

## 29 JUNE 2021 PLANNING COMMITTEE

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COND/2020/0176

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**LOCATION:** Sheerwater Estate, Albert Drive, Sheerwater, Woking

**PROPOSAL:** Approval of details pursuant to Condition 62 (external sports pitch lighting for the artificial grass pitch) of planning permission PLAN/2018/0374 for the Sheerwater Regeneration, to seek approval for alternative external sports pitch lighting only.

**APPLICANT:** Pellikaan Construction

**OFFICER:** Joanne Hollingdale

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### **REASON FOR REFERRAL TO COMMITTEE**

Although the applicant is the contractor for the Leisure Centre phase of the Sheerwater Regeneration, legal advice is that this conditions application falls outside the Scheme of Delegation and thus such applications are required to be determined by the Planning Committee.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This conditions application seeks approval of details pursuant to Condition 62 (external sports pitch lighting for the artificial grass pitch) of planning permission PLAN/2018/0374 for the Sheerwater Regeneration, to seek approval for alternative external sports pitch lighting only.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)
- Priority Place
- Flood Zone 1 and 2 (some areas)
- Basingstoke Canal Conservation Area & SSSI
- Urban Open Space
- Local Centre

### **RECOMMENDATION**

**APPROVE** details submitted.

### **SITE DESCRIPTION**

This conditions application relates to the Leisure Centre phase of the Sheerwater Regeneration. The Leisure Centre building is complete and is located within the grounds of Bishop David Brown School. The Leisure Centre phase also includes the sports pitches within the school grounds including the new (3G) artificial grass pitch, which was approved with external sports pitch lighting.

### **PLANNING HISTORY**

The most relevant planning history for this application is as follows:

**PLAN/2018/0374** - Section 73 application to remove Condition 26 (bund), to vary Condition 4 (approved plans insofar as they relate to the Leisure Centre and sports pitches), Condition 23 (phase

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1b playing fields timeline), to submit details to satisfy Condition 21 (on/off-site drainage works), Condition 27 (drainage details for phase 1a(i)), Condition 28 (drainage details for phase 1a(ii)), Condition 29 (drainage details for phase 1a(iii)), Condition 30 (drainage details for phase 1b), Condition 52 (external materials for Leisure Centre), Condition 53 (details of finished floor levels for Leisure Centre), Condition 54 (sustainability - substitution of combined heat and power plant with a ground source heat pump) and amendments to wording of Condition 36 (phase 1c details of front boundary enclosures), Condition 38 (phase 1c biodiversity enhancement measures), Condition 43 (phase 1c external materials), Condition 45 (phase 1c details of bin storage areas), Condition 46 (phase 1c details of photovoltaic panels), Condition 47 (phase 1c sustainability measures), Condition 49 (protection of residential properties from noise), Condition 51 (phase 1c details of play area/trim trail delivery) to alter the timing for the submission of details for approval, of planning permission PLAN/2015/1260 for the redevelopment of the Sheerwater Estate. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

### **PROPOSED DEVELOPMENT**

This conditions application seeks approval of details pursuant to Condition 62 (external sports pitch lighting for the artificial grass pitch) of planning permission PLAN/2018/0374 for the Sheerwater Regeneration, to seek approval for alternative external sports pitch lighting only.

The submitted details include plans of the (3G) artificial grass pitch showing the positions of the lighting columns, plans showing the light spillage, comparison spillage plans with the previously approved details, an external lighting design note and a letter from the applicant's Ecologist. The external sports pitch lighting has already been installed on the site.

Since the conditions application was originally submitted, the details have been revised following concerns raised by local residents (located to the north of the Basingstoke Canal) when the lights were being tested. The amendments to the scheme are as follows:

- The floodlights positioned to the south of the pitch (i.e. facing north) would be re-orientated so that they are 5 degrees from the horizontal (they were 10 degrees from the horizontal); and
- All reflective surfaces close to the lights would be painted a dark colour.

In addition to the above the applicant's lighting contractor has provided before and after calculations of the source intensity at 10no. of the dwellings located to the north of the canal with their gardens/rear elevations facing the site.

Following the receipt of this information, Sport England and the Council's Environmental Health Officer were re-consulted and the neighbouring residents who had previously made representations were notified of the additional information being received.

Following further comments being received from the Council's Environmental Health Officer the applicant provided further clarification.

### **CONSULTATIONS**

**Sport England:** We have reviewed the submitted details and consulted with the Football Foundation/Football Association and are satisfied that the information submitted complies with the relevant technical guidance. No objection is raised to the condition being discharged.

**Sport England (second response):** Reviewed the submitted details and I am satisfied that the information submitted complies with the relevant technical guidance. No objection to the condition being discharged.

