

Report to Planning applications committee

Item

11 May 2017

Report of Head of planning services

Subject

Application no 17/00504/NF3 - Floodlit Games Area
Harford Park, Ipswich Road, Norwich

Reason

for referral

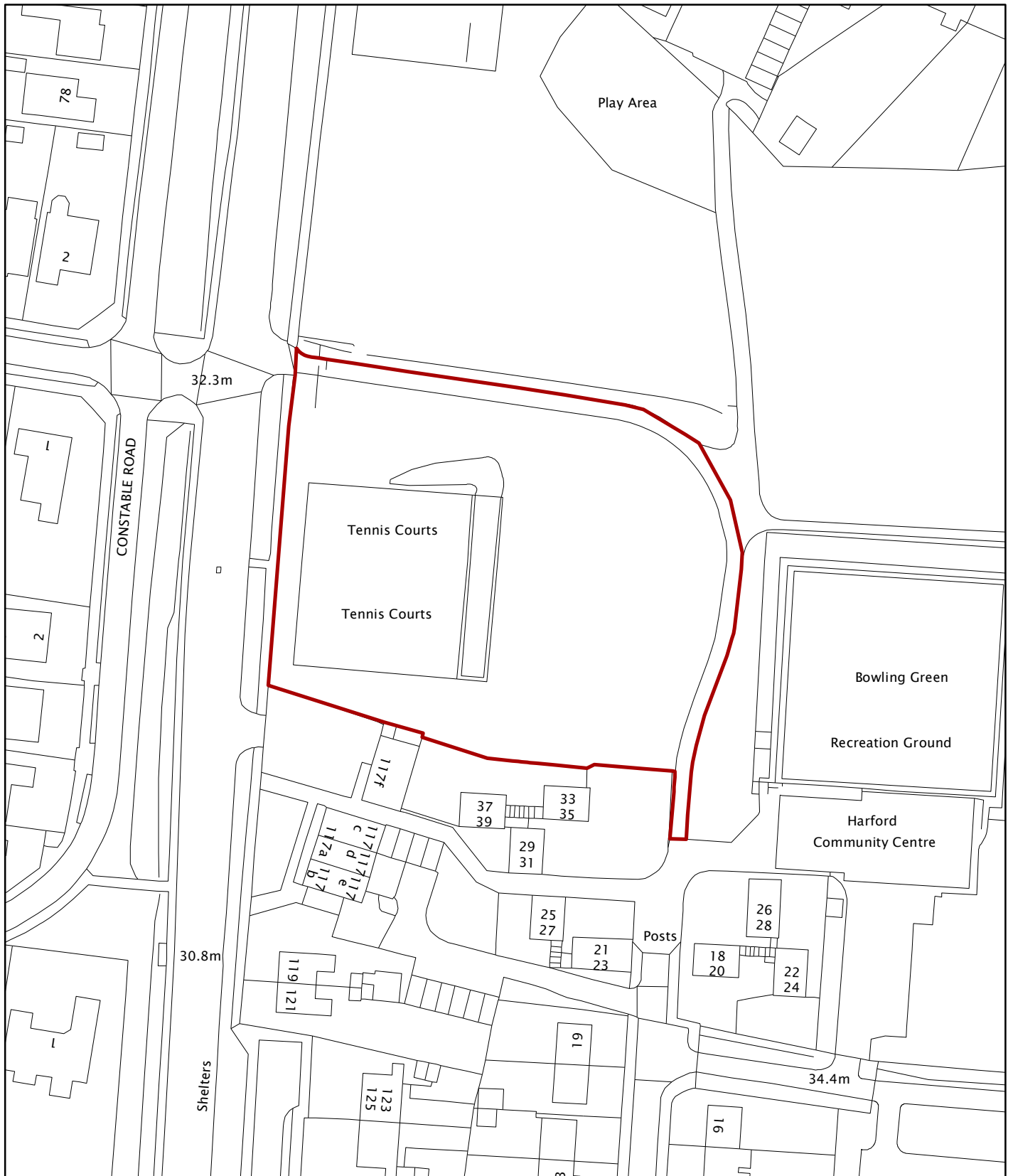
Objection / City council application or site

4(c)

