


Heading:

REFERENCE NO. 43/2014/0013/PF
PRESTATYN FOOTBALL CLUB
BASTION GARDENS, PRESTATYN

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

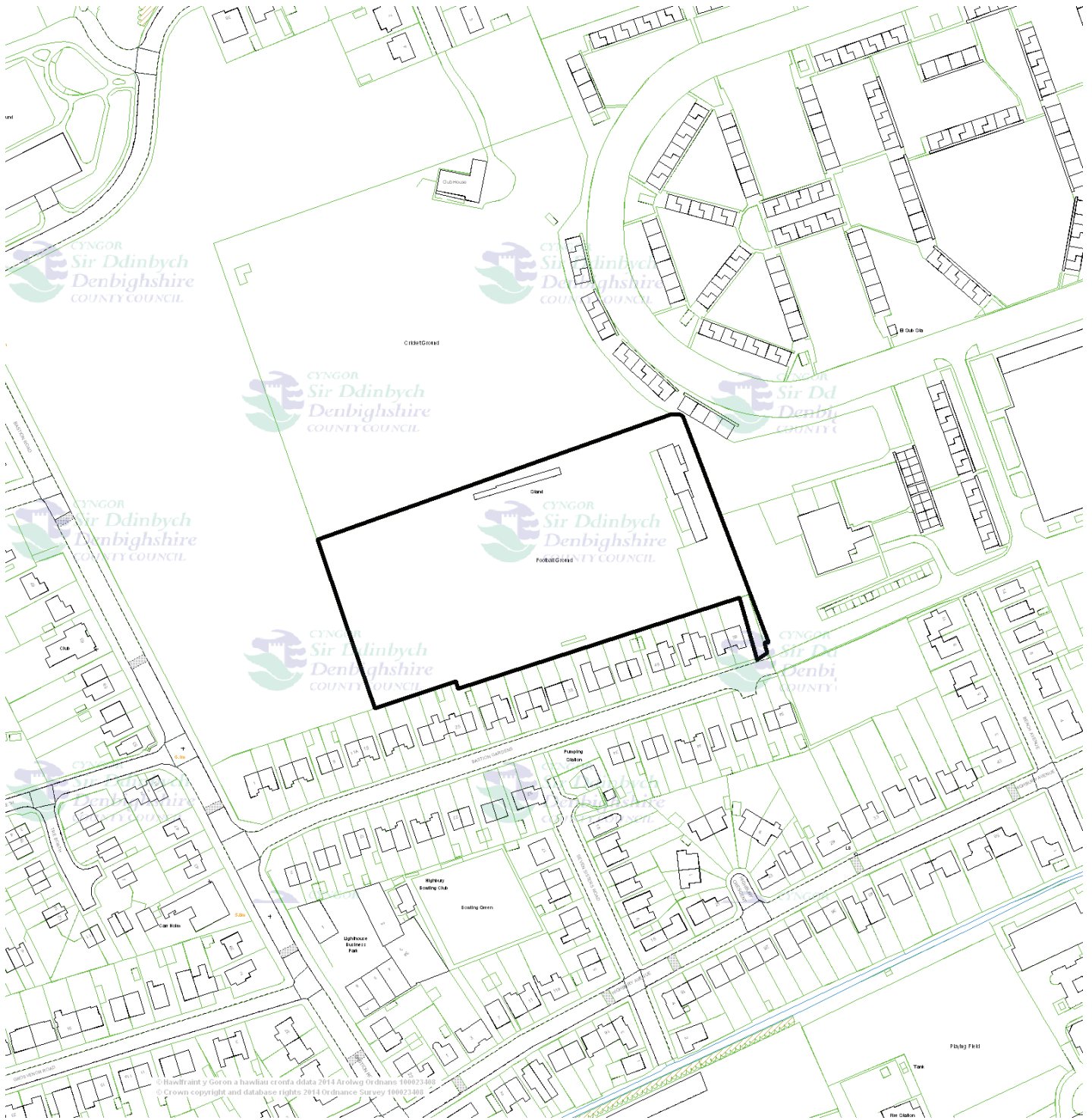
 Application Site



Date 3/6/2014
Centre = 306362 E 383549 N

Scale 1/2500

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



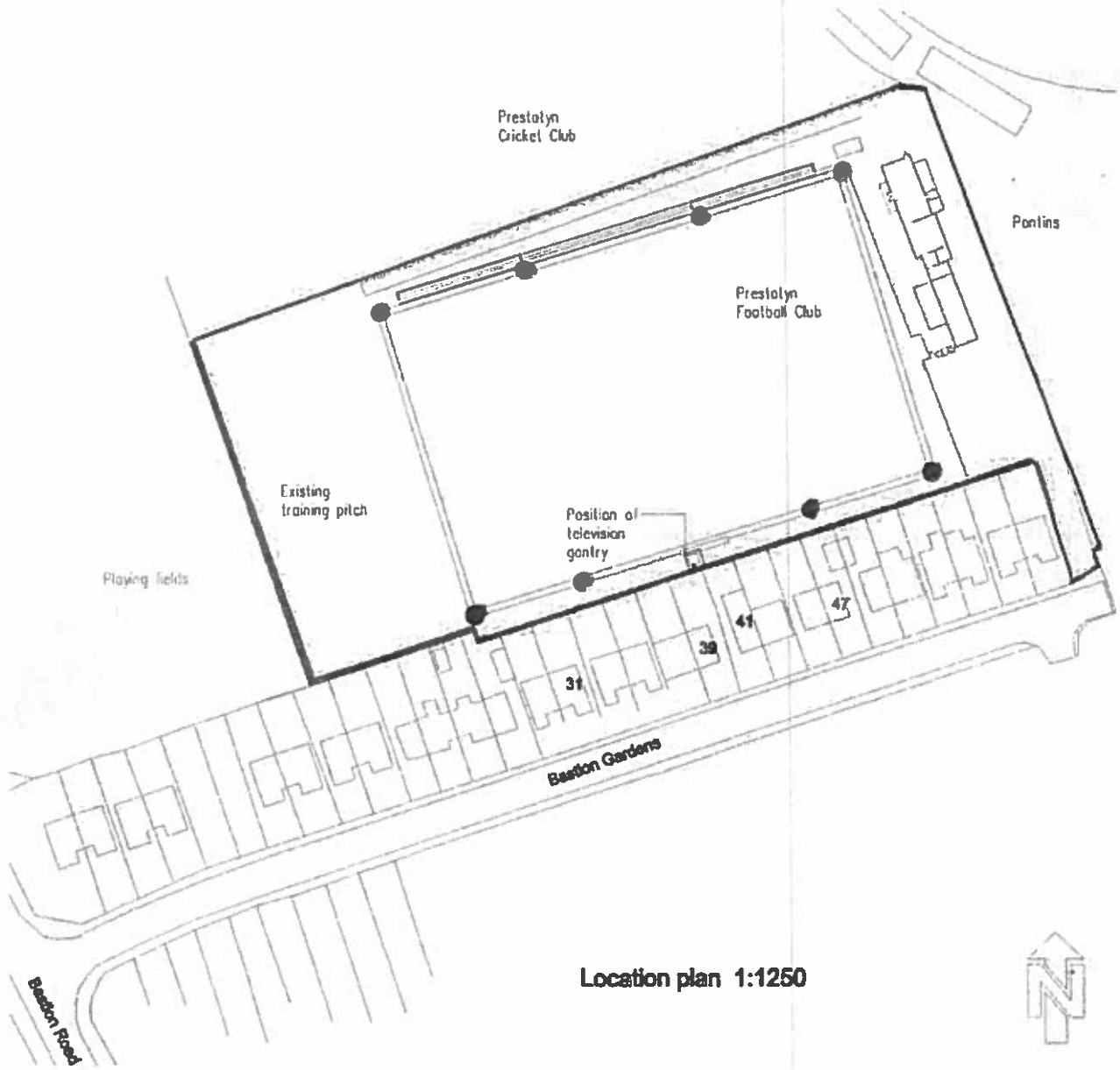
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SITE PLAN

A4 drawing sheet

● FLOODLIGHTS



Location plan 1:1250

PRESTATYN FOOTBALL CLUB
Bastion Gardens
Prestatyn.

SCALE 1:1250 @ A4
DATE November 2008
LAWRENCE PARRY ASSOCIATES
HILL HOUSE, HILLSIDE, PRESTATYN.
01745 854945

DRWG. No 3688/01

0 50 100
Scale bar 100mm

ITEM NO: 3

WARD NO: Prestatyn East

WARD MEMBER(S): Cllr James Davies and Cllr Julian Thompson Hill

APPLICATION NO: 43/2014/0013/ PS

PROPOSAL: Variation of condition no. 2 of planning permission code no. 43/2008/0072 to permit the use of the floodlights between 1430hrs and 2200hrs on no more than 3 days in any 7 day period

LOCATION: Prestatyn Football Club Bastion Gardens Prestatyn

APPLICANT: MrGareth Owens

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice – No
Press Notice – No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection
- Member request for referral to Committee

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL:

“Defer - Ward Councillors reported they were aware of residents objections arising from the significant proposed increase in times and activity. Committee requested clarification on reasons for proposed increase.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Pollution Control Officer:

- The lighting issue should be controlled through condition using the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The Environmental Zone is classed as E3 and the relevant Light Intrusion (into windows) should therefore be limited to 10lux as the times of operation are pre-curfew. The actual lighting levels are to be assessed by an independent lighting engineer in order to confirm that the limits are being complied with.
- Although there will be some increase in the use of the pitches as a result of the lighting, this is viewed as not too excessive. The use of the lighting is to be controlled to no more than 3 days in any 7 day period and this will provide protection of amenity for the nearby residents.
- The lights will be turned off at 22:00hrs and this includes the time taken for the tidy up after the match period and so as a result the actual noisier events will be finished before this time (likely to be about 21:30hrs).

