

**PART 6: Planning Applications for Decision**

**Item 6.1**

**1. APPLICATION DETAILS**

Ref: 17/05701/FUL  
Location: Shirley High School, Shirley Church Road, Croydon, CR0 5EF  
Ward: Heathfield  
Description: Erection of 12 no. 10m high floodlight columns to illuminate existing netball courts  
Drawing Nos: SHS/NC/1 A, SHS/NC/2, Lighting Assessment – Netball Floodlighting 19-10.2016  
Applicant: Mrs Maeve Garcia, Shirley High School  
Case Officer: Louise Tucker

- 1.1 This application is being reported to committee because the ward councillor (Cllr Margaret Mead) made representations in accordance with the Committee Consideration Criteria and requested committee consideration and objections above the threshold in the Committee Consideration Criteria have been received.

**2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission.
- 2.2 That the Director of Planning and Strategic Transport is delegated authority to issues the planning permission and impose conditions and informatives to secure the following matters:

**Conditions**

- (1) In accordance with approval drawings and documents
- (2) Lighting shall be installed as specified
- (3) Hours of use with review after a period of 12 months for hours
- (4) Management Plan
- (5) Three year commencement
- (6) Any other planning condition(s) considered necessary by the Director of Planning and Strategic Transport

**Informatives**

- (1) Any informative(s) considered necessary by the Director of Planning and Strategic Transport

### **3 PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

3.1 Full planning permission is sought for:

- Erection of 12 floodlight columns, each 10m in height, to six existing netball courts within the Shirley High School site
- The installation of the lighting is predominantly to allow later use of the courts, particularly during winter months

3.2 This permission relates only to the use of the floodlights, not to the use of the netball courts.

#### **Site and Surroundings**

3.3 The wider secondary school site is located on the southern side of Shirley Church Road, made up of a number of buildings and surrounding land and playing fields. The six netball courts are located to the western boundary of the school site, surrounded by perimeter fencing on all sides.

3.4 Coloma Convent Girls School bounds the site to the west immediately adjacent to the netball courts. This neighbouring school has sports pitches on the boundary lit by 6 x 18m high floodlit columns. The area to the north of the school is largely residential in character, with properties in Ardingly Close to the north of the netball courts (the rear boundary of no.6 Ardingly Close adjoins the school site).

3.5 The school is designated as Educational Open Space. A Site of Nature Conservation Importance and a Locally Listed Historic Park and Garden is sited to the north of the courts.

#### **Planning History**

3.6 None at the application site are considered to be relevant to this application, but the following application at the adjacent site is considered to be of relevance:

Coloma Convent Girls School, Upper Shirley Road:

08/00696/P – Erection of single storey changing room building and 6 floodlight columns around existing pitch – Permission granted and implemented with the following condition:

*“4. The new changing room building and floodlighting pitch shall not be used after 2200 hours*

*Reason: To protect the amenities of adjoining occupiers”*

#### **4 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of enhanced sports provision at a school site is acceptable
- The design and appearance of the columns are appropriate
- The residential amenities of adjoining occupiers through light and noise disturbance would not be unduly harmed, subject to conditions

#### **5 CONSULTATION RESPONSE**

5.1 The views of Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

#### **6 LOCAL REPRESENTATION**

6.1 32 letters of representation were sent to adjoining occupiers to advertise the application. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 126    Objecting: 19    Supporting: 107

6.2 The following issues were raised in representations that are material to the determination of the application and are addressed in substance in the next section of this report:

##### Objections

- Out of character with residential area
- Noise and disturbance to adjoining occupiers
- Light pollution to adjoining occupiers
- Light levels too high
- Inadequate parking provision
- Increased traffic
- Siting of lights too close to neighbouring properties
- Not environmentally friendly
- Disruption to wildlife
- Inadequate need for floodlights – other facilities available elsewhere

6.3 Ward Councillor Margaret Mead has made the following objection to the scheme:

- Overbearing impact and light pollution to adjoining occupiers
- Noise nuisance to adjoining occupiers
- Out of character with residential area

##### Support

- Use of pitches during winter months/evenings will benefit pupils at the school, local netball clubs and the community
- School is very accessible by public transport for use of the courts
- Promotes development of netball clubs and leagues in Croydon
- Promotes active and healthy lifestyle for Croydon residents, particularly young people
- Netball is not generally a noisy sport so will not cause undue disturbance