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**WBC Environmental Health Officer:** There are no concerns to raise for this application.

**WBC Environmental Health Officer (second response):** It is not clear whether the alterations made to the lights would address the concerns raised regarding glare. The maximum luminous intensity (candelas) quoted is the standard for a suburban area whereas, it is considered that it would be more appropriate to treat this as E2 Rural, which includes relatively dark outer suburban locations, due to the low ambient light levels and the dark corridor formed by the canal towards the houses in Lynwood Close. Also, the levels quoted are given at 3 metres above ground level which should be confirmed as representative of the glare experience by residents from their bedrooms.

The proposed change in angle is for floodlights on the south side only although the photos provided by residents appear to show glare from floodlights at other sides of the pitch. Hoods have been mentioned by there is no reference to other forms of baffle or louvres or an explanation as to why this form of control could not be used to achieve additional reductions in glare to further benefit the residents.

**WBC Environmental Health Officer (third response):** Having regard to the response from the lighting engineers to the queries raised, there are no further adverse comments to add.

**Surrey Wildlife Trust:** Provided that the applicant undertakes the actions as detailed in the submitted plans and letter from Ecology Solutions (23 November 2020), we would advise that the information provided is considered to be sufficient to meet the requirements of condition 62.

### **REPRESENTATIONS**

As this application seeks approval of details pursuant to a condition on a planning permission, there is no statutory requirement for neighbour notification.

However in respect of the originally submitted information **6no.** representations were received raising objections to the proposals with a summary of the main comments made being as follows:

- Live opposite the sports pitch and the floodlight glare is exceedingly bright. The applicant advises that the revised scheme reduces glare and we dispute this point;
- Would be grateful for Planning Officers and Environmental Health team to review impact of the floodlight glare on neighbouring houses in Lynwood Close;
- The lighting levels appear to have been evaluated at ground level and not vertically to assess impact of glare;
- Were assessments by consultees made in respect of first floor window in addition to ground floor;
- Whilst the horizontal lux level reading at ground level along the canal is low, the vertical glare from the floodlights especially those on the south side of the pitch facing the canal is very bright and shines directly into the trees and our bedrooms;
- The lights on the south side of the pitch which face the canal are most problematic;
- The lights will be an unacceptable nuisance particularly as they can be used until 10pm which is 2 hours after our children's bedtime. Can the usage in winter be reduced to 9pm? [*Officer note: The hours of use of the floodlights are set by planning condition on the original planning permission*]
- Appreciate concern about impact on bats, but there is impact on neighbouring properties;
- There is also mention of additional planting but unless mature evergreen trees are planted glare will be a nuisance to the houses facing the pitch; [*Officer note: the*

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*existing vegetation along the northern boundary of the site will be supplemented by some additional evergreen planting at lower height levels];*

- Photos of the lights switched on were attached to representations;
- No-one in Lynwood Close was consulted about glare [*Officer note: there is no statutory requirement for neighbour notification on condition applications*];
- The guidance in Sport England's floodlighting guide has not been taken into account with regard to impact on neighbouring dwellings i.e. bedrooms and gardens;
- Light will be a nuisance and am sure it will affect bat movements which are high in this section of the canal;
- It appears that a proper survey taking into account light levels across the canal was not carried out and this should be requested and remedial action taken before the application is determined [*Officer note: Light level plans have been provided*];
- General issues are raised with regard to the impact of the construction in addition to the lights;
- Do not consider that impact of the building works on the residents was considered or taken seriously;
- Our neighbour's property and ours is severely affected by the extreme glare into the rooms;
- Not only is there unpleasant light pollution but the view which is impossible to escape resembles a prison exercise yard; the prison being the building itself and the exercise yard the fenced pitches. This is no exaggeration;
- There must be a way in this day and age of shielding the dwellings from the unacceptable glare;
- Also agree with comments requesting mature screening which will improve the view immeasurably but also reduce noise which will shortly occur;
- Whilst the lights were momentarily visible from my property when tested it was difficult for me to comment on glare in the room. Can my property be included when reviewed by the Lighting Consultant? [*Officer note: 10 dwellings to the north of the canal were considered*]

Following the receipt of the additional information those neighbours who had made representations were notified of the further information received and **2no.** further letters of representation were received. A summary of the main comments made is as follows:

