

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132108/FO/2021

Date registered valid: 6 December 2021

Proposal: Replacement of 2 no. 8m height lighting columns with 4no. 4m height lighting columns and replacement of lighting heads to 18no. existing lighting columns

Address: Northern Lawn Tennis And Squash Club , Palatine Road, Manchester, M20 3YA

Ward(s): Didsbury West Ward

Applicant: The Northern Lawn Tennis Club, Palatine Road, Manchester, M20 3YA

Agent (if any): Mark Saunders, NJL Consulting, Origin, 6th Floor, 70 Spring Gardens, Manchester, M2 2BQ

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27.06.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 17 December 2021

Standard consultations:

Printed: 14 December 2021 Expired: 4 January 2022

Neighbour notifications

Printed: 9 May 2022 Expired: 19 May 2022

Site notice

Posted: 14 December 2021 Expired: 4 January 2022

Press advert

Published: 21 December 2021 Expired: 11 January 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Northern Lawn Tennis club occupies an irregular shaped site containing a club house, sports

Hall, open air tennis courts and a car park. This application relates to a part of the club located towards the southern end of the site. In July 1998 planning permission reference 054277/FO/South1/98, was granted for the construction of a "Tennis Practice Wall" and floodlighting to three existing tennis courts. The approval was subject to the following condition amongst others.

"The proposed floodlighting system shall not be operated outside of the hours of 9.00 am to 10.00 pm on any day.

Reason-In the interests of neighbouring residential amenity."







Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Not applicable

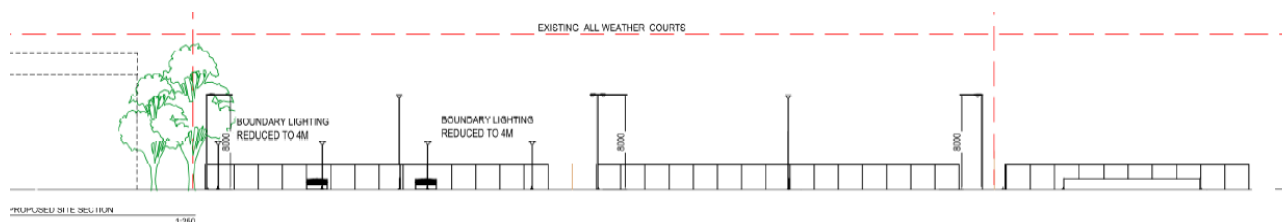
Description of area

NLTC is located within a predominantly residential area within the Blackburn Park Conservation Area. The wider site is bounded to the northeast by the Didsbury Line of Metrolink beyond which are residential properties on Lapwing Lane. To the north west are residential properties on Palatine Road. To the southwest are residential properties on Parkfield Road South and to the southeast residential properties on Elm Road.

The part of the site the subject of this application has residential accommodation to the northwest and southeast and the club to the southwest and northeast.

Description of development

Consent is sought to replace two 8 metre high lighting columns backing on to Blackburn Court with 4 four metre high columns. It is proposed to replace the lighting heads of the of all the columns to the all weather court with new LED low spillage lights.



Lighting head for the four new columns



Lighting head for the net lights

lumens per watt. The externally rated driver can be remotely mounted if required. Robust construction and corrosion proof coating make this fixture ideal for harsh weather climates.



Lighting Head for the remaining perimeter columns.

The application includes a lighting assessment, initially this was based on the site being within Lighting Environmental Zone E4 “Areas of high ambient brightness Urban areas, residential and commercial with high levels of night time activity” however, in discussions with the agent this was amended to E3 “Areas of medium ambient brightness Urban residential areas.” The application has been considered on this basis.

Consultations & Notification Responses

Local Residents

One letter has been received supporting the application.

One detailed objection has been received to the application. The objection which is summarised below includes the following attachments. LTA External Floodlighting Principles and the institute of Lighting Professionals Guidance note GNO1/21 The reduction of obtrusive light.

