Application Number	Date of Appln	Committee Date	Ward
085468/VO/2008/N1	14th Aug 2008	23rd Oct 2008	Miles Platting And Newton Heath Ward

Proposal CITY COUNCIL DEVELOPMENT: Erection of 4 no. 8m high lighting columns to illuminate existing multi-use games area and siting of metal container to form new changing rooms opposite nos 33-35 Chelsea Road.

Location Orford Road Recreation Ground, Chelsea Road/Orford Road, Newton Heath, Manchester

Applicant Manchester City Council, Boggart Hole Clough, Visitors Centre, Charlestown Road, Blackley, Manchester, M9 7DF

Agent

Description

This application relates to the multi sport ball court facility in the Orford Road/ Chelsea Road Recreation ground that is located in a residential part of Newton Heath . The multi sport facility which is fenced and has a hard surface is situated at the north western corner of the recreation ground opposite numbers 25/27 Chelsea Road with Bayswater Avenue, a cul de sac, situated to the west. There is a screen of mature trees in the recreation ground to the rear of houses at the end Bayswater Avenue. It is intended to erect four 8 metre high monopole lighting columns. The floodlights will be fitted with refractors and set at an angle of 20 degrees to shine directly onto the court and will have lux intensity of 40 lux. There will be two monopole columns on each side of the pitch set approximately 22 m away from the boundary with Chelsea Road and approximately 10m from the boundary to the west.

The proposal also involves the siting of an additional steel container to be used as a changing room that will have dimensions of 12m x 2.4 and 2.6 m high. It will have heating, showers , lighting and toilets available for users taking part either on the grass football pitch or new multi sport area. It will be positioned next to the two existing smaller blue colured steel containers that do not have any facilities at present and are to be used for storage of equipment. It will run parallel to the perimeter fence opposite numbers 33 and 35 Chelsea Road.

Consultations

Local Residents Letters of objection have been received from three residents on Chelsea Road. One resident considers that the floodlights are too close to their home and will be bright enough to shine into their home. Since the multi -use pitch has been in place they have suffered a considerable amount of anti-social behaviour and this particular area and is known as a "hotspot" by the police. Drug dealing takes place around the entrance to the playing field and feel that this will increase when lighting is provided. Problems are also raised with under age drinking , with fights, bottles being smashed and youths dispersing to nearby old peoples homes an Crown Point situated opposite the entrance to the playing fields. They feel intimidated when gangs are hanging

around . Problems of noise and difficulty with getting children to sleep are raised and installing floodlights will make this worse. It is believed that floodlighting of other multi sports facilities should be considered as police resources are already stretched.

Two other residents on Chelsea Road have also raised problems of anti-social/rowdy behaviour and both say they have had their windows broken several times in the past two years and consider that installing lighting will not solve the problem. Problems are also raised with the existing steel containers on the site which are rarely used and question the need for a third. Youths climb on the containers to throw stones and bricks creating noise disturbance. Objections are also raised due to direct views of the industrial containers. There are elderly people living on Crown Point Avenue who are terrified of venturing outdoors during the daytime because of the gangs of youths. It is suggested that CCTV,S are installed to monitor and record activities.

Environmental Health - has recommended that a condition is attached to ensure that external lighting is designed and installed so as to control glare and overspill onto nearby residential properties
Greater Manchester Police - have made the following observations:-

The site is an area of public open space bounded by roads and residential development. There is a limited amount of natural surveillance provided by the houses. The park has become a focus for antisocial behaviour in the area. The lighting should be timed to automatically switch off at 21.00 each evening in order to deter late night use of the space. Lighting columns should be capable of withstanding acts of vandalism and the applicant should consider additional protection for the luminares.
Floodlighting should not create areas of shadow in vulnerable locations.
The applicant has provided little detail of the proposed changing room. This structure will need to be particularly robust and managed carefully in order to survive the current levels of criminal damage experienced locally.
The changing room should not contain any external features that could be used as climbing aids to facilitate unauthorised access to the flat roof. It should also be positioned away from any items of street furniture and fencing.
The changing room should be positioned to avoid creating a narrow passage between it, the existing cabins and the boundary fence line.
The new changing facility will obscure views into and out of the park from/to Chelsea Road, reducing natural surveillance of the area.

Issues

Unitary Development Plan No specific reference made.

