

## Planning Committee

6.00 pm, 19 January 2017

### Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Tony Oliver
Councillor Bernard Fisher (Vice-Chair)	Councillor Louis Savage
Councillor Paul Baker	Councillor Diggory Seacome
Councillor Mike Collins	Councillor Klara Sudbury
Councillor Karl Hobley	Councillor Pat Thornton
Councillor Adam Lillywhite	Councillor Simon Wheeler
Councillor Helena McCloskey	Councillor Paul McCloskey (Reserve)
Councillor Chris Nelson	

**In attendance:** Councillor Mason.

### Officers in attendance

Tracey Crews, Director of Planning (TC)  
 Martin Chandler, Team Leader, Development Management (MC)  
 Emma Pickernell, Senior Planning Officer (EP)  
 Nick Jonathan, Legal Officer (NJ)

### 80. Apologies

Councillor Colin Hay.

### 81. Declarations of Interest

None.

### 82. Declarations of independent site visits

Councillor Paul McCloskey, as a late substitute, did not attend Planning View but has visited both sites independently.

### 83. Public Questions

None.

### 84. Minutes of last meeting

Resolved, that the minutes of the meeting held on 15<sup>th</sup> December 2016 be approved and signed as a correct record with the following correction:

#### **2. Declaration of interest**

#### **16/01909/FUL 53 Beeches Road**

*Councillor McCloskey – is a resident of Beeches Road – is a close neighbour of the only objector. Will leave the Chamber.*

## **85. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications**

### **86. 16/01756/CONDIT Travis Perkins, Brook Road**

Application Number:	<b>16/01756/CONDIT</b>
Location:	<b>Travis Perkins Brook Road Cheltenham</b>
Proposal:	<b>Variation of Conditions 11 (Servicing Hours) and 13 (Trading Hours) of 16/01446/CONDIT to allow extended opening hours (revised hours proposed - see revised covering letter)</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Refuse</b>
Letters of Rep:	<b>6</b>
Update Report:	<b>None</b>

**EP** introduced the application as above, to vary the hours of business as previously permitted, to allow deliveries between 9.00 and 17.00 on Saturdays and Sundays, and open to customers between 7.00 and 17.30 on Saturdays and 10.00 and 18.00 on Sundays. Highways officers have provided additional information and raise no objection. Officers consider the impact on neighbouring properties will be acceptable, and have no objection. The application is at Committee as the request of Councillor Willingham.

### **Public Speaking**

#### **Mr Christopher Rainey, neighbour, in objection**

Began by asking what is the benefit this development has given to the community. It removed an eyesore on the site, as the previous factory building had fallen into disrepair and given rise to many problems including squatting and vandalism. Travis Perkins traded for many years at Gloucester Road without extending the hours to Saturday afternoon or Sunday. As it provides building materials to the trade, extending hours when this key client group is not at work seems foolhardy, but if hours had been extended at Gloucester Road – a broad, tree-lined road with houses almost 100 yards away, and site entrances and exits onto the main road – the impact on local residents would have been minimal. This is not the case with the new site, with its main entrance on a small residential side road. Brook Road residents have endured an extremely intrusive building programme – heavy excavating machinery and a ceaseless stream of large delivery vehicles – but believed this disturbance was temporary. This has not been the case. Noise and vibration from large articulated lorries continues, and may increase the possibility of subsidence and structural damage in the future. Residents had expected to endure lorries and vans during the working week, but to contend with this at weekends is intolerable. It's true that this is a highly developed area, with a retail park opposite, but its entrance is not in close proximity to houses, and Sunday hours are strictly observed. If the application is permitted, the increase in traffic and footfall will produce a noticeable incursion into the social and community life of the street – loss of residents' parking spaces, children unable to play in the street, the elderly needing to be constantly vigilant when leaving their homes – together with the risk to health of increased pollution and loss of amenity for all residents. Realises that the Council has to consider commercial interests, but urges Members to take into account the social impact as well.

#### **Mr Adam Cornish, agent, in support**

Travis Perkins's priority is to be a good neighbour both to residents and competitors, and there is much recent evidence of them developing, redeveloping and occupying mixed used sites with residential apartments. Regarding highways information, the previous permission had no restrictions on opening and delivery hours, though these were restricted by two conditions. Travis Perkins has since found the need to extend operations at the weekend.

