

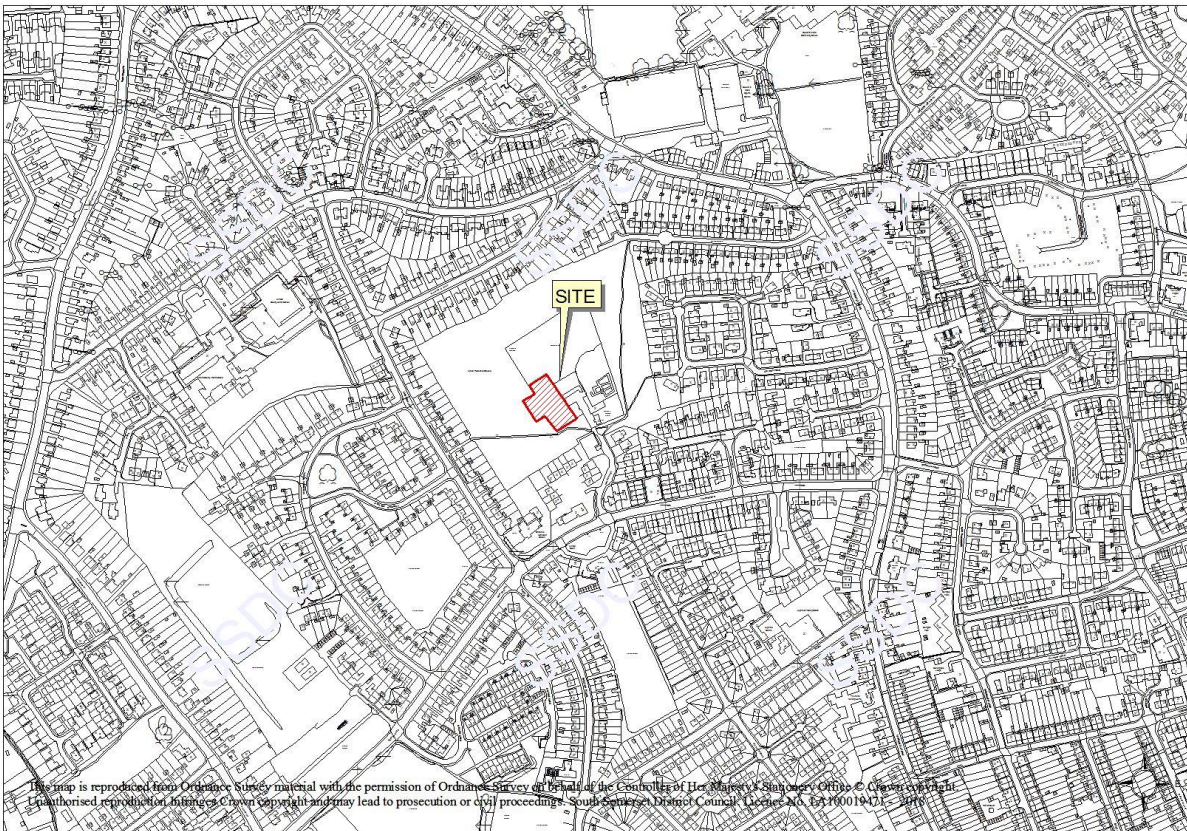
Officer Report On Planning Application: 17/04679/FUL

