

PLANNING & DEVELOPMENT COMMITTEE

20 DECEMBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0930/08
(SF)
APPLICANT: RCT Corporate Estates
DEVELOPMENT: New floodlighting for a proposed artificial turf pitch on land within the grounds of Bryn Celynnog Comprehensive School.
LOCATION: BRYNCELYNNOG COMPREHENSIVE SCHOOL,
PENYCOEDCAE ROAD, BEDDAU, PONTYPRIDD,
CF38 2AE
DATE REGISTERED: 12/09/2018
ELECTORAL DIVISION: Beddau

RECOMMENDATION: Approve

REASONS:

The proposal would enhance an upgraded sport facility for use by the school and sports teams in the wider community. The site is located at the northern end of the school campus, where the floodlights would have a limited impact on the character and appearance of the surrounding area, the amenities of surrounding residential properties or ecology. Furthermore, no objections have been received from local residents or the Council's Ecologist, Public Health and Transportation Sections.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning;

APPLICATION DETAILS

Full planning permission is sought for the erection of 6 no. floodlights to serve an artificial turf pitch within the grounds of Bryn Celynnog Comprehensive School Beddau, an 11 to 18 mixed English medium comprehensive school that is maintained by RCT. The purpose of the pitch is to provide an all weather facility for

the playing of football and rugby for the school and the wide community and will add to the existing sports facilities currently used at the school.

The proposal would involve an existing red gravel general sports pitch which is located to the north-west of the main school complex, where an artificial turf pitch is proposed to be installed. The floodlighting columns would be erected around the pitch with three along each side and around the perimeter of the pitch, a 6 lane 400m athletics track will also be provided.

Each floodlighting column would measure 15 metres in height and would be fitted with an LED floodlight which would maintain a lighting level of 200 lux. The lighting has been designed to minimise light pollution on the surrounding area and will only be operational whilst the pitch is in use and be switched off by 22.15pm. The pitch would be utilised by the school between 09:00 and 17:00 Monday to Friday, however the floodlights would enable community use between the hours of 17:00 and 22:00 Monday to Friday and between 9:00 and 22:00 on Saturdays and Sundays. Outside of term time, the community use is proposed as 09:00 to 22:00 Monday to Sunday. The football pitch will be 82m x 55m with 3m run off areas to all sides and the rugby pitch will be a mini / training pitch with a shockpad included. The Council will be responsible for the management and scheduling of the community use.

The proposal to construct an artificial turf pitch can be carried out under permitted development rights and will therefore not be considered as part of this application. The same rights also apply to the other associated works listed in the details accompanying the application including, ball stop and perimeter fencing, maintenance and DDA access roads and parking and associated drainage infrastructure.

In addition to the necessary planning application forms and plans, the application is accompanied by the following:

- Planning Design and Access Statement;
- Preliminary Ecological Appraisal;
- Bat Activity Surveys;
- Operation Management Plan;
- Floodlighting Specification.

This application constitutes one of 2 applications for floodlighting associated with artificial turf pitches being proposed by Rhondda Cynon Taf Country Borough Council, the other application being at Ysgol Gyfun Rhydywaun in Penywaun (18/0825) which is considered elsewhere on this agenda.

SITE APPRAISAL

The application site which covers an area of approximately 0.24 hectares and is located on the site of an existing informal gravelled sports pitch to the north-west of the main school complex at Bryn Celynnog Comprehensive School. The site slopes gently from the north-east to the south-west and lies at the northern boundary of the school campus with the school playing field located immediately to the east. The main school complex lies to the south-east and is separated from the site by the

school's tennis courts and a small woodland. An existing footpath links the school with the existing sports pitch, whilst a wider access connects the pitch with Penycoedcae Road to the east. The Beddau Youth Centre and a Day Nursery are located to the south of this access and immediately to the north of the school buildings and car park. The perimeter of the site is screened from the west and south by two small areas of woodland and a tree screen also partially screens the site from the open countryside to the north, which forms part of the Llantrisant Surrounds Special Landscape Area.

The nearest residential dwellings to the site are located in Cwrt Castellau, approximately 80 metres to the south, however the site is screened by the dense woodland to the north of these properties. The Beddau Caravan Site is also located to the east, although these dwellings would have only distant views of the site across the school playing field, which would be screened by boundary hedges.