- The applicant has referred to the wrong environmental zone.
- There are no measurements of existing lighting levels.
- Most of the courts will be lit well in excess of the minimum requirements of the LTA. One court will be below the minimum level.
- The measured lighting levels appear to only take account of direct light. Reflected light from clay or other court surfaces can increase the light level by up to 40%, further adding to the unacceptably high lux levels. It should be noted that the levels in the ILP Guidance Notes are to take account of all light from all surfaces and not just direct light from the new floodlights.
- The stated aim of the proposals is to increase the use of the courts, which will also increase the noise which is a problem already. The existing hours of use extend to 22:00hrs which is excessive given the proximity to residential properties. The opportunity should be taken to reduce this to 21:00hrs.
- The proposal indicates different lighting levels which should be the subject of a condition and required to be measured on site with a calibrated light meter after installation.
- The NLTC have publicised and submitted proposals to demolish the existing indoor court and replace this with 3 all-weather courts and 2 Padel Courts, all of which would be floodlit. The current application cannot be seen as a precedent for establishing lighting levels, which do not meet ILP Guidelines, on adjoining parts of the NLTC site which have not previously been occupied by all-weather floodlit courts

West Didsbury Residents Association

No objections subject to the colour temperature of the lighting being kept low.

Didsbury Civic society

Supports the proposal to limit the new lighting to the lowest feasible colour and temperature for the luminaires.

Environmental Protection.

Environmental Protection contacted the lighting consultant and said that this development was not in an E4 zone, but an E3 zone. Since then, the consultant has been working to achieve the E3 lighting criteria at all the dwellings surrounding the NLTC.

The latest design has achieved the criteria, but it may mean that one of the courts is not lit to the level that the LTA require, but this is not something that Environmental Protection would be involved with. This is between the NLTC and the LTA. Environmental Protections Concerns are for the residents surrounding the site, and as long as the E3 criteria can be met, they are happy for the lighting upgrade to go ahead.

With regard to the comment about reducing the hours of use for the site, if we could do this Environmental Protection would not support this. They have checked Flare and there do not appear to be any ongoing complaints about noise or light from the club and putting additional restrictions on them would be unreasonable and detrimental to the operation of the club.

Policy.

Core Strategy

The relevant Core Strategy policies are SP1, DM, EN3, EN10 and EN12

-Policy SP1 (Spatial Principle)

This policy sets down the spatial principles that guide development in the City include the creation of neighbourhoods of choice

-Policy DM1 (Development Management)

This policy seeks to ensure new developments contribute to the overall aims of the Core Strategy. Issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration policies. These include the impact on amenity, including privacy, light, noise, biodiversity, landscape, archaeological or built heritage as well as Green Infrastructure including open space, both public and private.

-Policy EN3 (Heritage)

This policy says throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

-EN10 (Safeguarding Open Space, Sport and Recreation Facilities)

This policy says the Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces.

-Policy EN12 (Area priorities for Open Space, Sport and Recreation)

This policy says South area: enhance the quality of existing provision and using opportunities to address deficiencies.

Unitary Development Plan

The relevant saved UDP policies are DC18 and DC26

-Saved UDP Policy DC18 seeks to protect the City's Conservation Areas from inappropriate development and seeks to manage change appropriately.

-Saved UDP policy DC26 seeks to protect the amenity of an area from the adverse impact of noise generating developments.

Issues

Principle

The courts are already floodlit and therefore the principle of having the courts floodlit is established and the issue therefore is solely the impact if any of the new lighting on residential amenity and the character of the Conservation Area.

Environmental Zone

Lighting Environmental Zones can be used to help assess the impact that lighting schemes have on areas with differing characters. As submitted the applicant considered that is to be a zone E4 "Areas of high ambient brightness Urban areas, residential and commercial with high levels of night time activity." This was raised as an Issue both by the Council and the objector. And subsequently amended to zone E3 "Areas of medium ambient brightness Urban residential areas." It is against zone E3 that the current lighting proposal has been assessed.

