.

2.4 The development is considered to be ancillary to a use already taking place on the site and is utilising an existing facility. Indeed the development supports the primary use of the open space provision as identified in its designation as tennis courts.

Impact of lights on amenity

3.0 The lamp-boxes on the columns would be installed in an angled horizontal position and the lamps within them would point downwards and inwards in the direction of the centre of the courts. The proposed floodlights are to be located approx 20m away from the rear building line of properties along Parkhill Road. Whilst the 4 columns would be visible from the upper floors of the properties, particularly in winter when the cover afforded by the deciduous planting is reduced, the impact of the proposal on habitable rooms is considered to be very limited.

3.1 The Fountain Mews blocks present their gable ends to the tennis courts and views of the courts from habitable rooms in the upper floors in these properties are at oblique angles. Therefore, the proposal is not considered to result in

significant light pollution to neighbouring properties to the detriment of the amenity of occupiers.

3.2 A condition will be placed to limit the use of the lamps till 8.30pm accordingly and to ensure that lamps are switched off when a court is not in use.

Noise

4.0 A number of objectors raised concerns about the impact of noise from the courts on neighbour amenity. The new floodlights will enable the existing courts to be used for longer in summer month evenings. As a sporting activity, tennis is not considered to be inherently noisy or disruptive. It is frequently played in close proximity to residential uses, and the number of people playing at any one time is limited. Even if coaching was to take place, this would be likely to cause little or no significant disturbance to neighbouring occupiers and would not involve any amplified sound. In addition, the impact of the proposal on neighbouring habitable rooms is considered to be limited due to the separation distance between the courts and nearby properties. The impact on the open space is also considered to be limited, as it is an existing community project and thus the proposed development would not disturb any other activities being undertaken on the site.

4.1 The tennis courts would only be used by children and young people, many of whom are already members of the club. The community project currently can have up to 120 children on site and it has been confirmed by the applicant that there would be no increase on the number of users to the project.

Impact on visual amenity and impact on the sense of openness of the Open Space

5.0 The columns would be made up of green painted metal. The columns would be regularly spaced in all four corners of the existing tennis court. The court's dimensions are 16m x 26m. The columns would be located at the periphery of the large open space rather than in a central position. They are considered to be of an appropriate scale and appearance within their context, and would be a modest addition to this part of the site.

5.1 The floodlighting columns would be set back from the adjoining streets are not considered to be visible from the public realm. As previously stated, the lighting columns would be visible from private vantage points of both Fountain Mews and Parkhill Road; however, they are considered to be visually and functionally appropriate to their setting and are not considered to have a detrimental impact on visual amenity in the surrounding area during the day or at night-time. The proposal is considered to be consistent with Planning policy in this instance and acceptable in terms of design.

The columns are relatively discreet structures and would not harm the overall open landscaped character of this part of the conservation area.

Recommendation: Grant Planning Permission subject to conditions

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Decision route to be decided by nominated members.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>