
Site Address:	Front Lawn Recreation Ground, Somborne Drive, Havant		
Proposal:	Extension of time of use of floodlights for Artificial Grass Pitch and Multi Use Games Area by 30 minutes to 22:00 hours.		
Application No:	APP/19/00479	Expiry Date:	12/07/2019
Applicant:	Richard Wood Havant Borough Council		
Agent:		Case Officer:	Lesley Wells
Ward:	Battins		

Reason for Committee Consideration: Havant Borough Council application

HPS Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

- 1.1 The application site consists of an artificial grass pitch and multi use games area forming part of the Front Lawn recreation ground. The application site has a hard surfaced area to the west with a single storey clubhouse pavilion located adjacent to the southern boundary. Outside of the application site red line is a bowling green and play area, both located to the western edge of the recreation ground. There are a variety of treatments that form the site boundaries, most prevalent are the close boarded fences that mark the rear boundaries of the dwellings that surround the site along with mature vegetation and trees.
- 1.2 To the south of the recreation ground is an access road to the recreation ground and pavilion with the rear gardens of two storey dwellings in Owslebury Grove on the other side of this road. The dwellings are located approximately 9 to 25 m to the shared boundary. To the western boundary of the recreation ground are the two storey dwellings of Somborne Drive and the three storey flats that form Ringwood House. To the eastern boundary are predominantly two storey dwellings in Billy Lawn Avenue, whilst to the north of the site lies Front Lawn Primary Academy and further residential development in High Lawn Way.

2 Planning History

APP/15/01162 - Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size Artificial Turf Pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights. Permitted 18/12/2015.

APP/17/00070 - Variation of Condition 7 of Planning Permission APP/15/01162 relating to car parking provision. Permitted 17/03/2017.

APP/17/00483 - Siting of storage container for storage of football club equipment., Temporary planning permission granted 05/07/2017.

APP/17/00494 - Non-material amendment to Planning Permission APP/15/01162 relating to change of roof material, fenestration amendments and change of materials of windows from brown powder coated aluminium to grey powder coated UPVC., Permitted 26/06/2017.

3 Proposal

Planning permission APP/15/01162 granted planning permission for "Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size

Artificial Turf Pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights". Condition 2 states:

"The floodlights hereby permitted shall not be remain illuminated after hours 21:30 hours.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework."

This proposal seeks to vary condition 2 imposed on planning permission reference APP/15/01162 to extend the use of floodlights for the artificial grass pitch and multi use games area by 30 minutes to 22:00 hours.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS1 (Health and Wellbeing)
CS16 (High Quality Design)
CS7 (Community Support and Inclusion)
DM1 (Recreation and Open Space)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

I have concerns related to this application for the extension of time from 21:30 to 22:00 for the use of the floodlights (and by extension available usage time by players etc) on a daily basis, 7 days a week.

Previous complaints at the beginning of 2018 from residents north and south of the MUGA, related to the use of the floodlights and the pitch past the 21:30 deadline as imposed under Condition 2 of the Decision notice of App/15/01162 dated 18 December 2015.22:00 for the use of the floodlights (and by extension available usage time by players etc) on a daily basis, 7 days a week.

Previous complaints at the beginning of 2018 from residents north and south of the MUGA, related to the use of the floodlights and the pitch past the 21:30 deadline as imposed under Condition 2 of the Decision notice of App/15/01162 dated 18 December 2015.

Condition 2

The floodlights hereby permitted shall not be remain illuminated after hours 21:30 hours.

Reason: *To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and*

the National Planning Policy Framework.

No further complaints were received from these residents once this was rectified. My concerns are that, albeit we have had no further complaints from these particular residents to date, that there is the potential for an increase in complaints of this nature, should the additional half hour be approved.

I would therefore request that should a decision be made to approve this application , that the following condition be included in the decision notice.

Condition 1.

The permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, will be of a temporary nature and will expire after a 12 month period calculated from the date of this approval.

Thereafter, the permission will revert to those hours permitted originally under Condition 2 of App/15/01162, unless prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: In order for the Council to fully understand and assess the implications and outcomes of such an extension of time, and whether any additional measures require implementation. To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 106

Number of site notices: 3

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
Concerns raised about extending the time the flood lighting would be used, which due to the lighting the pitch can be used throughout the year. Currently the floodlights cause light spillage/pollution in properties and shines into rooms including bedrooms, causing problems with sleep. Extending the usage will extend the problems currently being experienced.	Noted and covered below under heading 7(iii)
Concerns raised about noise generated by people using the pitch, which would continue further into the night.	Noted and covered below under heading 7 (iii)
Concerns likely to be raised by local residents who are presently not happy with the use of the pitch	Noted

Loss of property value.	Not a material planning consideration
It took some time to resolve high levels of light spillage and to accord with the details approved. Notwithstanding, lighting is still a problem.	Noted and covered below under heading 7 (iii)

7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development management criteria.

7.3 As stated above, planning permission was granted on 18 December 2015 under reference APP/15/01162 for "Extension and alterations to pavilion at Front Lawn Recreational Ground, construction of new full size artificial turf pitch, extension and improvements to existing parking area, refurbishment and alterations to existing hard surfaced area to create M.U.G.A (multi use games area) and installation of floodlights." Therefore the principle of floodlights and the use of the artificial grass pitch and multi use games area have already been accepted by the Local Planning Authority.

7.4 The NPPF promotes access to a network of high quality open spaces and opportunities for sport and physical activity as it is important for the health and well-being of communities. This national aim is reflected in policy CS1 of the Core Strategy which seeks to retain and improve open spaces.