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mr & Mrs J & C Cook, 55 Bastion Gardens, Prestatyn

S. Tuey, 32, Bastion Gardens, Prestatyn

Mrs. S. Woodward, 57, Bastion Road, Prestatyn

B. Paterson, 120 Ffordd Ty Newydd

G. Roberts, 41, Bastion Gardens, Prestatyn

Mrs M Wadsworth, 28 Bastion Gardens, Prestatyn

Mrs S Ahmad, 33 Bastion Gardens, Prestatyn

Mrs P A Higson, 40 Bastion Gardens, Prestatyn

Mrs S Beattie, 39 Bastion Gardens, Prestatyn (Petition with 27 signatures)

C A Holliday 54 Bastion Gardens Prestatyn

P & A Kerfoot 35 Bastion Gardens Prestatyn

Mr J Thompson 46 Bastion Gardens Prestatyn

Ms A Clare 46 Bastion Gardens Prestatyn

Mrs. S. Ahmad, 33, Bastion Gardens, Prestatyn

Mrs. M. Wadsworth, 28 Bastion Gardens, Prestatyn

Miss S. Tuey, 32 Bastion Gardens, Prestatyn

Summary of planning based representations in objection:

Residential amenity:

Residents are concerned that the proposal would have a detrimental impact upon residential amenity by way of light spillage, additional noise arising from additional activity, and road congestion.

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 Permission is sought for the variation of planning condition 2 of planning permission code no. 43/2008/0072 to permit the use of floodlights at Prestatyn Town Football Club between 14:30hrs and 22:00hrs on no more than 3 days in any 7 day period. The proposal relates to the 8 existing 15m high floodlights.

1.1.2 The original condition on the 2008 permission restricted the use of floodlights to 16:45 hours (i.e. 4.45pm) once in any 14 day period, with the provision of a maximum number of 12 days in any 12 month period where the use is permitted to 21:15 hours (9.15pm).

1.1.3 The application is made on the basis that the club's requirements have changed since 2008. The club is now in the Welsh Premier League which requires clubs to play evening matches on a weekly/fortnightly basis (fixtures list dependent and at the discretion of the Football Association of Wales). It is understood that the evening games frequently finish after 21:15 hrs. It is further understood that within some 7 day

periods the club is required to play two evening games and hold one training session. During the winter months use of floodlights is therefore required.

- 1.1.4 The club has stated that it can no longer comply with the original condition for reasons beyond their control (i.e. they cannot dictate when matches are held). For this reason the club has applied to vary the original planning condition to allow them to use floodlights more frequently, and to a time which would allow them to finish an evening match without being in breach of a planning condition.

1.2 Description of site and surroundings

1.2.1 Prestatyn Football Club is located on land to the east of Bastion Road to the south of the Cricket Ground. The grounds are accessed off Bastion Gardens a residential cul de sac.

1.2.2 The Football Club have occupied the site since the 1970's. The site comprises of a parking area on the east side, clubhouse and changing rooms, the football pitch and a smaller training pitch on the western side.

1.3 Relevant planning constraints/considerations

1.3.1 The site is within the Prestatyn development boundary as drafted in the proposals map of the Local Development Plan.

1.4 Relevant planning history

1.4.1 The floodlights were originally granted planning permission in 2008 and as detailed above, the hours of use were limited in the interest of residential amenity.

1.5 Developments/changes since the original submission

1.5.1 The application was originally submitted as a variation to allow the use of floodlights for a 'minimum' of 3 days per week. This has been amended to provide greater clarity as to how frequently and for how long the floodlights would be used.