Information submitted by highways officers demonstrates that there would be fewer vehicle trips at the weekend than during the week, with just four HGV movements on each of Saturday and Sunday – this is deemed a negligible impact. There have been no recorded collisions at the site or adjacent junction in the past five years, and highways officers have concluded that extended opening hours will not impact on the safe operation of the highway network. Regarding lay-out of the site, several mitigation tactics have been used to ensure impact on neighbours and the highway is kept to a minimum. The site access has been relocated closer to the Tewkesbury Road junction, so only one or two houses and a small section of Brook Road are affected by vehicles accessing the site. The layout in the site has been designed to take HGVs away from residential properties to loading bays at the far end of the site, over 100m from the nearest houses. All other vehicles travel through an internal roadway housed within the building and hidden from view where loading and general activity takes place. Finally, the extended opening hours are required to allow Travis Perkins to provide better customer service, largely for the average person to visit the showroom element on offer, and most likely to be arriving in a family car.

### **Councillor Willingham, ward councillor, in objection**

There are clear planning reasons to refuse this application, primarily to safeguard the amenity of residents in accordance with Local Policy CP4. If conditions to protect neighbours were needed when the business first relocated to Tewkesbury Road, they are still needed now; this is a cynical manipulation and abuse of the planning process – submit a more restrictive planning application, thus misleading residents; get permission with tight controls; sell the former site and start trading; then apply to extend hours regardless of residents' needs. This is an application which puts excessive corporate profit before people. From the representations, it is clear that the site already causes problems for neighbours - noise, parking, damage to vehicles, light pollution. Extending the hours will exacerbate that harm, and be detrimental to the community. It is therefore reasonable and proportionate to refuse, and prevent any further extension of hours.

This community has been neglected by CBC for decades, which has given rise to distrust and residents seeing no point in complaining and 'the Council won't listen'. Given to socio-economic demographic of the area, and the perception that their views don't count, six objections from local residents is a lot – in another area, there would have been far more.

The question is why vehicles were allowed to exit onto Brook Road in the first place, and two-way HGV traffic 'encouraged' on a residential street. Why wasn't access via Tewkesbury Road? The highways team failed here.

Questioned whether the officer report is legally unsound with regard to its interpretation of the Human Rights Act in relation to this case: there is one representation from the parents of a child with autism, which is recognised as a disability, and a Public Sector Equality Duty should have been complete, but no autism aware assessment by a suitably qualified individual has been produced, and in this, the report has demonstrably failed.

We are often left to wonder at and lament the rise of populist politicians of extreme left and right, but when people feel that moderate politicians are failing then, they will wonder why they vote for them? What message will permission give to this community, when moderate politicians actively ignore their concerns? This application should be refused.

### **Member debate**

**HM:** has concerns about the amenity of the neighbourhood if the hours are extended by this application. Noted in a submission from the applicant and also in the officer report that the hours requested are already in use at a Travis Perkins site in Maldon, Essex, but having looked at Google can see that this site is not in a residential area but in an industrial estate with no houses nearby. If Members are minded to approve this application, would like to insert two conditions: in the noise assessment report submitted by the applicants

themselves, they acknowledge the importance of reducing noise impact – this should be followed up; and secondly, Travis Perkins management must introduce procedures to reduce the noise on site from slammed doors, shouting and other unnecessary noise.

**PB:** has two questions. The report referred to the neighbour suffering from autism, so can officers respond to Councillor Willingham's comment on this? Secondly, do Members have to consider the proposal as it is or can they propose amendments? Is staggered that within months of opening, a multi-million pound business feels the need to drastically change its opening hours. Has great sympathy with the local residents; although Travis Perkins is a huge improvement on what was on this site before, a different picture is now emerging. In addition to five days of normal working hours, the company now wants to extend these to seven days. There is no question that the residents will be adversely affected. This site was on the market for years, and Travis Perkins must have investigated it thoroughly before investing, so why did they not request these additional hours at the outset? To say there will only be four additional HGV deliveries at the weekend cannot be true. This is a difficult case, as Travis Perkins is an important employer, but the council must take care of residents of the town. Is uncomfortable with the recommendation, and will move to refuse. The applicant can then come back with hours more in sympathy with the residents living opposite the site 24/7.