E3.5 The Council will promote measures which will lead to a safer environment for all people living in and using the City. These measures will include:-
a) ensuring that the layout of new development is designed with safety in mind and does not lead to the creation of isolated areas;
b) designing landscaping schemes so as to minimise the risk of attack;

c) that community facilities are located where they are easy and safe to get to;
d) providing safe places for children to play;
e) improving road safety.

Policy E1.4 advises that the Council will control noise levels by ensuring that new development involving high noise levels is not permitted where it would be likely to cause a nuisance to occupiers of nearby properties.

L1.2 Existing outdoor sporting facilities and recreational areas will be protected from development unless appropriate replacement facilities can be provided in advance or it can be shown that adequate facilities exist within the local area. Opportunities will be taken to improve the range and quality of facilities, especially in inner areas of the city. The provision of all-weather pitches will be encouraged as a means to both extend and improve the quality of provision so long as this is consistent with the protection of residential amenity. New facilities should be located where they can be easily served by public transport.

H2.2 The Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

EM6 iv) provision of environmental improvements to enhance recreational open space , public areas, the Rochdale Canal, and Oldham Road.

The Regional Spatial Strategy (RSS) for North West England - The RSS was adopted in September 2008 and replaces the previously published Regional Planning Guidance. The RSS provides a framework for development and investment in the region over the next fifteen to twenty years. The following policy is considered to be relevant to the proposal:

Policy DP 1 - Spatial Principles - Identifies the principles underpinning RSS (incorporating RTS). All may be applicable to development management in particular circumstances: promote sustainable communities; promote sustainable economic development; make the best use of existing resources and infrastructure; manage travel demand, reduce the need to travel, and increase accessibility; marry opportunity and need; promote environmental quality; mainstreaming rural issues; reduce emissions and adapt to climate change.

Impact of Floodlights on Surrounding Property.

The nearest house on Bayswater Avenue is located approximately 20 metres away from the proposed floodlight and is well screened by mature trees. The nearest houses on Chelsea Road are approximately 35 metres away from the floodlights. The floodlights will be angled to shine directly onto the courts. However as a precautionary measure it is recommended that a condition be attached in the event of undue glare or light spillage occurring to detriment of

nearby properties that baffles or cut offs be installed on the units and adjustments made to the angle of the lighting units and direction of illumination.

Anti Social Behaviour.

Problems with anti social behaviour taking place at Orford Road Recreation Ground have been raised by local residents for a number of years. The applicant has explained that the initial idea for this scheme came from both GMP and local members to offer diversionary activities for the young people who are both perpetrating this behaviour and those at risk of becoming involved. The main reports of this behaviour are Friday evenings, with a slight reduction on Saturday evenings. The applicant consider that by providing a flood lit area it will allow organised activity to take place during the winter months , so as to reduce anti social behaviour. The increase of responsible users to the site will have a self policing effect, whereby criminal behaviour will be witnessed by a number of people.

This is clearly a positive initiative aimed at alleviating the problems of anti social behaviour that is of concern to residents.

Residential Amenity

The applicants have confirmed that the courts will only be floodlit whilst organised activity is taking place and the latest they envisage sessions going on until is 9.00pm, extended by approximately 10 minutes to allow participants and spectators leave the site safely. However, in order to deter late night use of the site and potential problems associated with noise it is considered that a condition requiring the floodlights to be switched off after 9.15pm is required to protect the residential amenities of nearby properties.

Visual Impact of the Changing Facility.

The proposed changing facility is robustly constructed and has a solid appearance. There are already two smaller containers positioned at this point and are clearly visible from surrounding properties. It is considered that the visual impact of the containers needs to be limited and fewer containers on the site is an option. The applicant have said that they would prefer to retain the two existing containers on the site for storage of equipment , however, they are willing to remove one or both and make alternative arrangements. Therefore in order to limit the visual impact it is considered that one of the existing containers should be removed and a condition can be imposed to ensure its removal.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights

conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

APPROVE on the basis that the proposal accords with the development plan in particular policies L1.2, Em6 and H2.2 of the City Council's Unitary Development Plan in that the proposal would enable the sports facilities to used in an organised way for a prolonged period and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) If when the lighting units are illuminated they cause undue glare or light spillage to the detriment of adjoining and nearby residential properties, baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason

In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester..

