



Report to South Area Planning Committee

Application Number:	PL/21/2556/FA
Proposal:	Installation of new lighting on existing columns and increased hours of usage of floodlights.
Site location:	Burnham Football Club Wymers Wood Road Burnham Buckinghamshire SL1 8JG
Applicant:	Mr Peter Coe
Case Officer:	Richard Regan
Ward affected:	Farnham Common & Burnham Beeches
Parish-Town Council:	Burnham Parish Council
Valid date:	12 July 2021
Determination date:	23 December 2021
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application proposes the installation of new lighting on the existing columns and an increased hours of usage of the floodlights.
- 1.2 The proposed new lighting would consist of replacing the existing floodlights with new LED floodlights. The proposal only involves the replacing of the actual floodlight, and not the entire column structure upon which they would be attached. The new lighting would be attached to the existing columns.
- 1.3 The proposed new lighting would result in a 50% reduction in illuminance when compared to that exhibited by the existing lighting. As such, the proposed new lighting, would have less of an impact in terms of light spillage than that of the existing lighting.
- 1.4 In light of this reduction in luminance and in light of the comments of the Councils Environmental Health Officer, who raise no objections to this element of the proposal, it is considered that the proposed new lighting would not adversely impact upon the amenities of the surrounding neighbouring properties in terms of light pollution.
- 1.5 With regard to the proposed increased hours of usage of the floodlights, the Councils Environmental Health Officer considers that based in the evidence, some increase in

the usage of the floodlights would be acceptable and could be undertaken without resulting in unacceptable impacts on the amenities of neighbouring properties.

- 1.6 In light of the advice from the Councils Environmental Health Officer, it is considered that an increase in usage of the floodlights is acceptable on the basis that this increased usage is restricted to weekday evenings and to be no later than 9:45pm. There would also be a restriction that evening matches involving spectators would be restricted to a maximum of 3 in any given week.
- 1.7 The application has been referred for determination by the South Area Planning Committee following it being called in by Cllr Anthony and Burnham Parish Council.
- 1.8 Recommendation – Conditional Permission.

2.0 Description of Proposed Development

- 2.1 The application proposes the installation of new floodlights on the existing columns and an increased hours of usage of the floodlights.
- 2.2 It is proposed to increase the usage of the floodlights for 3 additional weekday evenings, as well as on Sundays. The existing usage of the floodlights on the 2 other weekday evenings and on a Saturday would remain unchanged.
- 2.3 The application is accompanied by:
 - a) Lighting Impact Assessment
 - b) Noise Assessment
 - c) Supporting Statement

3.0 Relevant Planning History

Relevant planning history for the site:

- 3.1 03/00934/FUL – Conditional Permission – 13 November 2003 - Demolition of existing clubhouse. Erection of new clubhouse with function room, hospitality suites, club room, changing facilities and new stand. Formation of new car park and vehicular access.
- 3.2 03/01088/FUL – Conditional Permission – 12 November 2003 - Retrospective application for the erection of eight floodlight pylons.
- 3.3 04/00313/VC – Conditional Permission – 8 December 2004 - Variation of conditions Nos. 9 and 15 of planning permission 03/00934/FUL.
- 3.4 13/01379/FUL – Conditional Permission - 14 November 2013 - All weather training pitch to replace grass training pitch including 3m high perimeter fencing. Erection of modular building for changing facilities.
- 3.5 13/01969/FUL – Conditional Permission - 15 January 2014 - Retrospective application for change of use of section of car park into hand car wash.
- 3.6 14/01840/FUL – Conditional Permission - 20 November 2014 - Conversion of grass training area to 3G synthetic turf training area together with 3m high perimeter fencing.

- 3.7 PL/19/1655/FA – Conditional Permission - 7 October 2019 - Replacement of existing grass pitch with 3G Artificial Turf Sports Pitch, and formation of 3G Multi Use Games Area with associated fencing.
- 3.8 PL/21/3844/FA – Pending Consideration - Erection of ball catch netting
- 3.9 PL/21/4470/FA – Pending Consideration - Retrospective application for change of use of section of car park into hand car wash with office/storage hut.