Ward:	Lakenham
Case officer	Lee Cook - leecook@norwich.gov.uk

Development proposal		
Provision of floodlighting and installation of new gate and repairs to existing tennis courts.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Principle	Use of site for recreational use
2 Design and Landscaping	Scale; landscape setting
3 Trees	Tree protection and retention
4 Amenity	Light impacts; noise
5 Biodiversity	Habitat; protected species
Expiry date	17 May 2017
Recommendation	Approve



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Planning Application No 17/00504/NF3

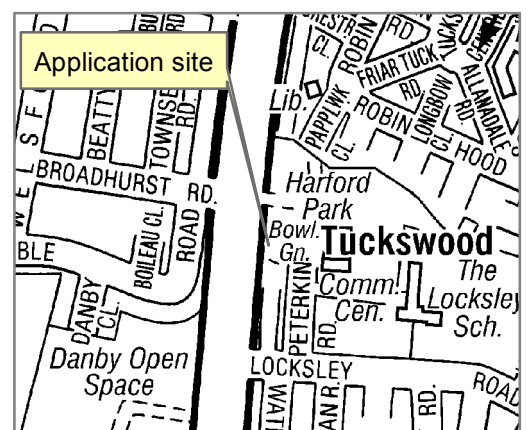
Site Address Harford Park

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. Harford Park is located to the south of the City centre with the tennis site adjacent to Ipswich Road on its east side. This part of the park consists of a block of two hard courts of about 0.125 ha in area, including a 5m-wide bank formed of amenity grassland on the eastern edge of the site. The courts are surrounded by amenity grassland to the north and east which includes scattered mature trees. A line of trees runs along Ipswich Road. To the immediate south is a car parking area which serves local shops and residences. Further residential properties are located on the west side of Ipswich Road. The park is owned and managed by the Council and includes play and sports facilities provided as a local community park.

Constraints

2. Along with adjacent school fields off Locksley Road the site is designated as open space (Policy DM8).

Relevant planning history

3. The park is believed to have opened in the 1950's. There are no recent applications relating to this part of the site.

The proposal

4. The Harford Park scheme involves provision of floodlighting and works including installation of new gate, service access, feeder pillar and repairs to existing tennis courts.
5. The scheme is part of an expansion of the Norwich Parks Tennis delivery model. This is aimed at providing tennis and coaching in an affordable, inclusive and financially sustainable way. Such an operation exists at Eaton Park and seeks a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider.

Summary information

Proposal	Key facts
Scale	
Total floorspace	Existing hard surface court area
Max. dimensions	Existing fencing approximately 2.75m high. Lighting columns 6.7m high plus metal halide lights
Appearance	
Materials	Adapted fencing and new gates to match existing. Galvanised lighting columns. 9 columns 10 lamps
Operation	
Opening hours	Hours of use are described as 08:00 to 22:00 hours

Proposal	Key facts
	throughout the week
Ancillary plant and equipment	Electrical feeder pillar on south side of site approximately 1180mm high, 1527mm wide and 300mm deep.
Transport matters	
Vehicular access	Maintenance access via the car park to the south
No of car parking spaces	No new provision – existing car park to south
No of cycle parking spaces	No new provision – see report for discussion
Servicing arrangements	Via the car park to the south. Existing bins etc. located on the park

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Questioned content of Harford Park Tennis Website	Noted - not considered to be a relevant planning matter in this instance.
Noted content of Fit Fields in Trust website (formerly the National Playing Fields Association) which references Harford Park as a field they have listed as protected	Not considered to be a relevant planning matter in this instance.
The system operated by Norwich Parks Tennis means that only those who have a smart phone, and a computer can access the booking scheme. This will exclude many people, especially the less well off and the elderly among whom many (my husband and I are 70), there are many players who still delight in the game. This is essentially rewarding privilege and denying many in an undemocratic manner	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
The application submissions are incomplete in terms of information or lacking in terms of necessary information and are not in line with similar application submissions.	The application has gone through validation review and submissions include information as requested within the Councils validation checklist and are considered to be sufficient to make an informed planning decision.