- The reduction in lighting levels will make no tangible difference to the issue of glare;
- Whilst the proposed levels may be within guidance from the Institute of Lighting Professionals it does not take away the point that glare presents an Environmental Health issue and an inconvenience to residents who will have to live with the glare every evening most of the year;
- There is no detail on why hoods cannot be used and why re-orientation provides a better solution;
- Regarding lux levels, as far as I can see the report indicates the levels are within those agreed originally by the Planning Committee but in reality the levels cause a great deal of light spillage onto the canal which will affect the wildlife. There has been a high concentration of bats in this area over the past few years who will be seriously affected;
- The details should not be discharged until the lighting consultants provide a solution which reduces the glare from the proposed levels;
- While it's great that the developer has re-orientated the floodlights slightly it is hard to understand the impact of the change without seeing them in action. Please can you let me know when they will be tested again? [*Officer note: there is no requirement for the lights to be tested – if details are approved the development will be required to be in accordance with the approved details*]

### **RELEVANT PLANNING POLICIES**

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### Woking Core Strategy 2012

CS7 – Biodiversity and nature conservation

CS17 - Open space, green infrastructure and sport and recreation

CS21 – Design

### DM Policies DPD

DM5 – Environmental Pollution

DM7 – Noise and Light Pollution

### **PLANNING ISSUES**

1. The only issue to consider is whether the details submitted are acceptable to comply with the requirements of Condition 62. Only the artificial grass pitch is to be lit with external sports pitch lighting. Under the original planning permission for the site PLAN/2015/1260, a planning condition required the details of the sports pitch lighting to be approved by the Local Planning Authority and this was so approved under COND/2018/0021 on 24.01.2019. When the subsequent Section 73 application was approved under PLAN/2018/0374 the condition was amended to require implementation in accordance with the previously approved details unless otherwise approved in writing by the Local Planning Authority.
2. It is understood that further approval is now being sought for alternative sports pitch lighting due to the improvements made to this technology in the interim. In addition the position of one lighting column is amended to enable easier access for maintenance (the column closest to the canal would be positioned to the east of the centre line of the pitch instead of aligning with the centre line of the pitch). The applicant has advised that the revised scheme submitted for approval has the following benefits:
  - A revised LED light fitting is proposed;
  - The quantity of light fittings is reduced by six (from 18no. to 12no. equating to 2no. per lighting column);
  - The new model is aesthetically similar to the previous model with roughly equal lumen output ratios;
  - The previously approved floodlighting system was to show 1 lux approximately at 91m metre from the centre of the pitch while the new proposed model is to be 1 lux at a maximum of 66m from the centre, a reduction of 27% of the 1 lux contour;
  - Total power and running costs are reduced;
  - There is less lighting overspill onto surrounding areas; and
  - Reduced glare.
3. The details submitted by the applicant advise that the lighting calculations achieve the requirement set out in the planning permission and the canal remains a dark corridor with diffused lighting levels between 2.5 and 1 lux past the modelled tree line. The canal will have a horizontal lux reading no higher than 0.3 lux. It is also advised that some additional planting is to be provided to the north of the sports pitches which has not been taken account of in the modelling, which should further reduce light spill to the canal. There is no change to the approved number of lighting columns (6no. which would be coloured black) or their height (15m). The hours of use of the external sports pitch lighting is controlled by Condition 114 on planning permission PLAN/2018/0374 and this will not change.
4. In addition to the above the applicant has also advised that the external lighting will be on a timer to automatically switch off outside the approved hours of use. The lighting will

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also be controlled by photocell to ensure external lighting is held off whilst daylight levels are sufficient.

5. The planning condition relating to the sports pitch lighting enables the LPA to assess the details having regard to the requirements to light the sports pitch, neighbour amenity and ecology. With regard to ecology and notwithstanding the issues raised in the representations relating to bats, the Surrey Wildlife Trust have not raised any objections to the revised details submitted. As noted above the revised details would result in 27% reduction of the 1 lux contour resulting in less overspill and the applicant's Ecologist has reviewed the revised details and advised that it is "*clear that the design will result in reduced light spill from that previously considered to be acceptable. I am therefore satisfied that the amended scheme will not give rise to significant adverse effects on bats.*"
6. The central floodlighting column on the southern side of the pitch, facing the canal, is over 140 metres from the closest rear elevation of the dwellings in Lynwood Close facing the site. Following the receipt of the objections raised in the original letters of representation by local residents relating to the lighting and glare, the applicant's Lighting Consultant reviewed the matter and undertook source intensity calculations at the dwellings to the north of the canal. The applicant's Lighting Consultant proposed that the floodlights to the south side of the pitch were re-orientated so that they are 5 degrees from the horizontal (instead of 10 degrees as originally installed) and that all reflective surfaces close to the lights are painted a dark colour (to reduce reflection). Plans have been provided which show the source intensity at houses in Lynwood Close and one house in Priory Close. Overall 10no. houses were assessed. Once the floodlights are re-orientated, the intensity at the dwellings reduces and overall there is an average of 6% improvement. The applicant's details further advise that all intensity figures lie within the recommended standard of 10,000 candelas for a suburban (E3 Zone) location such as this.
7. Following the receipt of this information further consultation with the Council's Environmental Health Officer was undertaken and comments were received regarding the appropriateness of the use of the guidance for an E3 suburban zone instead of an E2 rural zone, whether the levels given at 3 metres above ground level were representative of the glare experienced by residents in bedrooms and also a comment relating to the use of hoods.
8. In response the applicant has advised the following:
  - Do not agree that the description of the site in terms of the Institute of Lighting Professionals Guidance Note is E2 rural, as it not a sparsely inhabited rural area, a village or a relatively dark outer suburban location. We consider that the E3 definition - a well inhabited rural suburban location - describes the site well.
  - Nevertheless, the candela limit for a zone E2 area is 7,500cd (candelas), compared with 10,000cd for zone E3, so the light levels would still fall within the standard in any case. The light levels are compliant and below the standards, so are acceptable, and therefore should be supported and the application approved.
  - With regards to the comment about 3m above ground level this has been calculated at a worst case scenario at 3m. Windows sills to bedrooms are between 3 and 3.5m above ground level. If the bedroom windows heights are above 3m then the viewing angle would be more acute and the SI (source intensity) readings would decrease – the higher the point at which the light is viewed then the lower the light will be.