PLANNING HISTORY

05/1835	Erection of Conservatory	Granted 22/11/05
05/0962	Proposed conservatory at rear of schoolhouse.	Granted 27/4/04
04/0406	Proposed conservatory at rear of schoolhouse.	Granted 27/04/04
02/1251	New two storey 9 classroom block and library for English study.	Granted 30/09/02
01/2795	Siting of two mobile classrooms.	Granted 03/10/01
99/2367	Proposed public facilities to provide external access to existing swimming pool.	Granted 02/07/99
96/0112	Performing arts centre together with floodlighting and upgrading of existing sports grounds (amended description 30/10/97) (formerly multi purpose sports hall).	Granted 23/01/98
95/0205	New purpose built single storied building for sensory and physically impaired students. To replace the temporary classroom they currently occupy.	RNO 15/05/95

PUBLICITY

The application has been advertised by means of direct neighbour notification letters and the erection of site notices, however no responses have been received.

CONSULTATION

Transportation - has raised no objection.

Public Health and Protection – has raised no objection but has suggested a condition to require the submission of the specific details of the floodlight and measures to prevent glare. Has also raised general comments in relation to demolition, hours of operation during the construction phase of the development, noise and waste.

NRW – has raised no objection to the proposals. It is noted from Section 7 of the Preliminary Ecological Appraisal by Capita that monthly surveys for bats from June to September were recommended and that a Bat Activity Surveys report by Capita have now been submitted which includes a lighting plan. It is also noted that no survey information is provided for great crested newts. It is advised that the proposal is not likely to lead to adverse effects on the Favourable Conservation Status of European Protected Species. Reference is made to the recommendations of the report and that consideration is given to further restricting light spill to boundary and adjoining habitats and that final detail of the lighting is agreed in conjunction with the Council's Ecologist.

Countryside – comments from the Council's Ecologist noted that the initial ecological assessment identified a series of badger, bird and reptile and Himalayan Balsam Control mitigation measures and the requirement for controlled construction lighting and the need for floodlighting to be directionally designed to minimise light fall outside the pitch.

The subsequent bat report recorded three bat species directly (common and soprano pipistrelle and noctule) and two others (Brandts / whiskered and brown long-eared bats) and concluded that 2 were roosting nearby, whilst the others were commuting through the site. The report also identified the importance of controlling construction and operational site lighting, referring to the layout of directional floodlighting, however confirmation was sought that the directional lighting had included all necessary light spill mitigation to ensure protection of the adjacent bat foraging habitat and therefore, that the lighting details submitted were sufficiently bat sensitive to satisfy the report recommendation - that disturbance to bats had been minimised.

It was also noted that NRW's comments appeared to have assumed that Great Crested Newt surveys would be undertaken. As those surveys had not been undertaken, confirmation was sought that with the lighting mitigation proposed and the precautionary reptile mitigation suggested, the great crested newt risk had been assessed and was considered to be appropriately dealt with, without the need for any specific survey work.

Following the receipt of further information from the applicant's Ecologist regarding the use of directional lighting to minimise the back spill of light to the surroundings and the lighting column shields which are proposed to be included, it was concluded that the maximum amount of lighting mitigation which would still allow the flood lighting to operate to sport use standards had been designed into the lighting details. As the applicant's ecologist considered that the mitigation would not adversely affect the current usage of the surrounding areas by bats and NRW had raised no objections, it was subsequently agreed that the scheme was acceptable. In respect

of the potential impact on any great crested newts, the applicant's confirmation that this issue was of a precautionary concern and could be adequately dealt with through the recommendations in the report was also considered appropriate. The Council's Ecologist has therefore concluded that the impact of these works would be small and that subject to the amalgamation of all of the recommended mitigation through an appropriate condition, the ecological impact of the works would be sufficiently controlled to be acceptable.

Land Reclamation and Engineering – has raised no objections. It is confirmed that the proposals do not alter pose a change to the surface water arrangements for the site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies immediately to the south of the settlement boundary and is not allocated for any specific purpose, although it is currently used as a sports facility and forms part of an established school campus. Land to the north forms part of a Special Landscape Area (AW 8.220).