3) The proposed outdoor lighting system shall not be used between the hours of 21.15 and 08.00 Mondays to Sundays.
Reason

In order to prevent disamenity to nearby residents through noise disturbance, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: illumination details stamped as received on 30 -01-2008 and 30-06-2008, changing room details received on 4-08-2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 AND L1.2 of the Manchester Unitary Development Plan.

4) One of the existing steel containers shall be removed within one month of the new changing room being placed on the site.

Reason

In the interests of visual amneity pursuant of policy H2.2 of the Unitary Development Plan for the City of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 085468/VO/2008/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health
Contaminated Land Section
Greater Manchester Police
14 Aldham Avenue, Manchester, M40 2SE
16 Aldham Avenue, Manchester, M40 2SE
18 Aldham Avenue, Manchester, M40 2SE
2 Aldham Avenue, Manchester, M40 2SE
20 Aldham Avenue, Manchester, M40 2SE
22 Aldham Avenue, Manchester, M40 2SE
24 Aldham Avenue, Manchester, M40 2SE
26 Aldham Avenue, Manchester, M40 2SE
4 Aldham Avenue, Manchester, M40 2SE
6 Aldham Avenue, Manchester, M40 2SE
8 Aldham Avenue, Manchester, M40 2SE
36 Orford Road, Manchester, M40 1JY
12 Rath Walk, Manchester, M40 1LA
14 Rath Walk, Manchester, M40 1LA
16 Rath Walk, Manchester, M40 1LA
18 Rath Walk, Manchester, M40 1LA
20 Rath Walk, Manchester, M40 1LA
10 Elbain Walk, Manchester, M40 1LD
2 Elbain Walk, Manchester, M40 1LD
4 Elbain Walk, Manchester, M40 1LD
6 Elbain Walk, Manchester, M40 1LD
8 Elbain Walk, Manchester, M40 1LD
2 Benin Walk, Manchester, M40 1JL
4 Benin Walk, Manchester, M40 1JL
17 Bayswater Avenue, Manchester, M40 2RB

18 Bayswater Avenue, Manchester, M40 2RB
19 Bayswater Avenue, Manchester, M40 2RB
20 Bayswater Avenue, Manchester, M40 2RB
21 Bayswater Avenue, Manchester, M40 2RB
22 Bayswater Avenue, Manchester, M40 2RB
2 Crown Point Avenue, Manchester, M40 2TN
4 Crown Point Avenue, Manchester, M40 2TN
5 Crown Point Avenue, Manchester, M40 2TN
25 Chelsea Road, Manchester, M40 2TR
27 Chelsea Road, Manchester, M40 2TR
29 Chelsea Road, Manchester, M40 2TR
31 Chelsea Road, Manchester, M40 2TR
33 Chelsea Road, Manchester, M40 2TR
35 Chelsea Road, Manchester, M40 2TR
37 Chelsea Road, Manchester, M40 2TR
39 Chelsea Road, Manchester, M40 2TR
22 Chelsea Road, Manchester, M40 2TS
24 Chelsea Road, Manchester, M40 2TS
27 Seabrook Road, Manchester, M40 2SA
29 Seabrook Road, Manchester, M40 2SA
11 Seabrook Road, Manchester, M40 2SD
13 Seabrook Road, Manchester, M40 2SD
15 Seabrook Road, Manchester, M40 2SD
17 Seabrook Road, Manchester, M40 2SD
19 Seabrook Road, Manchester, M40 2SD
21 Seabrook Road, Manchester, M40 2SD
23 Seabrook Road, Manchester, M40 2SD
25 Seabrook Road, Manchester, M40 2SD
5 Seabrook Road, Manchester, M40 2SD
7 Seabrook Road, Manchester, M40 2SD
9 Seabrook Road, Manchester, M40 2SD
10 Aldham Avenue, Manchester, M40 2SE
12 Aldham Avenue, Manchester, M40 2SE

Representations were received from the following third parties:

Environmental Health
Greater Manchester Police
Jayne Ormrod, 25 Chelsea Road, Newton Heath, Manchester
L BERESFORD, 33 Chelsea Road, Manchester, M40 2TR
B CONNOLLY, 35 Chelsea Road, Manchester, M40 2TR

Relevant Contact Officer : David Hughes
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Email : d.hughes3@manchester.gov.uk