

Delegated Report		Analysis sheet	Expiry Date:	10/07/2014
		N/A / attached	Consultation Expiry Date:	
Officer			Application Number(s)	
Eimear Heavey			2014/3171/P	
Application Address			Drawing Numbers	
Cumberland Lawn Tennis Club 25 Alvanley Gardens London NW6 1JD			Please see decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 16 x bracket fixed floodlights mounted atop 6.0m standalone columns along the boundary of existing tennis courts 4 and 5 next to the boundary of Lymington Road.				
Recommendation(s):		Grant conditional permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	206	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>A Site Notice was displayed at the site for a period of 21 days.</p> <p>Adjoining neighbours were notified. One letter of objection and one letter of support in response to the consultation. A letter of support was received from 16 Minton Mews SW6.</p> <p>An objection letter was received from Flat 4, 23 Lymington Road. These comments can be summarised as follows:</p> <ul style="list-style-type: none"> - This property's aspect view was ignored during the assessment of the previous temporary school buildings application and they are concerned that this may be the case again with the current application. - Development would lead to future light pollution directly to this property. 					
CAAC/Local groups* comments: *Please Specify	No comments received.					

Site Description

The application site relates to the Cumberland Lawn Tennis Club which covers a large area bounded by Albanley Gardens to the east, Lymington Road to the south and Crediton Hill to the west. The property is addressed as Albanley Gardens but the entrance is off Lymington Road. Hampstead Cricket Club also shares the site and has a clubhouse at the southwestern side of the site.

The area around the application site is characterised by residential properties at all sides. However it is close to the main Finchley Road high street. The site has been designated as Private Open Space since 2006. Although the site is not within a Conservation Area it borders the West End Green Conservation Area.

The club currently has five tennis courts of which all have existing floodlights. The area the subject of this application is currently occupied by several temporary units given permission under application 2012/4626/P. The aim is to return these areas back to their former use as tennis courts four and five and in line with the other courts on site install floodlights at part of their parameters. Courts four and five are immediately adjoining Lymington Road.

There are a number of Tree Preservation Orders (TPO) on site. However these are to the north and northeast of the site close to Albanley Gardens and the corner of Lymington Road. The area the subject of this application is not affect by a TPO.

Relevant History

2012/4926/P - Erection of extension to clubhouse to provide two additional squash courts (Class D2).
– Appeal refused

2012/0776/P - Installation of additional cricket practice net (adjacent to existing) within club grounds. -
Grant

2012/0777/P - Erection of single-storey storage facility (following removal of existing single-storey
storage facility). - Grant

2010/2534/P - Installation of 24 bracket fixed floodlights mounted atop 6.0m standalone columns
along the boundary of 3 existing tennis courts along boundary to Lymington Road. – Grant

2010/0211/P - Installation of 24 bracket fixed floodlights mounted atop 6.7m standalone columns
along the boundary of 3 existing tennis courts along boundary Lymington Road. – Withdrawn

Relevant policies

LDF Core Strategy and Development Policies

LDF Core Strategy (2010)

CS5 Managing the impact of growth and development

CS10 Supporting community facilities and services

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 (2010)

DP15 Community and Leisure Uses

DP24 Securing High Quality Design

DP22 Promoting Sustainable Design and Construction

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

Supplementary Planning Policies (2011)

Camden Planning Guidance 1

Camden Planning Guidance 6

Conservation Area Statements

West End Green Conservation Area Statement (2011)

National policy

PPG: Light pollution (2014)

Assessment

The main planning considerations are:

- Design
- Impact on amenity
- Neighbour Representations

Design

The proposed floodlights will be similar in design to those already approved and on site at courts 1-3 and 5-6. The floodlights would be six metres high. This is the same height as those at neighbouring courts. In 2011 consent was granted for the installation of 24 floodlights on courts 6-8, which were identical in size and style to those currently proposed. This goes some way to confirming that the designs of the proposed floodlights are acceptable. They would also point directly towards the courts and away from the main road. This is in line with policy DP26 which states that lighting should only illuminate the intended area. Schemes involving floodlighting and developments in sensitive areas should employ a specialist lighting engineer accredited by the Institute of Lighting Engineers to ensure that artificial lighting causes minimal disturbance to occupiers.

Details submitted as part of the application suggest that the impact the proposed floodlights would have would be below that normally emitted by street lights. The light assessment survey submitted states that normal street lights are 30 Lux and the proposed floodlights are 16 Lux. The Council's lighting engineer has confirmed that normal street lights are between 25-30 Lux. This is in keeping with the applicants survey. However it should be noted that the proposed lights would be closer to the main road and neighbouring properties than those at existing courts. The highways officer has confirmed that there are no significant issues with the design or positions of the proposed floodlights.

Impact on amenity

Planning policy Guidance 6 states that poorly designed lighting can create unnecessary light spillage and have an adverse impact on wildlife. Therefore the position, context and time of use of artificial lighting should form part of any planning consideration.

The proposed lights are unlikely to have an impact on most of the residential units nearby. A visit to the site demonstrated that the proposal would be visible from the bedroom window of flat 4, no.23. This would be the most affected property.

The applicant has stated that the lights will be turned off by 9:30. During the summer months this is less likely to be an issue. However during the winter months this would add to the levels of light pollution in the area. The occupiers of flat 4, 23 Lymington Road, have noted that there is a distance of 15 metres between their window and the wall of the existing temporary unit. According to the plans submitted, the nearest proposed floodlight would be around 19 metres away from the triangular window in the bedroom of the property at flat 4, 23. The occupiers have also noted that at times they have witnessed the floodlights being on while the courts were not in use. In actuality, the previously approved scheme for the floodlighting at courts six to eight conditioned the floodlight use time in order to regulate such occurrences. However there are no planning enforcement cases regarding this matter. In the event of an approval the floodlights at courts four and five will be conditioned in the similar way. Unfortunately, as the Council does not have the resources to monitor all applications it relies on members of the public. It is the responsibility of those concerned to report any breaches of conditions that affects them so that they can be investigated.

Having carefully considered the understandable objections made by the occupiers of flat 4, 23 Lymington Road as above, officers are of the opinion that the objections do not represent a strong enough reason to formally refuse the application in totality. Additionally, the Council has established policies that support the development of neighbourhood recreational grounds.

Policy CS10 of the Core Strategy seeks to ensure that a wide range of services and facilities,

including sports and leisure facilities are provided within the Borough. Policy DP15 and DP31 of the Development Plan states that the Council will protect existing leisure facilities as well as seeks to ensure that the quantity of open space and outdoor sport and recreation facilities in Camden are increased and supported. Therefore the development also falls within the aims of the Local Development Framework.

Neighbour Representations

Please see section titled Impact on Amenity.

An administrative errors lead to the occupiers of Lymington Road being over looked during the initial consultation period. This has since been rectified after this was drawn to the attention of the Council by the occupiers of flat 4, 23 Lymington Road