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- With regards to the shields we have reduced the angle of the fittings which is more efficient in reducing glare. Reducing the angle of the fittings makes the glass of the floodlight far less visible than leaving them tilted up with a shield. In any case, the light levels are compliant as set out above.
9. Following the receipt of the comments above from the applicant, further consultation was undertaken with the Council's Environmental Health Officer, and no further comments were received. Therefore whilst it is acknowledged that the sports pitch lighting would be visible from the rear of the dwellings to the north of the Basingstoke Canal, given the amendments proposed to the scheme, the compliance with the guidance and as no further comments have been raised by the Council's Environmental Health Officer, it is considered that the proposed details would not result in any significant adverse impact to the amenities of nearby residential occupiers.
10. In respect of Sport England, they have also reviewed the revised details, including the reduction in angle of the lights to the southern side of the pitch and no objections have been raised to the submitted details.

### **CONCLUSION**

11. In light of the above comments the details submitted are considered acceptable and would meet the requirements of Condition 62. The submitted details are also considered to comply with Policies CS7, CS17 and CS21 of the Woking Core Strategy 2012, Policies DM5 and DM7 of the DM Policies DPD 2016 and the NPPF. The details submitted are therefore recommended for approval as noted below.

### **BACKGROUND PAPERS**

File - COND/2020/0176

### **RECOMMENDATION**

It is recommended that details submitted are **APPROVED** as follows:

Details approved:

- 3G pitch layout plan by Pozzoni (drawing no. 4235-02\_0912 Rev J) received on 07.12.2020 (except for turnstiles which are to form part of a separate application for LPA approval);
- Elevations/Sections of pitches and lighting columns 'Multi-Use Games Pitch, Sections' by BDP (drawing no. SHE-BDP-00-XX-SE-L-00-0021 Rev P04) received on 07.12.2020;
- Football pitch layout showing elevations of lights (drawing no. HLS05710 Rev 9) received on 07.12.2020;
- Setting out plan received on 07.12.2020;
- Photo of Philips BVP LED received on 07.12.2020;
- Sports pitch landscape proposals (except for position of floodlighting columns which shall be as shown on plans approved above) (drawing no. SHE-BDP-00-XX-PL-L-90-0130 Rev P04) received on 07.12.2020;
- CalcuLuX Area 7.9.0.0 report (ref: 1211) received on 07.12.2020;
- Photo of light fittings received 09.12.2020;
- Letter from Ecologist by Ecology Solutions dated 23.11.2020 received on 10.12.2020;
- Technical Note relating to external lighting by Ramboll dated 26.11.2020 received on 10.12.2020;
- Email from agent dated 14.01.2021 confirming sports lighting will be on a timer switch to ensure compliance with the hours of use and a photocell light monitoring

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- equipment will also be installed. **Note to applicant:** Even within authorised hours of use the external sports lighting should be switched off when not in use
- Source Intensity Plan Rev 14 (after alterations) received on 29.03.2021;
  - Letter from agent received with additional plans on 29.03.2021, detailing changes to the orientation of the light fittings; and
  - Email from agent received on 07.06.2021.

**Note to applicant:**

The applicant is advised that the re-orientation of the light fittings and the painting of any reflective surface as detailed the letter received from the agent on 29.03.2021 should occur before the lights are used.

The applicant is advised that the development is required to be implemented in accordance with the approved details.