4.0 Summary of Representations

- 4.1 Objections have been received from 67 sources. Burnham Parish Council raised an objection on the grounds of adverse impacts on the residential amenity of the locality. 10 letters of support were received. A summary of consultation responses and representations made on the application can be viewed in Appendix A.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- Planning Practice Guidance
- National Design Guidance, October 2019
- South Bucks Core Strategy Development Plan Document - Adopted February 2011
- South Bucks District Local Plan - Adopted March 1999 Consolidated September 2007 and February 2011;
- South Bucks District Local Plan Appendix 5 (Conservation Areas)
- South Bucks District Local Plan Appendix 6 (Parking standards)
- Draft Chiltern and South Bucks Local Plan 2036.
- South Bucks District Council Residential Design Guide Supplementary Planning Document (SPD) - Adopted October 2008
- Chiltern and South Bucks Townscape Character Study 2017
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule
- Burnham Beeches Special Area of Conservation (SAC) Mitigation Strategy, March 2020

Principle and Location of Development

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

- 5.1 The site is located within the developed area of Burnham, where alterations and improvements to existing buildings and services can be acceptable provided that they do not adversely affect any interests of acknowledged importance, which include factors such as the character and appearance of the area and the amenity of neighbouring properties.
- 5.2 Planning permission was granted for the erection of floodlighting under reference 03/01088/FUL. Attached to this permission was a condition which restricted the amount of time that the floodlights could be used. The conditions read as follows:

The floodlights hereby permitted shall not be used in any one week for more than a two and a half hour period on two evenings between Monday and Friday, and for one hour on Saturday, and shall cease operation by 9.45pm.

Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)

- 5.3 The use of the existing floodlights is therefore restricted to the above hours of use.

Transport matters and parking

Core Strategy Policies:

CP7 (Accessibility and transport)

Local Plan Saved Policies:

TR5 (Access, highways work and traffic generation)

TR7 (Traffic generation)

- 5.4 It is acknowledged that concerns have been raised by local residents over the impact that the proposal will have on the existing highway network in terms of volume of vehicular movements and an increase in on-street parking.
- 5.5 The Councils Highway Officer has reviewed the proposals, as well as taking into account the level of activity that can currently take place at the site. Whilst the proposals would enable activities to be carried out for a longer period during the winter months, it is noted that similar levels of activity can take place on the site during the summer months due to longer periods of daylight as there are no restrictions on the site for when the pitches can be used without the use of floodlights. As such, the level of vehicular activity and parking associated with the extended usage of the floodlights would be no greater than that which could occur during the summer months of the year.
- 5.6 The level of parking provision required to serve the site does not increase as a result of the increased use of the floodlights, as the facility itself is not being enlarged.
- 5.7 In these circumstances, the Councils Highways Officer does not consider that the proposals would result in a situation that the Highway Authority could reasonably recommend for refusal. They consider that the level of vehicular traffic associated with the proposal could be adequately accommodated on the existing highway network and that the existing level of parking provision is satisfactory. As such, they do not raise any objections to the proposal and consider that it would not lead any unacceptable highway implications, including danger to users of the highway.
- 5.8 In light of the comments of the Councils technical expert on matters of highway safety, notwithstanding the concerns raised by local residents, it is considered that the proposal would not lead to unacceptable impacts on the highway as a result of an increase in traffic or on-street parking.

Raising the quality of place making and design

Core Strategy Policies:

CP8 (Built and historic environment)

Local Plan Saved Policies:

EP3 (The Use, Design and Layout of Development)

- 5.9 The only physical works involved in the proposal is the replacement of the existing floodlights with new LED floodlights. The columns on which the floodlights would be

attached remain as existing. It is considered therefore that these works would not materially alter the appearance of the floodlights, and therefore would have no material impact on the visual appearance of the site or locality in general.

- 5.10 Whilst the proposal would increase the amount of time that the floodlights could be used, it would be in association with the existing use of the site and the undertaking of sporting activities. The increase in usage would not materially alter the intensity at which the site would be used overall, and therefore it is considered that the increased usage of the lighting would not result in a change in the character or appearance of the site overall.