Residential amenity

The lighting columns themselves are part of the landscape of the NLTC and whilst two are being replaced with four new columns they are only half the height. In appearance terms it is therefore considered that there would be no significant impact on residential amenity.

In terms of the impact of the light itself the application has been considered by technical officers in Environmental Protection and they are satisfied that the lighting levels are such that they would not impact on residential amenity in a zone E3 area.

The upgrading of the lighting will not allow the courts to be used more intensively as therefore no extension of hours applied for. On that basis residents are unlikely to suffer from any increased noise.

Environmental Protection have requested a validation report be submitted in respect of the proposed installation.

Impact on the Conservation Area

The impact of the floodlighting on the character of the Conservation Area was assessed as part of the consideration of application reference 054277/FO/South1/98. This application seeks to change the lighting heads and to replace two of the existing 8 metres columns with four 4 metre columns. It is therefore considered that the proposed development will not have a significantly greater impact on the Conservation Area than the existing floodlights and as such its impact would be neutral.

Hours of operation.

The approved hours of operation for the existing floodlights is 9.00am to 10.00pm seven days a week. The applicant is not seeking as part of this application to vary the hours. In view of the lack of complaints about the current usage and Environmental Protections assessment that the lighting will not impact on residential amenity, it would be unreasonable to seek to reduce the operating hours.

Conclusion.

It is considered that the proposed upgrade to the floodlighting is acceptable and will not adversely impact on the character of the conservation area or the amenity of residents.

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 a right to a fair hearing and to this end the local planning authority 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 Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing 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. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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) The development hereby approved shall be carried out in accordance with the following drawings and documents:

15-18-MRH-001 revision A received 21 December 2021

15-38-MRH-002 received 21 February 2022

NLTC Proposed Lighting Summary dated October 2021 received 2 November 2011

NLTC Summary By Exled received 21 February 2022

NLTC Proposed Lighting Summary by Exled received 21 February 2022

NLTC Existing Lighting Upgrade by Exled received 6 May 2022

Heritage Statement by NJL Consulting received 2 December 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The floodlighting system hereby approved shall not be operated outside of the hours of 9.00 am to 10.00 pm on any day.

Reason - In the interests of neighbouring residential amenity.

4) Prior to the use of the floodlights commencing a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Parks & Events
Blackburn Park Conservation Society

3 Parkfield Road South, Manchester, M20 6DA
1C Parkfield Road South, Manchester, M20 6DA
7A Parkfield Road South, Manchester, M20 6DA
31 Elm Road, Manchester, M20 6XD
5A Parkfield Road South, Manchester, M20 6DA
12A Elm Road, Manchester, M20 6XD
13 Parkfield Road South, Manchester, M20 6DB
7C Parkfield Road South, Manchester, M20 6DA
7B Parkfield Road South, Manchester, M20 6DA
The Garden Flat 1, Landsmere, Parkfield Road South, Manchester, M20 6DA
1 Parkfield Road South, Manchester, M20 6DA
The Coach House, Parkfield Road South, Manchester, M20 6DA
38 Blackburn Gardens, Manchester, M20 3YH
29 Elm Road, Manchester, M20 6XD
17 Elm Road, Manchester, M20 6XD
Flat 3, 131 Palatine Road, Manchester, M20 3YA
Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
147 Palatine Road, Manchester, M20 3YA
Flat 1, Brooklawn, 131 Palatine Road, Manchester, M20 3YA
Flat 1, 137 Palatine Road, Manchester, M20 3YA
7 Parkfield Road South, Manchester, M20 6DA
26 Elm Road, Manchester, M20 6XD
27 Elm Road, Manchester, M20 6XD
Flat 10, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 6, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 3, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 13, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 8, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 3, 151 Palatine Road, Manchester, M20 3YA
14 Trafalgar Place, Palatine Road, Manchester, M20 3TF
4 Trafalgar Place, Palatine Road, Manchester, M20 3TF
27A Elm Road, Manchester, M20 6XD
Landsmere, Parkfield Road South, Manchester, M20 6DA
The Garden Flat 2, Landsmere, Parkfield Road South, Manchester, M20 6DA
Flat 2, 137 Palatine Road, Manchester, M20 3YA
Flat 4, 137 Palatine Road, Manchester, M20 3YA
Flat 5, 137 Palatine Road, Manchester, M20 3YA
Flat 3, 137 Palatine Road, Manchester, M20 3YA
Brooklawn, 131 Palatine Road, Manchester, M20 3YA
21 Elm Road, Manchester, M20 6XD
25 Elm Road, Manchester, M20 6XD
18 Elm Road, Manchester, M20 6XD
Flat 1, 119 Palatine Road, Manchester, M20 3YA
151 Palatine Road, Manchester, M20 3YA
20 Elm Road, Manchester, M20 6XD
9 Trafalgar Place, Palatine Road, Manchester, M20 3TF
18 Trafalgar Place, Palatine Road, Manchester, M20 3TF
Flat 14, 131 Palatine Road, Manchester, M20 3YA

