

**APPLICATION REPORT – FUL/350732/23**  
**Planning Committee 24<sup>th</sup> January 2024**

Registration Date: 21st September 2023  
Ward: Chadderton South

Application Reference: FUL/350732/23  
Type of Application: Full Application

Proposal: Installation of new lighting columns along with LED lighting to light existing 3G football pitch.

Location: Yew Tree Community School, Alcester Street, Chadderton.

Case Officer: Abiola Labisi  
Applicant: Yew Tree Community School.  
Agent: Mr Michael Butterill

**1. INTRODUCTION**

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation since the proposed development is on land owned by the Council and objections have been received to the application.

**2. RECOMMENDATION**

- 2.1 It is recommended that the application be approved subject to conditions set out in this report and that the Head of Planning be authorised to issue the decision.

**3. SITE DESCRIPTION**

- 3.1 The application site forms part of the Yew Tree Community School, Alcester Street, Chadderton, and is located to the south-west of the existing school buildings. The site is currently a football pitch. The school is within a predominantly residential area.

**4. THE PROPOSAL**

- 4.1 The proposal relates to the installation of six lighting columns, all fitted with LED lighting, to light the existing 3G football pitch.
- 4.2 Each of the lighting columns would be approx. 8m in height and would be approx. 0.09m in diameter. In terms of illuminance level, it is stated that the proposal has been designed to comply with the Football Association standard of 200 lux.
- 4.3 Furthermore, the applicant has stated that the floodlights have been designed to include floodlight shields, front cowls and positioning of the masts in order to reduce their potential impact on neighbouring properties. It is also stated that the floodlights would be required between 1700 hours and 2130 hours, Monday to Sunday.

## 5. PLANNING HISTORY

- 5.1 PA/341172/17 - Retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field. This application was approved by the Planning Committee at their meeting on 17 October 2018 (decision issued 24 October 2018).

## 6. RELEVANT PLANNING POLICIES

- 6.1 The relevant document within the adopted Development Plan is the Joint Core Strategy and Development Management Policies DPD (Local Plan). The site is not allocated in the Proposals Map associated with this document. As such, the following policies are considered relevant to the determination of this application:
- Policy 1 - Climate Change and Sustainable Development;
  - Policy 2 – Communities;
  - Policy 5 - Promoting Accessibility and Sustainable Transport;
  - Policy 9 - Local Environment;
  - Policy 20 – Design; and,
  - Policy 23 – Open Spaces and Sports.

## 7. CONSULTATIONS

| CONSULTEE            | FORMAL RESPONSE  |
|----------------------|--|
| Environmental Health | Following a review of the information provided by the applicant in relation to the positioning and operation of the floodlights, the Environmental Health Officer confirmed that the details provided were acceptable and therefore raised no objection to the proposal. |

## 8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters and display of a site notice.
- 8.2 In response, 16 letters of objection were received and also received were 3 letters of support. A petition against the proposal, signed by 52 neighbours was also received. The material planning issues raised in the objections are summarised as follows:
- Inadequate parking facilities (addressed in para 12.1);
  - Light pollution (addressed in para 11.1);
  - Noise disturbance (addressed in para 11.2); and,
  - No need for the development due to hours of use conflicting with approved hours of use for the pitch (addressed in para 14.3)
- 8.3 Other issues raised in the objections, which are however not considered to be material planning issues, include devaluation of properties and anti-social behaviours such as use of foul language and urinating on the street.

## **ASSESSMENT OF THE PROPOSAL**

### **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 In recognition of the contribution of open spaces and sports to people's quality of life, Policy 23 (Open Spaces and Sports) of the Oldham Local Plan provides that the council will protect, promote and enhance existing open space in the borough, and will seek to secure new and improved well-designed open spaces where appropriate.
- 9.2 In the same vein, para 96 of the National Planning Policy Framework also enjoins planning policies and decisions to aim to achieve healthy, inclusive and safe places.
- 9.3 It is considered that the proposal would enhance sporting activities through facilitating the use of the existing football pitch also when it is dark. The proposal would accordingly contribute towards the promotion of healthy lifestyles and community wellbeing. Accordingly, the proposal is considered acceptable in principle.