Policy CS2 – advises that in the Southern Strategy Area, emphasis will be given to building strong, sustainable communities and promoting commercial development in locations which reinforce the roles of Key Settlements. This will also be achieved by promoting the re-use of under used and previously developed land and buildings and also, protecting cultural identity by protecting historic built heritage and the natural environment.

Policy AW2 - supports development proposals on non-allocated sites in sustainable locations which would not unacceptably conflict with surrounding uses, have good accessibility to a range of sustainable transport options, have good access to key services and facilities and support the role and function of key services.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility and requires the development to have no unacceptable effect on the character and appearance of the site or surrounding area, no significant impact on the amenities of neighbouring occupiers and to be accessible to the local and wider community by sustainable modes of transport and not exacerbate existing traffic congestion.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation and that proposals demonstrate measures for the mitigation and compensation of potential impacts.

Policy AW10 - advises that development will not be permitted where it would cause a risk of unacceptable harm to health or local amenity due to various risks including noise, light pollution, contamination, water pollution and flooding.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development:

Chapter 3 - Strategic and Spatial Choices (good design making better places, promoting healthier places, sustainable management of natural resources);
Chapter 4 - Active and Social Places (community facilities and recreational spaces);
Chapter 5 - Productive and Enterprising Places (reducing energy demand and use of energy efficiency);
Chapter 6 - Distinctive and Natural Places (landscape, biodiversity and ecological network and lighting).

Paragraph 6.8.1 identifies that:

‘There is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to:

- protect the natural and historic environment including wildlife and features of the natural environment such as tranquillity;
- retain dark skies where appropriate;
- prevent glare and respect the amenity of neighbouring land uses; and
- reduce the carbon emissions associated with lighting.’

Paragraph 6.8.4 also advises that:

‘Planning authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems, for example, requiring energy-efficient design and to prevent light pollution.’

Other relevant policy guidance consulted:

PPW Technical Advice Notes 5: Nature Conservation and Planning,
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 16: Sport Recreation and Open Space;

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development

The application relates to the erection of 6 floodlights which are to be installed as part of a scheme to install an artificial turf pitch at Bryn Celynnog Comprehensive School. The proposal would enable extended use of the facility by the school and the wider community and as such, the principle of the proposal is considered to be acceptable subject to an assessment of the criteria set out below.

Impact on the character and appearance of the area

The application site consists of a granular red gravel sports area, which forms one of a number of external areas used to provide sport's facilities within the school campus. Whilst it is acknowledged that the floodlighting columns would form prominent features within the site itself, they are modest in terms of their scale and design and seen in the context of the existing campus, it is not therefore considered that they would have an adverse impact on the visual amenity of the site. Furthermore, given the secluded nature of the site to the north-west of the school campus, it is not considered that the floodlights would form intrusive features in the locality.

Consequently, the proposal is considered to be acceptable in terms of the impact it would have on the character and appearance of the site and the surrounding area and as such, is compliant with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The site is an established facility that has been used by the school for many years and as such, it is considered that residents of the local area would have become accustomed to the activities generated by the existing use. However, it has been identified through the submission that the proposal would enable the facility to be utilised after the typical school day ends (as late as 10pm) and also at the weekend. Given that there are a number of residential properties located in the vicinity of the site, it is acknowledged that there could be some potential impacts of the proposal on the amenities of nearby residents.

The nearest neighbouring properties are located approximately 80 metres away from the facility, with views towards the site being predominantly screened by the dense

tree screen to the south and east of the site. It is therefore considered unlikely that the lighting columns will be directly visible from nearby properties and they will be a sufficient distance away to prevent any harmful visual impact. Furthermore, the lighting would have directional beams which would concentrate the light on the pitch and thereby reduce light spill into the surrounding residential areas. As such, it is considered that the potential impacts on the amenities of neighbouring properties would be acceptably reduced.

It is noted that no letters of objection have been received from local residents in response to the public consultation exercise and no adverse comments from the Council's Public Health and Protection Division in this regard. It is, however, considered necessary to include conditions with any permission granted to ensure there is not an unacceptable level of glare and to restrict the use of the floodlights to times when the sports pitch is in use and only between the hours specified in the application details (i.e. no later than 10.15pm).