19 Blackburn Gardens, Manchester, M20 3YH
Flat 1, The Rossett, 123 Palatine Road, Manchester, M20 3YA
12 Trafalgar Place, Palatine Road, Manchester, M20 3TF
Flat 3, 5 Parkfield Road South, Manchester, M20 6DA
Flat 5, 131 Palatine Road, Manchester, M20 3YA
23 Elm Road, Manchester, M20 6XD
19 Elm Road, Manchester, M20 6XD
Flat 12, The Rossett, 123 Palatine Road, Manchester, M20 3YA
1 Blackburn Gardens, Manchester, M20 3YH
17 Trafalgar Place, Palatine Road, Manchester, M20 3TF
8 Trafalgar Place, Palatine Road, Manchester, M20 3TF
Flat 9, 131 Palatine Road, Manchester, M20 3YA
18 Blackburn Gardens, Manchester, M20 3YH
12 Blackburn Gardens, Manchester, M20 3YH
37 Blackburn Gardens, Manchester, M20 3YH
25 Blackburn Gardens, Manchester, M20 3YH
7 Blackburn Gardens, Manchester, M20 3YH
Flat 1, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
Flat 7, 119 Palatine Road, Manchester, M20 3YA
Flat 11, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 7, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 2, The Rossett, 123 Palatine Road, Manchester, M20 3YA
16 Blackburn Gardens, Manchester, M20 3YH
14 Blackburn Gardens, Manchester, M20 3YH
4 Blackburn Gardens, Manchester, M20 3YH
29 Blackburn Gardens, Manchester, M20 3YH
17 Blackburn Gardens, Manchester, M20 3YH
15 Blackburn Gardens, Manchester, M20 3YH
11 Blackburn Gardens, Manchester, M20 3YH
Flat 2, 151 Palatine Road, Manchester, M20 3YA
Flat 4, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
Flat 3, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
10 Trafalgar Place, Palatine Road, Manchester, M20 3TF
Flat 4, 119 Palatine Road, Manchester, M20 3YA
Flat 4, 131 Palatine Road, Manchester, M20 3YA
24 Elm Road, Manchester, M20 6XD
19 Trafalgar Place, Palatine Road, Manchester, M20 3TF
32 Blackburn Gardens, Manchester, M20 3YH
26 Blackburn Gardens, Manchester, M20 3YH
2 Blackburn Gardens, Manchester, M20 3YH
7 Trafalgar Place, Palatine Road, Manchester, M20 3TF
Flat 1, 5 Parkfield Road South, Manchester, M20 6DA
Flat 10, 131 Palatine Road, Manchester, M20 3YA
22 Elm Road, Manchester, M20 6XD
20 Blackburn Gardens, Manchester, M20 3YH
8 Blackburn Gardens, Manchester, M20 3YH
3 Blackburn Gardens, Manchester, M20 3YH
Flat 3, 149 Palatine Road, Manchester, M20 3YA
6 Blackburn Gardens, Manchester, M20 3YH
1 Trafalgar Place, Palatine Road, Manchester, M20 3TF
6 Trafalgar Place, Palatine Road, Manchester, M20 3TF
3 Trafalgar Place, Palatine Road, Manchester, M20 3TF
5 Parkfield Road South, Manchester, M20 6DA
34 Blackburn Gardens, Manchester, M20 3YH