Amenity of existing and future residents

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP5 (Sunlight and daylight)

R8 (Floodlighting)

- 5.11 Given the nature of the proposal, it is considered that there would be two main potential impacts on the amenities of neighbouring properties, those being noise pollution and light pollution. It is acknowledged that these were two of the main concerns raised by local residents who have objected to the application.
- 5.12 With regard to the matter of light pollution, the Councils Environmental Health officer raises no objections. The application has been accompanied by technical details of the proposed new lighting and it sets out that there would be a 50% reduction in illuminance when compared to that exhibited by the existing lighting. As such, the proposed new lighting, whilst it would be on for a longer period of time, would in fact have less of an impact in terms of light spillage than that of the existing lighting.
- 5.13 In light of this reduction in luminance and in light of the comments of the Councils Environmental Health Officer, who raises no objections to this element of the proposal, it is considered that the proposed new lighting would not adversely impact upon the amenities of the surrounding neighbouring properties in terms of light pollution.
- 5.14 With regard to the matter of noise pollution, following the initial comments of the Councils Environmental Health Officer, the applicant has undertaken and submitted a noise assessment. In addition to this, the Environmental Health Officer has visited the site during normal office hours and then also during the evening when junior and children training events were in progress.
- 5.15 For clarity, at present, the existing floodlights are allowed to be used for the following periods of time:
Monday to Friday – No more than a two and a half hour period on two evenings and lights to be switched off by 21:45hrs;
Saturday – a total of 1 hour, and lights to be switched off by 21:45hrs.
- 5.16 Upon assessment of the submitted details, and following discussions with Officers regarding how usage and activities can be appropriately enforced, the Councils Environmental Health Officer considers that some extended use of the floodlights would be acceptable and would not lead to unacceptable noise impacts on the neighbouring properties. Taking into account the information set out in the submitted

noise report, together with the existing site circumstances, including the sites relationship and proximity with residential properties, the Environmental Health Officer considers that the extension of the usage of the floodlights during the week would not lead to unacceptable noise impacts, provided that undertaking of matches that can be attended by spectators, is restricted to the current level of taking place on only 3 evenings of the week. It is considered that this is important as it is on such occasions when the highest level of noise is created due to the presence of spectators and other noises associated with a competitive match. This would ensure that the undertaking of such matches under the floodlighting would not increase over that which can currently take place.

5.17 Whilst the Environmental Health Officer considers that the additional lighting usage during the weekday evenings to be acceptable, he does object to there being any usage of the floodlights on a Sunday, concluding that the inclusion of additional lighting on this day would push the proposal and the impacts of noise disturbance beyond that which could be reasonably expected by surrounding properties, and would be of detriment to their residential amenities.

5.18 For clarity therefore, the total permitted time for when the floodlights could be used, when taking into consideration current restrictions, would be as follows:

Monday to Friday – Lights to be switched off at 21:45hrs .

Saturday – a total of 1 hour, and lights to be switched off by 21:45hrs.

Sunday – No permitted use of the floodlights.

During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings.

5.19 Overall, therefore, in light of the comments of the Councils Environmental Health Officer, it is considered that the increased usage of the lighting would not unacceptably impact upon the residential amenities of the surrounding properties in terms of noise and disturbance, if allowed in accordance with the above restrictions.

Landscape/Ecology Issues

Core Strategy Policies:

CP9 (Natural environment)

CP13 (Environmental and resource management).

Local Plan Saved Policies:

EP3 (The use, design and layout of development)

EP4 (Landscaping)

5.20 The proposal does not involve an increase in built form. It does involve the replacement of the existing floodlight with new improved LED floodlights which will reduce the light spillage when compared to the existing floodlights. Therefore, whilst there would be an increase in the amount of time that the floodlights would be on, when balanced against the fact that they would have less of an interference with the surrounding environment due to the reduce light spillage, it is considered that the proposal would not adversely impact upon existing wildlife and their habitats.

- 5.21 Given the above, and the fact that the new floodlights would be attached to the existing columns present at the site, it is considered that the proposal would not have an impact on the landscaping of the site or that which surrounds it.

Infrastructure and Developer Contributions

Core Strategy Policies:

CP6 (Local infrastructure needs)

- 5.22 The development is not a type of development where CIL would be chargeable.

6.0 Weighing and balancing of issues / Overall Assessment

- 6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:
- a. Provision of the development plan insofar as they are material,
 - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
 - c. Any other material considerations
- 6.2 As set out above it is considered that the proposed development would accord with the relevant development plan policies.
- 6.3 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

- 7.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.
- 7.3 In this instance, further information was submitted by the applicant to address concerns relating to the potential light and noise impacts of the proposal.