**PM:** like PB, has a lot of experience of the issues at stake here as a result of the Sainsbury's development on Cirencester Road. The application refers to 'opening hours', but what exactly does that mean? If the shop opens at 7.00am, a condition would be needed to make sure that the shutters don't go up at 6.00am. Then there is the issue of light pollution; no-one thought about the lights on all night at Sainsbury's, shining into the bedrooms opposite. And when deliveries are scheduled to start at 7.00am, trucks start to arrive at 6.30am, and stop outside with their engines running. Why is it necessary for deliveries to arrive so early? Why not 9.30am? Is concerned that we are not learning from the experience of previous applications. Doesn't believe this is a new strategic direction, and the residents living in close proximity must be considered. The junction to Tewkesbury Road is busy and dangerous – had a near miss there himself recently – and this is just not the place for this development. The thought of articulated lorries manoeuvring their way around Moors Road is appalling.

**MC:** also has reservations about this application. May be over-cynical, but considers such a radical change of hours to be something of an issue here. Regarding the positioning of the HGV entrance, has looked on the map and understands why the entrance can't be straight onto Tewkesbury Road. The human rights section of the report covers a subject dear to his heart – Articles 6 and 8 both apply here. Was this taken into account in the recommendation? If so, by whom? The European Convention on Human Rights is there for a reason – autism is recognised as a disability, and people have the right to family life. A big national company needs to be more sympathetic to the impact of such major changes on its neighbours. Is minded to vote against this, unless convinced otherwise during the debate.

**KS:** has a number of issues with this, mainly surrounding the impact on residents. The report states that this is a mixed area, and the proposed changes will have only a marginal impact. Considers, however, that the opposite is true: people living here have a lot to put up with with KFC, car dealerships, Homebase, Dunelm across the road – and now Travis Perkins right next door to their homes. Travis Perkins is clearly taking a step away from being simply a builders' merchant; builders don't want to go to Travis Perkins at weekends. The company is moving more in the direction of Homebase, and to have a business such as this with access via a small residential street is not acceptable and gives rise to serious concerns. The report is scant in its consideration of the impact. Environmental Health officers consider the proposed new hours are OK – even though they objected to begin with – but the residents say it is already a nightmare. A DIY/Homebase-type store will bring with it a lot of hustle and bustle. Cannot understand why Travis Perkins would want to open all week and then all weekend too, particularly on Sundays. Finds it really difficult to understand the recommendation, and will support any move to refuse the application,

particularly regarding Sunday opening. Planners and Members should aim for the right development in the right location – which this is not. Families have the right to their private life, to enjoy their environment, letting children out on their bikes etc – this proposal will infringe those rights. Is also worried about the resident mentioned by Councillor Willingham – have officers considered this? It is important to have undisturbed sleep; sleep deprivation can have serious effect on people's lives. We should not approve this application.

**PT:** much of what she was going to say has already been said, and is grateful to other Members for that. Desperately wants to turn this down. Is sad about this application; was very wary of the original proposal but residents seemed pleased that something was being done with this site which had been left derelict for 25 years. We were assured that there would be no access from Moors Avenue, but how can this be stopped? We weren't told that vehicles would be going out and coming in through the same entrance. The houses at the end of the road must be inundated with fumes from diesel vans and lorries. Children must be at increased risk – it is absolutely ridiculous. The site could have been built the other way round; shutters opening and closing, the bleeps from delivery trucks and their engines running, all is heard by local residents and is quite unacceptable and bad enough all week, let alone on Saturdays and Sundays. Cannot understand how Travis Perkins can claim to be user-friendly. It must have known it wanted retail hours from the start, yet this is not a retail site. It is just about acceptable for occasional use, but not for people to do their shopping seven days a week. Anyone doing DIY needs materials, and will need to use their car to pick up the materials. Is ashamed to have voted to approve this site when it first came forward. The Travis Perkins store in Maldon which trades during the hours proposed by this current application is very different from Cheltenham. The report talks about the average number of hourly trips, but can't quantify an average re. noise, fumes etc. Sincerely hopes that this application will be rejected.

**EP, in response:**

- There are not many specific questions to be answered here, but Members need to remember what the application is actually for. Whether this site is appropriate for this type of business is not being considered tonight, as permission for this already exists;
- Several Members have commented about additional noise from deliveries etc early in the morning, but the only additional morning opening hours being requested here are on Sunday – Monday to Saturday hours are already approved;
- The point of access and the way vehicles move through the site was also agreed in the original application, which Members approved;
- HM asked about additional condition re , but would suggest that the points she raises would be better dealt with in informatives rather than conditions, following dialogue between residents and Travis Perkins;
- Regarding HM's suggestion of a noise management plan, officers do not feel this to be necessary, as stated in the report, but if Members consider it essential, it could be added as a condition;
- The other overriding issue concerns the human rights of the neighbour, which NJ will consider.