6.5 The following issues were raised in representations that are not material to the determination of the application but are addressed below:

- Will provide income for the school [OFFICER COMMENT: This is not a material planning consideration]
- The school do not respect neighbouring occupiers and has not consulted with them [OFFICER COMMENT: Whilst this is encouraged, this is not a statutory requirement]
- Other activities at the school already cause disturbance to neighbouring occupiers [OFFICER COMMENT: The application relates only to the installation of floodlights]
- Reduction in property value [OFFICER COMMENT: This is not a material planning consideration]
- Netball players have little regard for the community or neighbouring occupiers when participating [OFFICER COMMENT: This is not a material planning consideration]
- Impact on the Metropolitan Green Belt [OFFICER COMMENT: The netball courts are not within the Green Belt, nor do they adjoin it]
- Loss of business income for those who work from home nearby [OFFICER COMMENT: This is not a material planning consideration]

6.6 The following procedural issues were raised in representations, which are addressed below:

- Inadequate information submitted to determine the application [OFFICER COMMENT: The application is valid and a decision can be made on the basis of the information that has been provided]

## **7.0 RELEVANT PLANNING POLICIES AND GUIDANCE**

7.1 In determining any planning application, the Council is required to have regard to the provisions of its Development Plan so far as is material to the application and to any other material considerations and the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The Council's adopted Development Plan consists of the Consolidated London Plan 2015, the Croydon Local Plan: Strategic Policies 2013 (CLP1), the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP) and the South London Waste Plan 2012.

7.2 Government Guidance is contained in the National Planning Policy Framework (NPPF), issued in March 2012. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design.

7.3 The main policy considerations raised by the application that the Committee are required to consider are:

7.4 Consolidated London Plan 2015

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.16 Waste net self sufficiency
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Conservation of archaeological interest
- 7.15 Reducing and managing noise
- 7.21 Woodlands and trees

7.5 Croydon Local Plan: Strategic Policies 2013 (CLP1):

- SP1.1 Sustainable development
- SP1.2 Place making
- SP2.1 Homes
- SP2.2 Quantities and location
- SP2.5 Mix of homes by size
- SP2.6 Quality and standards
- SP4.1 and SP4.2 Urban design and local character
- SP6.1 Environment and climate change

- SP6.2 Energy and carbon dioxide reduction
- SP6.3 Sustainable design and construction
- SP6.4 Flooding, urban blue corridors and water management
- SP8.6 & SP8.7 Sustainable travel choice
- SP8.12 Motor vehicle transportation
- SP8.17 Parking

7.6 Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013 (UDP):

- UD2 Layout and siting of new development
- UD3 Scale and design of new buildings
- UD6 Safety and security
- UD7 Inclusive design
- UD8 Protecting residential amenity
- UD13 Parking design and layout
- UD14 Landscape design
- UD15 Refuse and recycling storage
- NC4 Woodlands, trees and hedgerows
- T2 Traffic generation from development
- T4 Cycling
- T8 Parking
- H2 Supply of new housing
- EP1 Control of Potentially Polluting Uses

7.7 There is relevant Supplementary Planning Guidance as follows:

- London Housing SPG March 2016

7.8 The Partial Review of Croydon Local Plan: Strategic Policies (CLP1.1) and the Croydon Local Plan: Detailed Policies and Proposals (CLP2) was approved by Full Council on 5th December 2016 and was submitted to the Planning Inspectorate on behalf of the Secretary of State on 3rd February 2017. The examination in public took place between 16th May and 31st May 2017. Main modifications have been received from the Planning Inspector and the Council have consulted on these modifications. The Inspector is finalising his report now, and this is expected to be published in early February.

7.9 According to paragraph 216 of the NPPF, relevant policies in emerging plans may be accorded weight following publication, but with the weight to be given to them is dependent on, among other matters, their stage of preparation. Now that the main modifications to CLP1.1 and CLP2 have been published for consultation, there are certain policies contained within these plans that are not subject to any modifications and significant weight may be afforded to them on the basis that they will be unchanged when CLP1.1 and CLP2 are adopted.