Ecology

The application site does not contain any ecological designations, however the applicant has submitted a Preliminary Ecological Appraisal and Bat Activity Survey in order to identify and address any ecological issues arising out of the development. In respect of these issues, the main impact that has been identified resulting from the scheme is the effect that the proposed development could have on bats and other animal species which may be occupying the site and the surrounding natural habitat.

The Preliminary Ecology Appraisal accompanying the application identifies that the site has potential to support protected species such as bats, amphibians (such as great crested newts) breeding birds and reptiles. Further recommendations are made for bat activity surveys, as well as vegetation and woodland pre-construction checks for breeding birds, badgers and reptiles and the need for the floodlighting to be directed away from surrounding woodland. As a result of the subsequent bat surveys carried out, a low number of common and soprano pipistrelle, noctule, Brandts / whiskered and brown long-eared bats were recorded foraging in the vegetation and tree around the boundary of the site and occasionally commuting across the site and the report puts a number of suggestions forward in order to reduce the potential impact on bats and other animal species identified. These include that the floodlighting should be directed to limit light disturbance with restricted operational times and that night-time working during the construction period should be avoided, with any temporary artificial lighting agreed in advance. It is also confirmed that further recommendations for breeding birds, badgers, reptiles and amphibians provided in the Preliminary Ecological Appraisal will also need to be adhered to.

In response to the information submitted, the Council's Ecologist has confirmed that provided that the recommendations contained in both the Preliminary Ecological Appraisal and Bat Activity Survey Report are adhered to, in addition to specific restrictions on night-time working and the use of artificial lighting, the ecological impacts of the scheme will be acceptable. The comments received from NRW supports this approach and subjects to the imposition of suitable conditions, it is therefore considered that the ecological impacts of the floodlighting can be

acceptably mitigated and the requirements of Policy AW8 of the LDP will be satisfied.

Access and highway safety

The application has been subject to consultation with the Council's Transportation Section with a view to assessing the impact of the proposal on highway safety. The response received confirms that the nearest of the proposed floodlights is located about 180m away from the public highway and as such, the proposed lighting will not result in any undue driver distraction. There are therefore no highway or pedestrian safety concerns with regard to the proposed floodlighting within the school grounds and as such, the proposal is considered to be acceptable and compliant with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Other Issues:

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Public Health

The Council's Public Health & Protection Section have raised no objections to the proposal subject to a condition to require specific details of the measures to prevent glare. A number of conditions have also been suggested in relation to hours of operation, noise, waste and dust. Whilst these comments are appreciated, it is considered that issues relating to hours of operation, noise, dust and waste can be more efficiently controlled by other legislation and the suggested conditions are not considered necessary. An appropriate informative note is considered to be sufficient in this instance.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

The proposal is considered to enhance an upgraded sporting facility to be used by the school and the wider community, without having an adverse impact on the amenities of surrounding residents or the ecology in the area. As such, the application is considered to comply with Policies AW5, AW6, AW8 and AW10 of the Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of

five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 20th July 2018, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location & Planning Application Boundary - ATP-CAP-0100-B-DR-C-0100 P02 - 23 July 2018.
- General Arrangement - ATP-CAP-0100-B-DR-C-0101 P03 - 28 June 2018.
- Floodlighting - ATP-CAP-1300-B-DR-E-1301 P02 - 13 August 2018.
- Drainage Layout - ATP-CAP-0500-B-DR-C-0501 P02 - 28 June 2018.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The floodlighting hereby approved, shall only be illuminated when the sports pitch is in use and only between the hours of 15.00 and 22.15, Monday – Sunday, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To prevent light pollution and protect the character and appearance of the surrounding area and avoid potential disturbance to nocturnal animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until a Wildlife Protection Plan has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing Protection Zones where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show timing / phasing of construction activities to avoid times of the day / periods of the year when sensitive wildlife and species could be harmed,
- d) Details of specific species and habitat mitigation measures for key species including bats,
- e) Details of wildlife sensitive lighting proposals,
- f) Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation

- iii) Installation of physical protection measures and management during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Specific species and Habitat Mitigation measures
- vii) Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

Reason: To afford protection to animal and plant species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

- 5. No artificial lighting shall be used during the construction period, unless the specific timings and details have been otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid potential disturbance to nocturnal animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 6. Prior to the commencement of development, the details of the type, position and angle of glare of the floodlighting, (including measures for ensuring that light does not shine directly towards residential properties) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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