(ii) Impact upon the character and appearance of the area

7.5 The six floodlights, which are 8 metres in height, are already in situ, and are seen against a backdrop of mature trees, within and outside of the site. The proposal to extend the use of the floodlights by 30 minutes from 21:30 hours to 22:00 hours, would enable further use of an existing sports pitch which is promoted by local policy and national advice. The impact of an additional 30 minutes of lighting at night on the character and appearance of the area is unlikely to be materially harmful, particularly as the recreation ground lies within an established, street lit, residential area. As such, it is considered that the scheme will accord with the requirement of Core Strategy policies CS1 and CS16.

(iii) Impact upon residential amenity

7.6 When planning permission was granted for the flood lighting, the impact of the scheme on adjacent residential properties was expressly considered and was designed to keep the amount of light spillage to the neighbouring properties to a minimum. In terms of general noise and disturbance, the provision of flood lighting within the Recreation Ground should discourage anti-social behaviour, due to improved natural surveillance and increased frequency of use of the ground, to the benefit of the local community.

7.7 The closest properties' boundaries to the floodlights are in High Lawn Way and Owslebury Grove. The closest property's boundary in High Lawn Way is approximately

16m to the north, with an earth bund (approximately 2.5 metres in height) with trees in between. The closest property's boundary to Owslebury Grove is approximately 20 metres to the south.

- 7.8 Environmental Health officers (EH) have assessed the information submitted with the application and expressed concerns over an extension of time from 21:30 to 22:00 hours, and refer to complaints that were received when the floodlights and the pitch were initially used outside of the 21:30 hours deadline. The issue of operating outside of the authorised hours has been rectified, with no further complaints received by EH. However, EH is concerned that there is the potential for an increase in complaints about the use of the floodlights and the pitch, if the use of it is extended to 22:00 hours.
- 7.9 Noise is a subjective matter with individuals hearing different sounds, with each having diverse tolerance levels. The situation is similar with the acceptance or otherwise of floodlighting. EH has expressed concerns that an increase in use of the flood lighting and the pitch would give rise to further complaints about the use of the Artificial Turf Pitch. The successful use of the increased hours of operation would largely rest on the good management of the facilities; it is only with time that this can be fully assessed.
- 7.10 Policy DM10 of the Core Strategy relates to pollution and indicates that development that causes pollution through noise and other pollutants will only be permitted where the health and safety of nearby residents is not put at risk. Policy CS16 also requires development to not cause unacceptable harm to amenity from noise. The NPPF in relation to noise indicates that when noise starts to affect behaviour then an adverse effect is likely to occur, and the planning process should be used to avoid this effect occurring. On balance it is considered that a one-year temporary permission would enable the full impacts of the proposed use to be assessed, and whether any additional measures are required to be implemented.
- 7.11 The following condition is therefore recommended, if the Committee is minded to approve the application:

The permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, shall be temporary and shall expire after a 12 month period calculated from the date of this planning permission. Thereafter, the permission will revert to those hours granted planning permission under Condition 2 of APP/15/01162, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: *In order for the Council to fully understand and assess the implications and the outcomes of such an extension of time, and whether any additional measures require implementation. To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

8 Conclusion

- 8.1 The artificial grass pitch and multi use games area may lawfully be used with floodlighting up to 21:30 hours. The proposal would extend this by 30 minutes up to 22:00 hours. On balance, it is considered that this increased use could operate without causing significant harm or loss of amenity to nearby residents. However, to ensure this is the case, a temporary 1 year permission is recommended, to enable the full impacts of the proposal to be assessed, and whether any additional measures should be implemented. Appropriate conditions imposed on planning permission reference APP/15/01162 would also be re-imposed, if planning permission was forthcoming.
- 8.2 It must be noted that, irrespective of this recommendation, any future noise generated or light spillage at the site would also be subject of the general requirement of the Environmental Protection Act 1990 (as amended) not to cause statutory public, or private

nuisance. This would be monitored and controlled by Environmental Health if complaints are received.

- 8.3 When balancing the objectives of the NPPF, it is considered that any limited environmental harm that may arise is not so sufficient as to outweigh the clear social benefits of the proposed use. Therefore, the proposal is considered to comply with the NPPF and policies CS1, CS16 and DM10 of the adopted Local Plan and the application is recommended for temporary conditional permission.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT TEMPORARY PERMISSION** for application APP/19/00479 subject to the following conditions:

- 1 This permission to extend the hours of usage of the floodlights to 22:00 at this facility on a daily basis, is of a temporary nature and will expire after a 12 month period calculated from the date of this approval. Thereafter, the permission will revert to those hours permitted originally under Condition 2 of APP/15/01162, unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: In order for the Council to fully understand and assess the implications and outcomes of such an extension of time, and whether any additional measures require implementation, to protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 2 The two MUGAs and cage cricket hereby permitted shall not be constructed other than substantially in accordance with Sport England Design Guide, Artificial Surfaces for Outdoor Sports 2013. Particular attention is drawn to the need for appropriate fencing and surfacing.
Reason: To ensure the development is fit for purpose and sustainable and having due regard to policy DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Within 1 month of the grant of this planning permission, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The Scheme shall include measures to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, within 1 month of the scheme being approved by the Local Planning Authority.
Reason: To ensure that the new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and having due regard to policy DM1 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Within 1 month of the grant of this planning permission plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) shall be submitted to the Local Planning Authority for approval. The approved scheme shall be fully implemented in full accordance with such plans and particulars as are thus approved by the Authority, within 1 month of that approval.

Reason: To safeguard the amenities of the locality and retained trees and to ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan -27973PD - 00
Block plan - 27973 - 101 E
Artificial Turf Pitch ATP Isometric view
Layout plan

Reason: - To ensure provision of a satisfactory development.

Appendices:

- (A) Location Plan
- (B) Block Plan
- (C) Site Plan