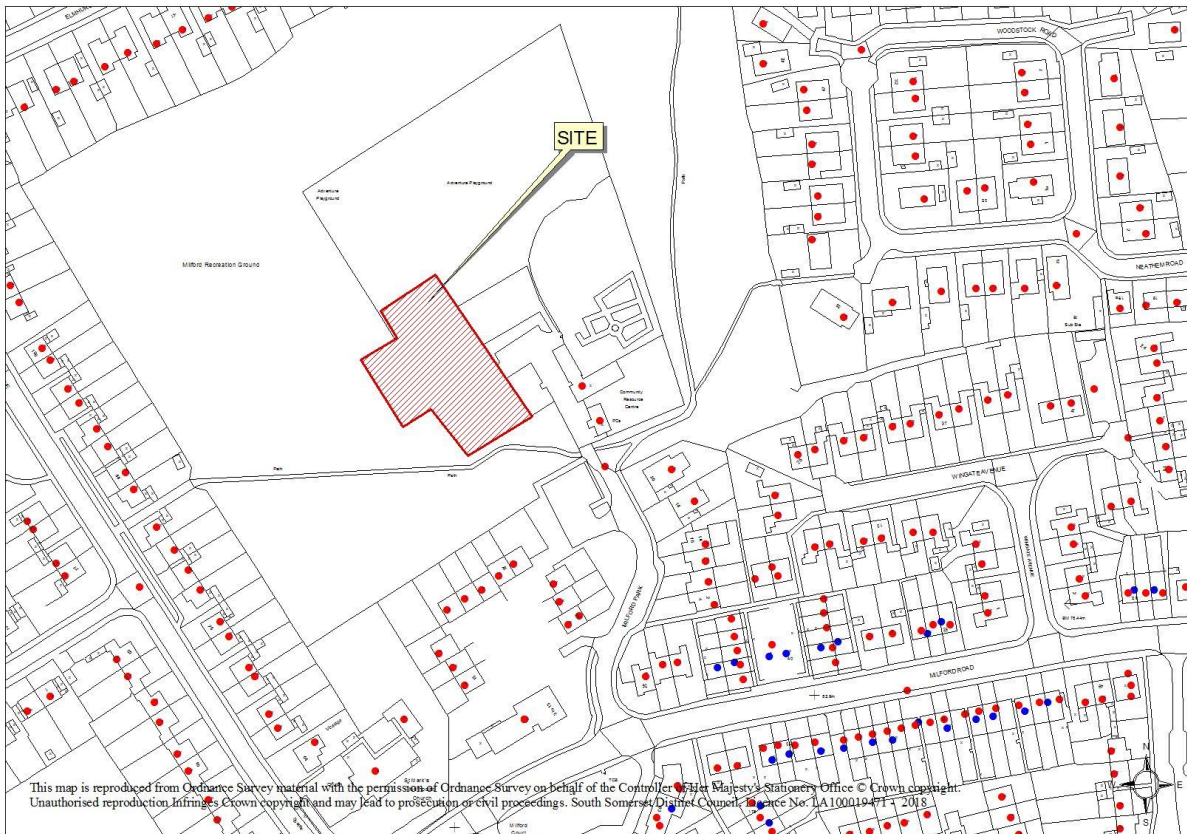
Proposal :	The installation of flood lighting around the multi ball court and skate park.
Site Address:	Milford Adventure Playground Milford Road Yeovil
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Case Officer:	Jane Green Tel: 01935 462079 Email: jane.green@southsomerset.gov.uk
Target date :	5th February 2018
Applicant :	Mr Robert Parr
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

Reason for Referral to Committee

In line with the Council's Scheme of Delegation, this application has been brought before Area South Committee because the case officer's recommendation is contrary to the comments of neighbours and the application has been submitted by South Somerset District Council.

Site Description and Proposal





Milford Adventure Park, is owned and managed by South Somerset District Council. The Play Area is located within and toward the centre of Milford Adventure Park in Yeovil, which also comprises large open grassy areas around the outside, gravelled footpaths, skate park, ball court, basketball court, Community Hall, public conveniences and car park. The Ground is surrounded by residential housing with the actual application site extending 0.25 hectares.

The application seeks planning permission for the installation of flood lighting around the multi ball court and skate park facilities. Each column would extend 6 metres high and there would be 9 no. columns in total.

The area already has a significant number of mature trees around it and the previous planning application for the new play equipment in 2012 secured some further screening with the planting of additional trees so the application site affords some beneficial screening.

HISTORY

12/01000/FUL - The installation of new play equipment with associated landscaping - Application permitted with conditions - June 2012

Various applications submitted since 1959 have involved planning permissions for the erection of a recreation room, toilets, fencing, sea cadets building, parking facilities

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

On the 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted. Therefore it is considered that the development plan comprises this plan.

Policies of the adopted South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Hierarchy

EQ2 - General Development

National Planning Policy Framework (March 2012)

Chapter 7 - Requiring Good Design

CONSULTATIONS

Yeovil Town Council - Recommend approval

COUNTY HIGHWAY AUTHORITY - No observations - See PROW Y 32/10 (proposal does not impact the nearby public footpath)

SSDC HIGHWAYS CONSULTANT - No highways issues, no objection

SSDC Environmental Protection Unit - The proposed lighting scheme is consistent with the guidance issued by the Institution of Lighting Engineers Guidance Note on Light Pollution dated 2005. It appears to be designed to mitigate potential loss of amenity caused by glare and spillage. The model Isolux spill diagram also indicates that nearby properties will not be exposed to excess light spill.

