

<b>APPLICATION NO.</b>	<a href="#">P13/V0669/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	26.3.2013
<b>PARISH</b>	ABINGDON
<b>WARD MEMBER(S)</b>	Jim Halliday Vacancy for councillor in Abingdon Fitzharris Ward
<b>APPLICANT</b>	Mr David Eley
<b>SITE</b>	St Helen & St Katharine Faringdon Road Abingdon Oxon, OX14 1BE
<b>PROPOSAL</b>	Construction of new hard tennis/netball courts complete with fencing and lighting. Removal of existing hard courts and fencing: to be returned to grass.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	448595/197899
<b>OFFICER</b>	Stuart Walker

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1.0 **INTRODUCTION**

- 1.1 This application seeks planning permission for the construction of replacement hard tennis/netball courts within the school grounds, complete with fencing and lighting. It is a revised application to one withdrawn last July. The school is located on the north side of Faringdon Road to the west of the town.
- 1.2 The application comes to committee because Abingdon Town Council objects and a number of objections from local residents have been received.

2.0 **PROPOSAL**

- 2.1 It is proposed to move and replace the existing hard court facilities that are located to the south of Mons Way with new courts located alongside Faringdon Road, (i.e. switching their location to the opposite side of the playing field further away from local residents). Six courts (with a green coloured tarmac surface) are proposed along with eight x 10m high floodlight columns and 2.75m high black coated chain link perimeter fencing. The existing courts will be removed and the resultant materials reused in the construction of the new facilities.
- 2.2 The plans showing the location and design of the proposal are **attached** at appendix 1.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Abingdon Town Council** objects. Their full comments are **attached** at appendix 2.
- 3.2 **Highways Liaison Officer**: no objection.
- 3.3 **Environmental Protection**: no objection.
- 3.4 **Countryside Officer**: "I raised a concern regarding the previous application for the site in relation to record for a whiskered bat which was recorded by the Oxfordshire Bat Group in a property adjacent to the proposed flood lit courts.

The current proposal has moved the courts to the other side of the playing field which should substantially reduce the amount of light spill from the courts towards the properties where the bat was recorded.

The current proposals are adjacent to a busy road and an existing area of floodlit car parking which would cause existing light pollution in the area. In my view the moving of the courts and the pre-existing levels of light pollution in the proposed location make the chances of any significant impact on bats low. I would therefore not have any objection to this proposal on ecological grounds.”

3.5 **Local Residents** 10 letters of objection have been received. The concerns raised are summarised as follows:

- Light pollution
- Noise nuisance
- Proposed hours of use are excessive and will enable commercial use of the courts
- Lighting columns are too high
- Flood lighting will pose a security risk to neighbours

3.6 **Councillor Jim Halliday:** “Whilst I welcome the fact that the applicant has made substantial improvements to the plans submitted in 2012, I fear that the present application is deficient in a number of areas : a) no technical details are provided with the application about the type, orientation and intensity of the proposed floodlighting. Surely this information is vital in order for an informed decision to be made about any potential impact on neighbouring properties. b) no explanation is made about the need for the courts to operate until 10pm for 365 days a year. School terms are considerably shorter than this, and even in term time I find it hard to believe that pupils will want to use the courts until 10pm. The hours of use are important as there is potential noise disturbance to neighbouring properties. c) If these courts are to be rented out to non-school users there may be potential impact on the existing public facilities provided at the nearby Tilsley Park and White Horse Leisure Centre. There may also be potential parking problems unless the school is providing on-site parking provision to commercial users. Again this is not stated in the application. c) Last year's application revealed reports of the presence of a local bat community on this field. No environmental impact assessment accompanies this application - perhaps in the circumstances it should. For the above reasons, I would urge that the application be rejected - basically it is lacking the vital additional information required for an informed decision to be made.”

#### 4.0 **RELEVANT PLANNING HISTORY**

4.1 [P12/V1312/FUL](#) - Withdrawn (16/07/2012)

Installation of lighting columns to existing hard play area.

[P11/V1737](#) - Approved (13/10/2011)

Proposed installation of lighting columns to light car park and 'pick up and drop off' facility

[P11/V1649](#) - Approved (15/09/2011)

Relocation of gates at school's main vehicle entrance and two new signage boards, metal railing fence extended along school frontage, low level brick wall, improved vision splays and one signage board to Bursary Entrance.

[P10/V2057](#) - Approved (26/01/2011)

Removal of Condition 3 of Planning Permissions ABG/202/11-X and ABG/202/15 to increase the number of pupils to 800.