Issues raised	Response
Permission should be in line with statutory policy objectives	Relevant policies listed in the report below
Questions business model, cost benefit and clarity of submitted figures. Query evidence of flood lights enhancing/increasing tennis use and use in winter; cost of usage of lights; business plan; applicant appears to know it has a weak case; transparency of the accounts should be availed.	Norwich parks tennis is a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider. Whilst this has been questioned in local representations the detail of the financial model for provision is not considered to be a relevant planning matter in this instance.
Booking arrangements are not accessible unless you are a member which limits community access to use the sites.	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
Costings have not yet been carried out for all of the works so financial benefits cannot be known – applications should be deferred for all information to be made available to members.	Not considered to be a relevant planning matter in this instance.
Coaching scheme is lacking in available access and types of coaching	Not considered to be a relevant planning matter in this instance.
Query where/how asset management will be involved in terms of maintenance and running facilities	Not considered to be a relevant planning matter in this instance.
Planning policies are not readily available to allow assessment of proposal	Planning policies are published on the councils website and relevant policies listed in the report below
Should be looking for less lights not more to protect environment and reduce light pollution and energy use which are global issues	Paragraph 41 This does not form part of the submitted application
Council should consider schemes without floodlights. Promotion of single applications and separate assessment should not occur. Requests deferral to consider issue of lighting per se.	The sites are in various locations across Norwich. Each case is considered on its merits.
Questions extent of consultation and ability for local residents to comment. Requests Council to undertake wider consultation on initiatives	Consultation including letters to adjacent properties, press and site notices has been undertaken in accord with protocol
Community could adjust to playing in daylight hours and inclement weather rather than rely on new floodlit facilities – this has eco/carbon neutral benefits	Noted

Consultation responses

7. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Environmental protection

8. Have reviewed this application and have no comments. Further discussion – confirm light pollution can be considered a statutory nuisance under the Environmental Protection Act (as amended by the legislation quoted below), however the lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane at nearby addresses.

Highways (local)

9. No objection on highway/transportation grounds.

Landscape

10. Generally acceptable. It would be useful to condition the appearance of the lighting units and columns. Provision of a few cycle stands would help reduce the number of car trips which the facility will inevitably generate. Cycle parking could also benefit the nearby shops.

Sport England

11. The proposals are all part of a Norwich City Council initiative 'Norwich Parks Tennis' which is seeking to improve public access to pay and play/free to use tennis courts in the city's main parks.
12. The Greater Norwich Playing Pitch Strategy (2015) identified a need to improve public access to and availability of tennis courts in the city's main parks, and these improvements, including the installation of floodlights, will not only improve the quality of the public tennis courts within Norwich but also make them available to use all year round.
13. Sport England can confirm that the Lawn Tennis Association (LTA) is fully supportive of this initiative.
14. Sport England considers that these application are consistent with our following policy objectives: Planning Policy Objective 2: enhance the quality, accessibility and management of existing facilities Planning Policy Objective 3: provide new facilities to meet existing and future demand. This being the case, Sport England offers its support to this application which will bring significant improvements to the stock of public tennis courts within Norwich and will meet an identified need as set out in the GNDP Playing Pitch Strategy (2015), as well as being a very high priority for the LTA in the East of England.
15. The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England or any National Governing Body of Sport to support any related funding application. If planning consent is granted, Sport England recommends that the following conditions are

imposed: 1. Hours of use condition to cover the courts now benefitting from floodlighting.

City Council Sport & Leisure Development Manager

16. The proposal which includes the provision of floodlighting and repairs to the existing tennis courts on Harford Park is a key element of the Norwich Parks Tennis expansion project which aims to deliver tennis provision on a sustainable basis for the future. The project which has the support of The Lawn Tennis Association and Sport England will improve the quality of provision and will considerably extend the availability of court time which will help to meet existing and future demand for the sport.

Tree protection officer

17. Has reviewed this application, and, as long as the recommendations contained within the Arboricultural Impact Assessment are fully implemented has no objections to the proposal.