I understand that concerns have been raised by local residents regarding the potential for increased noise in the area by encouraging prolonged use of the existing facilities. While I understand these concerns, there is no evidence to support this contention. The distance from the facilities is significant and in my 10 years of experience with dealing with noise issues, I have never substantiated a noise nuisance from the use of facilities of this nature.

I have no objection.

REPRESENTATIONS

78 neighbours have been notified (the same as the application for the play equipment in 2012) and a site notice (general interest) displayed, representations have been received summarised as follows:

- o Increased noise and disturbance
- o Anti-social behaviour
- o Light pollution
- o Cost of installation

CONSIDERATIONS

Principle of Development

This site has historic permission to be used as a recreation ground with planning permission granted more recently in 2012 to install new play equipment.

It is considered that this development would benefit the wider community by enhancing facilities on an established recreation ground within a settlement and the proposed development is considered to be acceptable and in accordance with the aims and objectives of the National Planning Policy Framework.

Visual Amenity

The District Council has explained that the provision of floodlighting to the Multi Ball Court and Skate Park would enhance the facilities available to the public, especially young people and will increase the amount of time the facilities can be used by the public.

In landscape terms the site is surrounded by residential properties with existing established trees and earth moulding within the site and from the wider area the site is not visible.

The columns would be 6 metres high. There are already lighting columns within the site that light the paths. Due to the expanse of the recreation ground, it is considered that the columns would not have a significant adverse impact on the area and the galvanised steel design is considered acceptable.

Residential Amenity

With regard to the issues raised about possible noise and disturbance, it has to be borne in mind that this is an existing recreational facility and the skate park and ball court already exist. Therefore the issue for consideration is whether the introduction of the floodlighting would result in such a significant increase in noise/light disturbance as to warrant refusal of this application. The nearest residential property is approximately 50 metres away from its nearest floodlight. The application is accompanied by technical information regarding the illuminance levels of the proposed floodlights and this has been assessed by the Council's Environmental Protection Officer. He has no objection to the proposal and states that the lighting scheme has been designated to mitigate potential for loss of amenity caused by glare and spillage. Given the distance of the lighting columns to the residential properties it is considered there would be no direct disturbance to residents caused by the level of illumination.

It is likely that a more intensive use of the Multi Ball Court and Skate Park resulting from it being lit at night, would increase noise and general activity but again bearing in mind the distance between these areas and residential properties, and the established use of the Recreation Ground and its associated activities, it is felt that the proposal would not significantly affect the amenities of the nearest residents. The 2130 curfew would help curtail late night disturbance and would reflect the other similar facilities mentioned by the applicant in their design and access statement (Kingsbury Episcopi, Martock, South Petherton, Misterton, Wincanton and Bruton).

In terms of anti-social behaviour, it is considered that the lighting should improve the existing situation as it would ensure that all activities taking place at the site could be readily viewed by the relevant enforcement bodies.

With regard to the concerns raised by local residents in terms of noise, again the Council's Environmental Protection Officer has stated that in his experience with these types of facilities they have never substantiated a noise nuisance from the use of facilities of this nature.

Highway Safety

The County Highway Authority and Council's Highway Consultant raise no objection to the proposal.

Other Matters

The issues raised by the objectors that cannot be considered within the scope of this application have been forwarded to the applicant during the course of the application. His response is on the electronic file.

Conclusion

For the reasons given above the proposed development is considered not to cause significant harm to

visual or residential amenity and is not considered to be prejudicial to highway safety and as such is recommended for approval.

RECCOMENDATION:

Approve subject to the following conditions:

01. The proposed development, due to its location, scale and nature, is not considered to result in any demonstrable harm to the local landscape, residential or visual amenity and therefore accords with the aims and objectives of EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the principles of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

Location plan (scale 1:1250) and MC1-RevA

Reason: For the avoidance of doubt and in the interests of proper planning

03. The materials to be used in the development hereby permitted shall be those as identified within the planning application form and technical information dated on the electronic file 09 January 2018 hereby approved and no other materials unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and to comply with saved policy EQ2 (General Development) of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework

04. The floodlights hereby approved shall only be operated between 0800 and 2130 hours and programmed to prevent their use outside these agreed times. No other means of illumination shall be installed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of the area and to protect residential amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).