### **10. DESIGN AND INTEGRATION WITH LOCAL CHARACTER**

- 10.1 The proposed lighting columns are of the slimline type and with a height of approx. 8m, it is considered that the columns would not lead to any significant adverse impact on the character of the area. They would also not be very visible from the public road given their distance to the public road. Furthermore, the number of columns proposed is not considered excessive as to be harmful to the character of the area.
- 10.2 In relation to the proposed lighting, whilst there would be an impact on amenity, it is however considered that given the intensity of the lighting, the focus of the lights onto the playing pitch as well as the distance from the public highway, this element of the proposal would not detract significantly from the area's amenity.
- 10.3 Furthermore, the proposal would not change the established use of the site albeit it would facilitate the use over a longer period of time.

### **11. IMPACT ON RESIDENTIAL AMENITY**

- 11.1 The football pitch is approx. 50m away from the nearest neighbouring dwelling. The design of the floodlighting is such that the bulk of the lighting would be focused onto the pitch and the submitted documents indicate that any spillage would be within the school grounds and not encroaching onto neighbouring gardens. Therefore, having regard to the separation distance between the pitch and neighbouring properties, as well as the design of the proposed floodlighting, it is considered that the proposal would not lead to any significant light nuisance.
- 11.2 In relation to noise, it is important to note that the installation of floodlights on its own would not generate any noise disturbance. However, it is noted that the established use of the site is such that could generate significant noise levels. The use of the pitch into late in the evening means noise levels could persist till late in the evening. However, it is considered that the separation gap between the location of the pitch and neighbouring residential areas is such that would diffuse the potential noise pollution and thereby reducing the significance of any potential noise disturbance.
- 11.3 Furthermore, the proposal has been reviewed by the Council's Environmental Health Officers and they have not raised any objection to the scheme.

- 11.4 In summary, the design of the lighting scheme and the separation distance between the pitch and neighbouring properties would respectively minimise any potential light and noise pollution.

## **12. HIGHWAY CONSIDERATIONS**

- 12.1 The proposal on its own is not such that would lead to any significant increase in volume of vehicular traffic to the site. In any case, there is a car parking area within the school premises which is available for the users of the football pitch. As such, it is not considered that the proposal would lead to any severe highway issues.

## **13. OTHER MATTERS**

- 13.1 Under the planning permission granted under reference PA/341172/17 (a retrospective application for the construction of an artificial surface - multi use games area (MUGA) and associated fencing on an area of the school playing field) condition 3 of this permission states:

*“For a temporary period of 12 months from the date of this permission the use hereby approved shall not operate outside of the following hours:*

*08.00 Hours - 19.00 Hours (Monday to Friday)*

*09.00 Hours - 13.00 hours (Saturdays)*

*10.00 Hours - 13.00 Hours (Sundays and Bank and Public Holidays)*

*Following the expiration of the 12-month period specified above, the permitted use shall thereafter be limited to use by pupils of Yew Tree Community School between the following hours:*

*08.00 Hours - 17.30 Hours (Monday to Friday)*

*Reason - The permission for a limited period will allow the Local Planning Authority to assess the impact of the use on the local area.”*

- 13.2 The existing permission under which the MUGA operates has more restrictive hours than those proposed for the operation of the floodlights. However, this is not considered to form a sufficient reason to justify refusal of the current application, because irrespective of any approved hours for the use of the floodlights the pitch is still expected to be used in accordance with the relevant terms and conditions attached to PA/341127/17. As such, if the proposed floodlights are approved as recommended, this cannot have the effect of varying the condition attached to PA/341172 to extend the approved hours of use of the MUGA. This would require consideration under a separate planning application.

## **14. CONCLUSION**

- 14.1 The proposed floodlighting scheme is considered acceptable in principle having regard to its scale, design, established use of the site and the separation distance between the development and neighbouring dwellings. The scheme is considered to be in accordance with relevant provisions of Oldham Local Plan Policies 1, 2, 9, 20 and 23 as well as relevant provisions of Section 8 of the NPPF.

14.2 Having regard to the above therefore, it is recommended that the proposal be approved, subject to conditions.

## **15. RECOMMENDED CONDITIONS**

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The illuminance level for the floodlights hereby approved shall not exceed 200lux. REASON – In the interest of the amenity of the area and that of residents, in accordance with Policies 9 and 20 of the Oldham Local Plan.
4. The floodlights shall only be used between 1700 hours and 2130 hours daily. REASON – In the interest of amenity having regard to Policy 9 of the Oldham Local Plan.

# SITE LOCATION PLAN (NOT TO SCALE):