**NJ, in response:**

- It is appropriate that officers considered the human rights issue when writing the report, but when this was weighed in the planning balance, it was not considered to carry sufficient weight to warrant a refusal;
- Councillor Willingham has suggested than an autism aware assessment should have been carried out; there is no clarity as to whether or not this was a requirement, but if Members are concerned, they could consider deferral as an option, to give officers the opportunity to look at this in more detail.

**MC:** is glad NJ has spoken but this leads on to another question: who would be culpable if the application is passed and in contravention of the Human Rights Act - Travis Perkins, the borough council, or a combination of both?

**KS:** returning to the Sainsbury's application on Cirencester Road, remembers being reassured by officers that deliveries would not be too early, but there were no resources for enforcement of the agreed hours. Residents were given a promise, yet a subsequent application was made to revise the hours even further and problems are on-going. Travis Perkins may behave in a different manner, but would imagine any driver delivering on Saturdays or Sundays would go their own way – if a lorry turns up at 7.30am on a Sunday, who will be there to enforce the hours agreed in the planning permission? Would be more comfortable with no deliveries at all on Saturdays and Sundays. Talking about lessons learnt, this is a key one – that delivery drivers and vehicles cannot be controlled.

**PB:** would like to move to refuse on Policy CP4. Does not consider a deferral appropriate, but if that does happen and the application comes back later, it will need to address the autism issue.

**MJC, in response:**

- If Members vote to refuse the application, officers are minded to attach an informative to that refusal that if the application is resubmitted, it should be accompanied by a report on the human rights issue, set out in black and white to ensure that everyone is aware.

**MC:** who would police deliveries to the site? Used to drive lorries, and his ethos was always to get all his deliveries done as early as possible – sometimes as early as 4.30-5.00am - and get home. Who would make sure that this doesn't happen here if the application is permitted?

**GB:** is not sure that Members need to carry on with the debate if most of them seem to be minded to refuse the application. The agent is present and has heard all of their concerns about the scheme as proposed.

**PM:** would just add that it's the first noise of the morning that wakes you up; after that it doesn't matter how much other noise is made.

**PT:** would also point out that Waitrose freezer lorries sit in Gloucester Road with their engines running, while waiting to deliver to the store. No-one wants lorries parked outside houses, at any time of day but especially early in the morning.

**Vote on officer recommendation to permit**

0 in support

13 in objection

1 abstention

1 ineligible to vote (late arrival at meeting)

**NOT CARRIED**

**Vote on PB's move to refuse on CP4**

13 in support

1 abstention

1 ineligible

**MOTION CARRIED - REFUSE**

**87. 16/01790/FUL Cheltenham Ladies College, Malvern Road**

Application Number: **16/01790/FUL**

Location: **Cheltenham Ladies College Malvern Road Cheltenham**

Proposal: **Erection of 6No. retractable lighting columns to provide illumination of the 'old astro pitch' at Cheltenham Ladies' College Playing Field.**

View: **Yes**

Officer Recommendation: **Permit**

Committee Decision:	<b>Permit</b>		
Letters of Rep:	<b>11</b>	Update Report:	<b>(i) Officer Comments</b> <b>(ii) Additional representation</b>

**EP** introduced the application as above, to add six retractable floodlights to the existing hockey pitch. These would be 15m high when extended, 3.5m when retracted, with controls on usage – until 7.00pm Monday to Friday, and until 6.00pm on Saturdays. A lighting report was submitted with the application; its findings have been verified and are acceptable. Officers accept that the proposal will have some impact on neighbours, but deem this to be temporary. There are no objections from highways officers. On balance, the application is considered to be acceptable.

### **Public Speaking**

#### **Dr Sally James, neighbour, in objection**

Although this proposal will cause personal distress to those living close to the site due to light intrusion to their properties, neighbours are more concerned about the harm to the conservation area brought about by 15m-high floodlights, which will dwarf houses and trees and dominate the skyline. This will have an overwhelmingly negative impact and be quite out of keeping with the conservation area. The NPPF sets out that new development should have positive impact, but there is no public benefit from this application, and the school's undoubted economic success is clearly not dependant on the installation of these floodlights. On the contrary, the proposal will cause harm, and in conditions of mist and drizzle, the light level will be as much as 50 lux. Any need for these lights has not been demonstrated – the school desires them rather than needs them, even though pupils prefer indoor sports to outdoor team-based activity. If hockey was timetabled for the morning, the question could be asked as to why a second pitch is needed at all? In addition to this, there are potential road safety concerns when the floodlights are illuminated, causing bright light and dark shadow to fall between buildings on the adjacent road near the junction. This can be lethal, as the eye takes time to react. With additional traffic from visiting schools, all road users will be at risk from accident and injury. If this application is permitted, in an E2 zone in a conservation area, it will set a new precedent for Cheltenham, and floodlights will be allowed anywhere by referencing this decision. For these reasons, the application must be refused.