2. DETAILS OF PLANNING HISTORY:

2.1 43/2008/0072 - Extension to and regularisation of stands, clubhouse and store, erection of floodlights and associated works. GRANTED by Planning Committee 10 April 2008

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy BSC11 – Recreation and Open Space

3.1 Supplementary Planning Guidance
None

3.2 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014
Planning Guidance (Wales) – TAN 16 – Sport and Recreation

3.3 Other material considerations

Institute of Lighting Engineers: Guidance Notes for the Reduction of Obtrusive Light
GN01:2011

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, February 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that

material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Residential amenity

4.2 In relation to the main planning considerations:

- 4.2.1 Principle

The application site lies within the settlement limits of Prestatyn as defined in the Local Development Plan on a site protected by Policy BSC11 of the LDP. The proposed variation would not conflict with this policy in that it would not result in the loss of a recreational asset. Policy RD1, Planning Policy Wales and TAN16 recognise that development, including new/improved recreation facilities, need to be considered against amenity impacts, including where the principle is acceptable. Therefore the proposal is considered acceptable in principle, subject to an assessment of the impacts.

- 4.2.2 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc..

A number of objections have been received on the basis that the proposed variation would result in harm to residential amenity. Some of these objections are made on the basis of additional disturbance and noise by way of additional activity. Other objections are made on the basis that the light spillage into the neighbouring gardens/houses from the floodlights would be unacceptable on a more frequent and longer basis than the 2008 permission permits.

In acknowledging the basis of local concerns, and with regard to the perception that the proposal would result in additional activity at the ground, it is Officers opinion that the likely intensification of use would be limited. The number of fixtures at the ground is likely to remain similar to previous seasons, and it is understood that training has historically taken place at the site, albeit on a smaller floodlit pitch. It is to be noted during the summer months the ground can be used late into the evening without the need for floodlighting and outside any planning control. The Local Planning Authority does not have control over the frequency of use of the pitch as this has established itself gradually over the last 3 decades. However, it is acknowledged that the use of floodlights does to an extent inadvertently formalise the intensity of use. It is Officers' opinion that given the history of the site and the nature of the use, the hours proposed per 7 day period are unlikely to result in a material harm to the amenity of residents over and above what is already permitted.

Notwithstanding the above, Members are advised that as the proposal relates specifically to the use of floodlights at the site, a key consideration is the impact of the

lights on the amenity of the dwellings and whether 22:00 is unreasonably late to permit their use, and whether 3 times in any 7 day period is too frequent.

To assist consideration of the issue, there is useful technical advice from The Institute of Lighting Engineers (ILE), who have published guidance notes for the reduction of obstructive light. The 2011 document offers advisory maximum light levels for sensitive facades (neighbouring windows for example) - referred to as Light Intrusion Levels. In a suburban/edge of town centre location such as this site, it is recommended that the lighting level, when measured flat on the glazing at the centre of a window should not exceed 10 lux (*Table 2: Institute of Lighting Engineers: Guidance Notes for the Reduction of Obtrusive Light GN01:2011*). It is considered that the light levels at neighbouring windows can be satisfactorily controlled through a suitably worded planning condition.

On the understanding that the light levels at sensitive facades can be adequately controlled to operate within the ILE tolerances, it is considered that to allow the use of floodlights 3 times within any 7 day period until 22:00hrs, would not be unreasonable or result in an unacceptable impact on residential amenity. The proposal would comply with planning policy RD1 in this respect, along with guidance relating to the reduction of obtrusive light.

5. SUMMARY AND CONCLUSIONS:

- 5.1 In Officers' opinion, and in respecting local concerns, subject to the imposition of suitable conditions controlling the light levels at sensitive facades it is not considered that the proposals would result in an unreasonable impact on residential amenity for the occupants of neighbouring dwellings.

RECOMMENDATION: GRANT - subject to the following conditions:-

Condition 2 shall be worded as follows:

2. The floodlighting hereby permitted shall be subject to compliance with the following restrictions;

- a) the hours of use shall be restricted to between 14:30 - 22:00 hours for a maximum of three times in any 7 day period;
- b) a register identifying all users and hours of use of the floodlighting shall be kept and made available for inspection by Officers of the Local Planning Authority on request.
- c) The vertical illuminance at any affected facade shall be controlled to a maximum of 10 Lux at all times, and all external lighting shall comply with the recommendations of the Institution of Lighting Engineers "Guidance Notes for the Reduction of Light Pollution".

Reason for the condition

In the interest of residential amenity.

And shall be subject to the following additional condition

7. The floodlights shall not be permitted to operate until 22:00 hours on any occasion until there has been carried out, at Prestatyn Town Football Clubs expense, a suitable technical survey by an independent lighting engineer to demonstrate that the lighting levels specified in condition 2(c) can be met, such survey has been submitted to the Local Planning Authority and the written consent has been obtained from the Local Planning Authority that the lights may be operated in accord with the variation sought.

Reason for the condition:

in the interest of residential amenity

NOTES TO APPLICANT:

You are advised that all other conditions on planning permission 43/2008/0072 still apply to the use