135 Palatine Road, Manchester, M20 3YA
121 Palatine Road, Manchester, M20 3YA
28 Blackburn Gardens, Manchester, M20 3YH
22 Blackburn Gardens, Manchester, M20 3YH
10 Blackburn Gardens, Manchester, M20 3YH
35 Blackburn Gardens, Manchester, M20 3YH
27 Blackburn Gardens, Manchester, M20 3YH
23 Blackburn Gardens, Manchester, M20 3YH
21 Blackburn Gardens, Manchester, M20 3YH
Flat 4, 149 Palatine Road, Manchester, M20 3YA
9 Blackburn Gardens, Manchester, M20 3YH
5 Blackburn Gardens, Manchester, M20 3YH
33 Blackburn Gardens, Manchester, M20 3YH
Flat 2, Brooklawn, 131 Palatine Road, Manchester, M20 3YA
Flat 1, 149 Palatine Road, Manchester, M20 3YA
Flat 3, 147 Palatine Road, Manchester, M20 3YA
11 Trafalgar Place, Palatine Road, Manchester, M20 3TF
16 Trafalgar Place, Palatine Road, Manchester, M20 3TF
15 Trafalgar Place, Palatine Road, Manchester, M20 3TF
5 Trafalgar Place, Palatine Road, Manchester, M20 3TF
12 Elm Road, Manchester, M20 6XD
Flat 4, 5 Parkfield Road South, Manchester, M20 6DA
Flat 2, 5 Parkfield Road South, Manchester, M20 6DA
Flat 12, 131 Palatine Road, Manchester, M20 3YA
Flat 6, 131 Palatine Road, Manchester, M20 3YA
30 Blackburn Gardens, Manchester, M20 3YH
24 Blackburn Gardens, Manchester, M20 3YH
36 Blackburn Gardens, Manchester, M20 3YH
13 Blackburn Gardens, Manchester, M20 3YH
Flat 5, 149 Palatine Road, Manchester, M20 3YA
31 Blackburn Gardens, Manchester, M20 3YH
Flat 4, 147 Palatine Road, Manchester, M20 3YA
Flat 2, 149 Palatine Road, Manchester, M20 3YA
Flat 1, 147 Palatine Road, Manchester, M20 3YA
Flat 1, 151 Palatine Road, Manchester, M20 3YA
Flat 7, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
2 Trafalgar Place, Palatine Road, Manchester, M20 3TF
119 Palatine Road, Manchester, M20 3YA
Flat 6, 119 Palatine Road, Manchester, M20 3YA
Flat 3, 119 Palatine Road, Manchester, M20 3YA
Flat 2, 119 Palatine Road, Manchester, M20 3YA
Flat 5, 119 Palatine Road, Manchester, M20 3YA
Flat 16, 131 Palatine Road, Manchester, M20 3YA
Flat 15, 131 Palatine Road, Manchester, M20 3YA
Flat 11, 131 Palatine Road, Manchester, M20 3YA
Flat 13, 131 Palatine Road, Manchester, M20 3YA
Flat 7, 131 Palatine Road, Manchester, M20 3YA
Flat 8, 131 Palatine Road, Manchester, M20 3YA
Flat 2, 147 Palatine Road, Manchester, M20 3YA
Flat 2, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
14 Elm Road, Manchester, M20 6XD
16 Elm Road, Manchester, M20 6XD
Flat 9, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 9, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD

Flat 5, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD
Flat 5, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 14, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 4, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 8, Parkfield Lodge, Parkfield Road South, Manchester, M20 6DD

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Blackburn Park Conservation Area 1979
Area Team Boundary - Name: SOUTH