Recommendation: Conditional Permission

Subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. (SS01)
Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 (or any statutory amendment or re-enactment thereof).

2. The use of the floodlights hereby permitted shall be restricted to between 07.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 07.00 to 21:45. The floodlights shall not be used outside of these hours.
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
3. During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings.
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
4. A log, to include dates and times, shall be kept of all matches at the site. This shall be made available to the Local Planning Authority upon their request.
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
5. During the months of October to March (inclusive), with the exception of when a match with spectators is taking place, the noise levels from activities taking place while the approved lighting is in operation, shall not exceed 50 dB LAeq(1hour) when measured at the same locations as identified in the Noise Assessment: Burnham Football Club" J10-12899A/1/F1 dated 6th November 2021.
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
6. The floodlights hereby approved shall be erected and maintained in accordance with the details as set out in the 'Lighting Impact Assessment' dated 4th November 2021.
Reason: To protect the amenities of the residents of the existing surrounding residential properties. (Policy EP3 of the South Bucks District Local Plan (adopted March 1999) refers.)
7. The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings:

List of approved plans:

<u>Received</u>	<u>Plan Reference</u>
12 Jul 2021	Location Plan
25 Jun 2021	40687 Rev C
8 Nov 2021	Lighting Impact Assessment
8 Nov 2021	Noise Assessment – Burnham Football Club

APPENDIX A: Consultation Responses and Representations

Councillor Comments

Cllr David Anthony:

I wish to call in this application to the Planning Committee in the event that the case officer's recommendation is for approval.

Parish/Town Council Comments

The Committee RESOLVED to OBJECT to the application as the increased hours of usage would have an adverse impact on the residential amenity of the locality. The intensification would lead to a significant increase in noise pollution, additional traffic, and the worsening of parking spill over across the surrounding residential streets. It was noted that a comprehensive noise/light impact assessment, and parking survey was needed to properly gauge the effect the proposal would have on the area.

Consultation Responses

Environmental Health Officer:

Comments received 10th December 2021:

Following my previous comments and the fact we have discussed this matter extensively amongst ourselves and other Planning Officers, and in view of the submitted information I consider that the noise and lighting issues that could negatively impact upon the amenities of local residents, would be adequately addressed by the below conditions:

1. The use of the floodlights hereby permitted shall be restricted to between 07.00 and 21:45 hours Monday to Fridays. On Saturdays the use of the floodlights shall be restricted to one hour only between 07.00 to 21:45. The floodlights shall not be used outside of these hours.
Reason: In order to protect the amenities of occupiers of nearby properties.
2. During the months of October to March (inclusive), the sports pitch shall only be used for matches, which permits spectators, on three evenings in any week running from Monday to Saturday. And at no time matches shall occur on Sundays evenings.
Reason: In order to protect the amenities of occupiers of nearby properties.
3. A log, to include dates and times, shall be kept of all matches at the site. This shall be made available to the LPA upon
their request.
Reason: In order to protect the amenities of occupiers of nearby properties.
4. During the months of October to March (inclusive), with the exception of when a match with spectators is taking place, the noise levels from activities taking place while the approved lighting is in operation, shall not exceed 50 dB LAeq(1hour) when measured at the same locations according to Noise Assessment: Burnham Football Club" J10-12899A/1/F1 dated 6th November 2021.
Reason: In order to protect the amenities of occupiers of nearby properties"

Should you have any queries on any of these matters, please do not hesitate to contact me again

Representations

Other Representations

10 comments have been received supporting and simply commenting on the proposal:

- Support the clubs endeavours to make more use of the football ground;
- Reduced energy costs;
- Reduced carbon emissions;
- Increased longevity of LED lights;
- Reduced light spill;
- Community benefits;
- Supports grass roots football;
- Sport needs to be supported.

67 comments have been received objecting to the proposal:

- Adverse impact of lights shining on neighbouring properties;
- Adverse impact of increase noise disturbance due to increased use of the site;
- Adverse parking implications;
- Current restrictions are not adhered to;
- Increased litter;
- Lack of notification;
- Increase in traffic;
- Already advertising new tournaments in connect with extended light usage;
- May not adhere to any approved new restrictions;
- Impact on wildlife;
- Affect house values;
- Anti-social behaviour.