Assessment of planning considerations

Relevant development plan policies

18. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM22 Planning for and safeguarding community facilities
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

20. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development

- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

21. Supplementary Planning Documents (SPD)

- Landscape and trees SPD adopted June 2016

Case Assessment

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

23. Key policies and NPPF paragraphs – JCS1, JCS2, DM1, 2, 6, 7, 8 and 9 NPPF 0, NPPF 8. NPPF paragraphs 7, 9, 14, 17, 56, 109 and 118
24. There are various main policies within the DM Plan relevant to this site. Policy DM1 promotes the economic, environmental and social dimensions of sustainability including promoting mixed, diverse, inclusive and equitable communities, by increasing opportunities for social interaction, community cohesion, cultural participation and lifelong learning. Policy DM8 seeks to prevent the loss of open space or adverse impacts on such spaces and policy DM6 and DM7 seeks to limit impacts in terms of the natural environment, whilst policy DM2 has regard to impacts on amenity.
25. The policies are generally permissive of recreational and sports development in the park, providing that they can demonstrate that they will not detract from its character, space provision and biodiversity interest or have an adverse impact in terms of amenity. Harford Park is defined in the DM Plan as a designated Open Space. Overall the proposed development will still keep the site for recreational use and; therefore, there is no policy objection in principle.

Main issue 2: Design and Landscaping

26. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
27. The development makes use of existing hard surface facilities and enclosures. Changes to the fence arrangement and external landscape areas are minimal and involve the insertion of new access control and maintenance gate. Leading to the gate would be a new grass mat access route. An electrical feeder pillar would be located on the south side of the site close to the court entrance. With the exception of the inclusion of a small section of reinforced grass for access there are no

significant changes to the landscape setting of the area. The principal change in visual terms is the introduction of floodlighting. These changes have very limited visual or operational impact within the area.

28. The design of the new courts is such to meet modern standards in order to attract users and to be of a form which will be more likely to attract financial support for its use. Accessible, well-lit and secure hard courts should attract players from across the City, have more use all year round, thereby generating income to maintain the courts and ensuring the use of the park throughout the year. Floodlighting will also allow the courts to be used in the early evening, again promoting activity in the park and making the area more secure.

Main issue 3: Trees

29. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
30. The scheme is designed to take account of and seeks to retain existing trees around the site. The development sits within the green edges of the park and protection of existing trees thereby retains the significant amenity and ecological value of the landscaping within this area.
31. As part of the protection scheme construction exclusion zones are proposed, construction access limited to specific areas only and methods for hand digging of trenches suggested in terms of cable runs and foundations to light columns. Some additional information is required in terms of tree pruning to facilitate light column installation and conditions are suggested in terms of requirement for a site meeting and submission of any required method statements for subsequent tree pruning works. It will also be important to ensure that trees to be retained are protected during construction and conditions are suggested to maintain protection and work practices during construction.

Main issue 4: Amenity

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
33. The potential impact on neighbouring properties from noise and floodlighting has been considered by the pollution control officer. It is also noted that artificial light pollution can be a statutory nuisance as highlighted in the Clean Neighbourhood and Environment Act 2005. The lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane. Also, given that the nearest residents are a minimum of about 21 metres away, there are existing lights within this area, the site lies within an existing park with sports facilities and there are mature trees and hedges surrounding the area proposed for the tennis courts and lighting it is considered that the proposal will have only minimal impact on the amenities of existing residents.
34. Lighting specifications and floodlight location details have been submitted with the application. Floodlighting for such activities is normally between 6 and 10 metres high. The scheme proposes a total of 10 lamps on nine 6.7 metre nominal height columns to provide a balance between light provision and visual impact on the area. Light spill assessment indicates that the lighting can be designed to limit excess levels of illumination outside the area of sport activity typical of such facilities.

35. The operation of similar facilities in Norwich has been to configure floodlights so that individual courts can be lit at any one time and lights defaulted to be off and only come on when operated by a coach or a hirer which further limits any impact should all courts not be in use. Final details of lighting are suggested to be covered by planning condition.

Main issue 5: Biodiversity

36. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
37. The submitted ecology report notes that Danby Wood, a County Wildlife Site (CWS), is some 250 m south west of the tennis courts. This links in with other open space along the river valley. A Roadside Nature Reserve runs along the opposite side of Ipswich Road, designated for a rare fungus that is both a Species of Principal Importance and legally protected.
38. The report indicates that the existing hard courts have no biodiversity value, and the biodiversity value of the grass bank to the south of the courts is negligible. The surrounding trees and buildings are considered to have low potential for roosting bats; these are already in areas of high illumination or directly illuminated by existing lights. It is not thought that any features potentially used by nesting birds will be affected by the scheme and the report reasonably concludes that the direct and indirect ecological impacts of this scheme will be negligible.