#### **Miss Jardine Young, applicant, in support**

The subject of this application was first introduced as part of integrated plan for all sport, health and fitness facilities, in November 2015. The floodlighting element of the scheme was subsequently withdrawn before Planning Committee, to allow for the College's lighting consultant to respond to questions from the independent lighting consultant appointed by CBC officers – did not want to put the College's name to an application whose technical specifications were complicated, and for which there was not agreement between two professionals. All elements of the floodlighting scheme, including light spillage, lux factors and the light source, have now been re-examined by council's independent consultant – defers to their expertise on those technical aspects. The question as the need for this application is very important. For over 20 years, CLC has sought additional floodlighting, but thus far not been successful. However, with new technology and an enormous amount of work to demonstrate via the justification statement, the case has hopefully been made more clearly and the evidence stands up to scrutiny. As a girls-only school, have never had pitches for cricket or rugby, and space is finite. If there was a cheaper, easier or more straightforward way to achieve improvement to the health and fitness programme in the school, it would have been promoted before the submission of this application.

#### **Councillor Mason, ward councillor, in objection**

Just over a year ago, it was a relief that the tricky issue of floodlighting was withdrawn from the Ladies College application for sports hall. The NPPF states that any application in a conservation area should have a public benefit, but there is none here. The college says

there is a need for this facility, but after the sports hall is completed, it will have three hockey pitches to use out of daylight hours. This conservation area currently has a lighting zone level classed as E2, and this issue is not fully explored in the report. PPG Paragraph 13 states that when assessing any application for development which may affect the setting of a heritage asset, LPAs may need to consider the impact of cumulative change, threatening its ongoing conservation. A heritage asset is defined as a building, monument, site, place, area or landscape identified with a degree of significance meriting consideration in planning decisions. The Guidance for Conservation Areas allows the Committee to think about future applications. Normally, whether a school wishes to install floodlights that don't meet the relevant sporting body's minimum standards isn't a planning issue; these floodlights just meet planning requirements but not England Hockey's safety standards of 350 Lux. There is a strong likelihood, therefore, that if this application is permitted, a future application will be made as CLC has a duty of care to ensure a safe playing area. The point here is that as soon as the floodlights applied for today are switched on, the area will no longer be classed as E2, and even brighter floodlights will be permissible, with far-reaching effects of light pollution on a number of roads. Future applications will not be considered by today's standards.

There is a sense of déjà vu with this application: the previous sports hall application and the application for floodlights at Well Place tennis courts, which back onto residential properties. This was rejected at appeal, with the Inspector stating that after dark, the courts would normally be silent, and activity and noise in consequence of introducing floodlights would cause irritation, disturbance, and possibly domestic difficulties with small children at bedtime. He also said a brightly lit space in close proximity with surrounding houses would have a negative effect on the living conditions of those residents and be contrary to Local Plan Policy CP4. These lights were only 8m high. The precedent of this appeal decision gives grounds for refusal.

CBC has dealt with other applications for floodlighting in residential areas. At Dean Close, where a light level of 2 lux – the level this application will bring - would have hit a neighbouring house, CBC requested the removal of the pitch to reduce the level to 1 lux. Residents in Eldorado Crescent were offered some protection from a previous CLC application from the installation of a bund and the sinking of the pitch below ground level. However, the residents of Christ Church Road are being offered nothing at all.

#### **Member debate**

**CN:** are we certain that the 5 lux limit does not apply to gardens? What lux levels actually apply in gardens? The residents of 17 Christ Church Road have had a conversation with English Hockey regarding new regulations and the minimum light intensity required for play. Can officers comment on that?

**KS:** Dr James raised the issue of light spillage between buildings. The junction opposite is perilous even during the day. Has this been considered by Highways?