[P09/V1286](#) - Approved (07/08/2009)

Provision of new access gate and pathway from school playing fields onto Copenhagen Drive

[P02/V0704](#) - Approved (04/07/2002)

Replacement studio theatre, music practise rooms, back stage facilities, foyer, gallery and links to main school, together with new plant room and separate electricity sub-station.

## 5.0 **POLICY & GUIDANCE**

### 5.1 Vale of White Horse Local Plan 2011 policies;

CF2 - Provision of New Community Services and Facilities

DC1 - Design

DC5 - Access

DC6 - Landscaping

DC9 - The Impact of Development on Neighbouring Uses

DC20 - External Lighting

### 5.2 *National Planning Policy Framework*

The National Planning Policy Framework confirms there is a presumption in favour of sustainable development and within the overarching roles that the planning system ought to play are a set of 12 core planning principles, the following of which are directly relevant to this application:

- i. Be genuinely plan led;
- ii. Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and
- iii. Take account of and support local strategies to improve health, wealth, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

### 5.3 In delivering sustainable development, the framework sets out a variety of detailed guidance and the following sections are directly relevant to this application:

- i. Requiring good design – achieving high quality and inclusive design to contribute positively to making places better for people by concentrating on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally and permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.
- ii. Promoting healthy communities – planning positively for the provision and use of community facilities along with a proactive, positive and collaborative approach to development that will widen choice in education.
- iii. Meeting the challenge of climate change and flooding – managing risks through suitable adaptation measures to ensure flood risk is not increased elsewhere.
- iv. Conserving and enhancing the natural environment – planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development.

## 6.0 **PLANNING CONSIDERATIONS**

6.1 The school has identified a need to improve its tennis court facilities. Given the government's direction of travel in requiring a proactive approach to business and educational needs, the principle of the proposal is considered to be acceptable.

6.2 The proposal is not considered to be harmful to the character of the locality. The site is currently used for outdoor sport and the relocation of the courts from one side to the other does not undermine this use. The new location is enclosed on two sides with

mature trees and Faringdon Road rises in height to the west to cross over the A34. The new courts therefore would not be overly prominent when viewed from the public highway. Similarly, whilst the addition of lighting columns will clearly be visible within the site they will not be unduly prominent in the wider locality. The lighting has been specifically designed to avoid light spillage, and the lights will be switched off when they are not required. Consequently, the visual impact of the proposed development and its impact on the character and appearance of the locality are considered acceptable.

- 6.3 Concerns have been raised by local residents in terms of noise and general disturbance and light pollution. These concerns were raised on the previous scheme to flood light the existing courts. In response the school has now relocated the courts away from properties in Mons Way under this application. In your officers' opinion their new location (over 90m away) is considered to be acceptable in mitigating noise nuisance to neighbours and the lighting and evening use of these facilities would not be so harmful to warrant refusal of the application. There would be no detrimental impact to residents in Faringdon Road from this proposal. The council's environmental health officer raises no objection and the proposed hours of use, up to 10.00pm are considered reasonable. However, officers suggest this is reduced to 9.30pm on Sundays and Bank Holidays.
- 6.4 There is considered to be no adverse impact on protected species. The proposal does not result in the loss of any trees which would provide roosting opportunities for bats and it is not considered that lighting would adversely affect foraging runs. The countryside officer raises no objection to the proposal.
- 6.5 In response to concerns over commercial use, this is essentially a matter for the school. However, as the proposed use and location of the courts is considered acceptable, officers consider there would be no justifiable reason to withhold permission on the grounds that these facilities may be used by others or that they are used more frequently than existing patterns of use. In addition, there is ample on site parking to meet the needs of any future external use of these facilities.

7.0 **CONCLUSION**

- 7.1 The scheme is acceptable in terms of its impact on the character of the locality, residential amenity, protected species and highway safety. Consequently the proposal is considered to comply with the requirements of the development plan.

8.0 **RECOMMENDATION**

- 8.1 **Planning permission be granted subject to the following conditions:**

**1 : TL1 - Time limit - Full Application (Full)**

**2 : Approved plans**

**3 : MC3 - Materials in Accordance with App.(Full)**

**4 : MC30 - Floodlights Installation (Full)**

**5 : The floodlights hereby approved shall be switched off between the hours of 10pm and 9am Mondays to Saturdays, and between 9.30pm and 9am Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.**

**6 : LS4 - Tree Protection (Full)**

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