Compliance with other relevant development plan policies

39. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition. Improved provision of cycle parking within this section of the park has been suggested which could be positioned to serve both the local shops and tennis courts without significant impact on the area. The agent is open to this suggestion and a condition is suggested requiring details of cycle parking to be submitted and agreed.
Car parking provision	DM31	Yes subject to condition. No new parking is proposed but as part of the overall tennis strategy it has been suggested that travel information could be developed to encourage modal shift away from car usage when booking and using the enhanced courts.
Refuse Storage/servicing	DM31	Not applicable – existing facilities are provided
Energy efficiency	JCS 1 & 3	The lighting will have energy usage implications but it is expected that lighting design and control

Requirement	Relevant policy	Compliance
	DM3	will seek to limit energy use in line with other initiatives such as redesigned street lighting with LED and demand responsive lighting as part of carbon reduction policies
Sustainable urban drainage	DM3/5	Hard court is being repaired to match existing surface. There should be no change in terms of surface water impacts

Equalities and diversity issues

40. There are no significant equality or diversity issues. The scheme provides for accessible facilities.

Local finance considerations

41. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
42. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
43. In this case local finance considerations are not considered to be material to the case.

Conclusion

44. In terms of the principle of development the scheme will provide an essential recreation and outdoor sports facility that will encourage more people to use the Park. Subject to further submission and approval of details in accordance with the planning conditions listed below the proposal represents an acceptable development that will enhance recreational facilities for the city as a whole whilst limiting impacts on the park, local amenity, access, biodiversity interest and landscape features. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

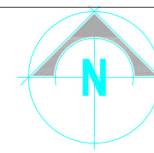
To approve application no. 17/00504/NF3 - Floodlit Games Area Harford Park Ipswich Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be submitted of travel information plan;

4. Details of Arboricultural site meeting, Method Statements including no-dig solution and tree pruning works to be agreed and implemented;
5. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction;
6. Retention tree protection and no changes within areas;
7. Details of landscaping including - hard surfacing materials to paths and access areas, implementation programme, planting schedules and landscape maintenance to be agreed and implemented;
8. Details of cycle storage/parking; site lighting; operation of any site lighting to be agreed and implemented;
9. No use of lights after 22:00 hours or before 08:00 hours on any day.

Article 35(2) statement

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



NOTES

Proposals Key

- Proposed metal gates
- Proposed floodlighting columns 6.7m high, with single metal halide filling
- Proposed floodlighting columns 6.7m high, with double metal halide filling
- Indicative location of ducting
- Area of grass mat for maintenance access

Note: Existing surfacing retained with surface repairs to be undertaken as required



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REVISIONS

No.	Date	Notes	Int.	Ctd.
A	08.03.17	Ducting added	EL	EL
B	10/03/17	Key added	EL	EL

Title
Norwich Park Tennis Expansion Project

Harford Park
Proposed Site Plan

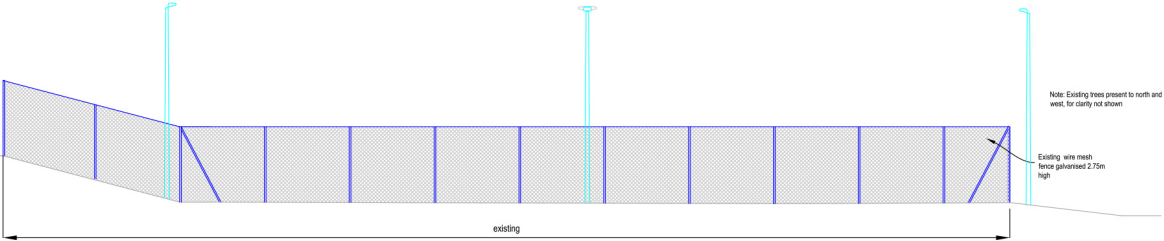
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Date	01/03/17	DWG. No.	LP17/001/P302 B
Designed by	MF	Drawn By	EL
Checked By	EL	NEG. No.	