**PB:** is interested in officer comments on the relevance of the application referred to by Councillor Mason.

#### **EP in response:**

- Regarding the 5 lux limit, the issue here is that British Standard advice refers to light falling on properties, while other guidance refers to light falling on windows. Officers looked at appeals round the country, all of which referred to windows, not gardens. The Environmental Health team also refers to windows. Officers are happy with their interpretation;
- Regarding the query about the 350 lux the speaker mentioned, it is understood that the objectors have spoken to England Hockey who informed them that they are currently working on new guidance which may change the recommended lux levels. However, this is not available at present, and the applicants have designed the scheme to meet

300 lux in line with present guidelines. In any event it is not the planning authority's role or requirement to comment on what light level the applicant wants to propose;

- Regarding the light at the junction, there is a paragraph in the blue update including a comment about this from Highways. Officers are happy that the light spillage will have no adverse impact. Neither are they concerned about the impact of coaches;
- Regarding the question about the Lux levels in the garden, with reference to number 17 – 25 lux line clips corner of site, and depends on what part of the garden a person is standing in;
- Regarding the Well Place appeal, this was very different: the site is smaller – a pocket of land between residential properties – and the lights were required until 8.00pm. This would have had an additional impact, and there was a specific reference in that appeal that if a 7.00pm limit had been proposed, this would have been materially different.

**BF:** this is an application where Members have to make a judgement. They must look at what the application is actually for: floodlighting until 7.00pm. This is not as long as normal street-lighting times, and won't be every night. Has sympathy for the people who live nearby, but the college has been there a very long time, and this is what people get when they live near a sports complex; the lights at Bournside School sports facility stay on until 10.00pm. One of the representations referred to peregrines and bats in the area; has done some research and learnt that peregrines are surviving better in urban locations than rural, as street lighting enables them to hunt for longer and increase the chance of them having a better diet. Other nocturnal creatures also have a better chance of survival in towns for the same reason. Cheltenham Ladies College is an integral part of the town, and in his opinion, this application is not overly intrusive. On balance, will support the officer recommendation; 7.00pm is not that late, and CLC has done all it can to appease the neighbours. Notes that some trees in the area need to be pollarded, and suggests a taller hedge may help, but this is down to CLC management, not CBC.

**KH:** agrees with BF. As Committee Members will know, likes listed buildings and conservation areas, and always pays particular attention to any application regarding them, but cannot be persuaded that this application will cause unacceptable harm to the conservation area. The lights are retractable, not there all the time, and both can and will be taken down between use. As BF has said, they will not be used after 7.00pm; has lived and worked near floodlit pitches which are in use much later than this. Cannot think that it will cause any harm to young children's bedtimes. The lights will only be needed for a few months of the year, and cannot see that they will have too much of a negative effect on the living conditions of local residents. Wants to support the endeavour of the applicant in what it is trying to do; it can't be denied that this is an elite school, but this should make no difference. The floodlights will support the pupils and promote sport. Is happy to support it.

**CN:** does not consider this application quite as black and white as the previous one, and consideration is much more finely balanced. CLC has worked hard at addressing the problems which caused them to withdraw the floodlighting element of the previous application. The retracted masts will be 1m shorter, backspill has been addressed, and buffering to reduce the noise. This is a conservation area, but the conservation officer, environmental health and lighting consultant are all content, and the school is a major asset to the town. All this is on one side of the case, but on the other side, it is clear that the light spillage into neighbouring gardens will be high – and although this may not be shining directly through a window, it is still a lot of light in these gardens. On Planning View it was clear that the loss of amenity will have a big impact on these houses. As ever, there is a balance to be considered between the benefits to the school and to the town – though in this case, there are no public benefits – and the undeniable harm to the unfortunate residents living nearby.

**PB:** cannot believe that CLC would have spent so much effort and money – for which credit must be given – to get to where we are today with this planning application. They must need this facility; they would not be proposing it otherwise. It is a shame that the facility won't be open to the public although that would of course result in even greater problems for the local residents. CLC contributes greatly to the town, and even though there is no public benefit

from this proposal, and the impact should be marginal as by definition, the lights will only be on at night. On balance, as CLC has gone so far to placate the local needs, is happy to support the application.

**Vote on officer recommendation to permit**

11 in support

1 in objection

3 abstentions

**PERMIT**

*The meeting ended at 7.25pm.*

**88. Any other items the Chairman determines urgent and requires a decision**

There were none.

Chairman

The meeting concluded at Time Not Specified