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main planning issues raised by the application that the Planning Committee must consider are:

- 1) The principle of development
- 2) The design and appearance of the development and its effect upon the character and appearance of the area
- 3) The impact of the development upon the residential amenities of the adjoining occupiers
- 4) Parking and highways

### **The principle of development**

8.2 The site is in use as a school, and there have been sports pitches in the existing location for some time. Improvements to sport and recreation facilities for schools are supported. The applicant has outlined the community benefits which would result from the installation of the floodlights, in allowing pupils and local netball clubs use of the facilities during weekday evenings in the winter months, which is supported. The principle of development is therefore acceptable.

### **The design and appearance of the development and the impact on the character and appearance of the area**

8.3 Given the location of the netball courts within the school, the height of the columns and the screening around the site, the floodlights would have limited visibility in the surrounding streetscene. There would be some visibility from Ardingly Close given the land level changes, but the visual impact on the streetscene would be minimal given the distance from the road and the screening apparent. In any case, the columns would be seen against those existing higher columns beyond the boundary within the adjacent school.

8.4 Taking these factors into account, it is considered the impact of the floodlight columns on the character and appearance of the area would be acceptable.

### **The residential amenities of the adjoining occupiers**

8.5 In terms of light spill, the nearest residential property would be no.6 Ardingly Close to the north of the courts. The closest section of the rear elevation of the building is sited approximately 22m from the rear boundary with the school. It would be approximately 28m from the fencing bounding the netball courts where the floodlight serving Court 4 would be sited beyond.

8.6 The applicant has submitted a lighting assessment, providing details of the resulting light spill from the proposed floodlights. This document has been assessed by the Council's Environmental Health officers, who have considered this is acceptable in demonstrating that there would not be an unduly harmful light

spill affecting the occupiers of no.6, nor any of the other properties in Ardingly Close. The proposals are considered to be satisfactory for light nuisance control purposes, and a condition can ensure that the works are carried out in accordance with this document.

- 8.7 Representations have raised concerns regarding the potential for increased noise and disturbance in the evenings following the installation of the floodlights. It must be noted there are existing floodlights on the adjacent sports pitches within Coloma Convent Girls School, which are 18m in height. The floodlights here proposed are of a reduced height at 10m, and can be controlled individually by court, meaning only courts actually in use will be illuminated at any one time. The applicant has also indicated that when not all six courts are in use, those furthest from the northern boundary will be used where possible, to minimise potential for noise and disturbance in the most sensitive areas. A condition requiring the submission of a management plan for the floodlit courts is recommended to secure these details in full.
- 8.8 In addition to the above measures, a condition is recommended to be imposed restricting the hours of use of the floodlights to further protect the amenities of adjoining occupiers. This will permit their use from 09:00 to 22:00 hours Monday to Friday, subject to a review by the Council after a period of 12 months where the hours of use could be reduced should a statutory nuisance be established. The hours of use until 22:00 hours would be consistent with the condition imposed on the floodlights serving the sports pitches within the neighbouring school (see planning history section of this report).
- 8.9 There are no current restrictions on the school in terms of its permitted hours of use (other than for the sixth form building on the opposite side of the site), nor on the use on the netball courts specifically. The courts can therefore currently be used in the evenings during summer months, when there is no need for artificial lighting. This permitted use would have a similar impact in terms of noise and disturbance, with the additional restrictions to protect neighbouring occupiers which could be imposed by condition.
- 8.10 Taking into account these factors, it is not considered there would be undue harm caused to adjoining occupiers through light or noise nuisance.

### **Parking and highways**

- 8.11 Representations have raised concerns relating to the pressure on parking in the local area and increased traffic, as a result of the lighting of the netball courts. As previously stated, the pitches and their use are existing. Whilst the floodlighting would allow use of the courts in the evenings during winter months, this can already take place during summer months where there are no restrictions at present. There would be no changes to the existing parking provision and the school has a car park which is available for users of the netball courts at all times of operation. It is not considered there would be an undue impact on the parking and highways



network in the area as a result of the installation of the floodlights, and the development is acceptable in this respect.

### **Conclusions**

- 8.12 The installation of the floodlights is considered an appropriate addition to the pitches within the school grounds. The design and appearance of the lighting columns are appropriate and with conditions, there would be no harm resulting to surrounding occupiers through light spill or noise and disturbance. The impact on parking and highways matters is considered acceptable. The proposal would accord with the relevant policies.
- 8.13 All other relevant policies and considerations, including equalities, have been taken into account.