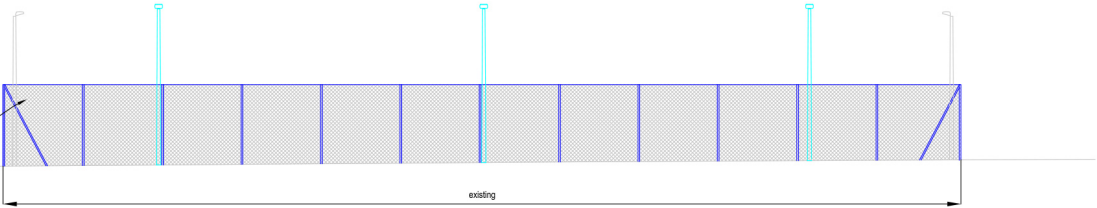
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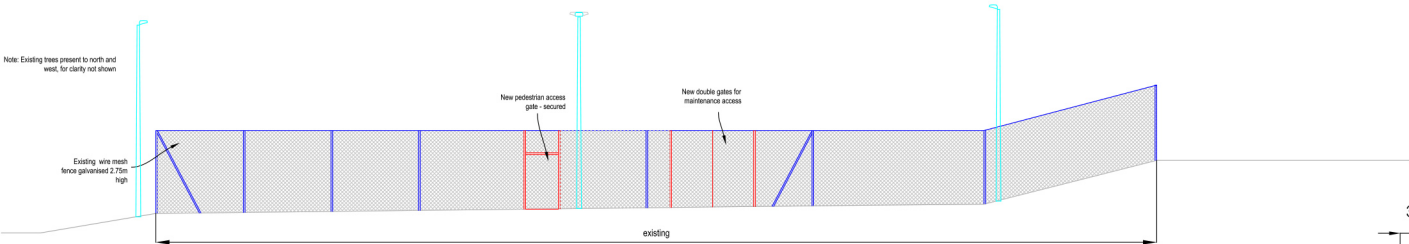
NOTES



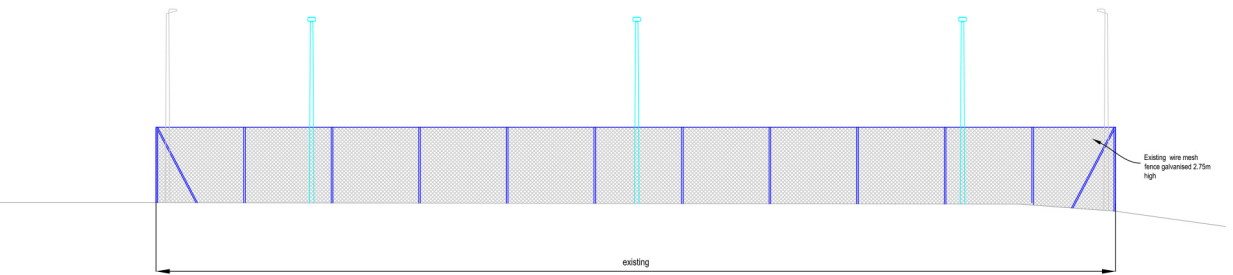
North Elevation



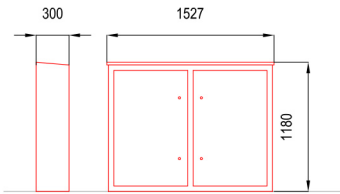
East Elevation



South Elevation



West Elevation



Typical feeder pillar detail
Scale 1:25

Materials Schedule:

- Existing fencing - 2.75m high wiremesh, galvanised metal
- New fencing - adapted fencing and new gates in locations shown, galvanised metal wiremesh to match existing
- New floodlighting - 7m high columns with metal halide fittings (see lighting consultants drawing and information pack for additional details)
- Other - New area of access path HRA. Maintenance access to have grass grid installed. Replacement bollards timber - to match existing

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REVISIONS

No.	Date	Notes	Int.	Ctd.

Title
**Norwich Park Tennis
Expansion Project**

Harford Park
Proposed Elevations

Scale(s) 1:100 @ A1

Date	09/03/17	DWG. No.	LP17/001/P304
Designed by	MF	Drawn by	EL
Checked by	EL	NEG. No.	

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