

APPLICATION NO: 15/01171/FUL	OFFICER: Mr Ed Baker
DATE REGISTERED: 14th July 2015	DATE OF EXPIRY: 13th October 2015
WARD: Lansdown	PARISH:
APPLICANT:	Cheltenham Ladies' College
AGENT:	Mr David Jones
LOCATION:	Ladies College Swimming Pool, Malvern Road, Cheltenham
PROPOSAL:	Erection of new sports hall building to provide multi use sport hall, replacement squash courts and ancillary facilities. Erection of floodlighting of external hockey pitch. Demolition of existing squash court building and partial demolition of single storey structure attached to Glenlee House. Alterations to piers to side of access onto Malvern Road.

Additional Representations

The following three representations have been sent directly to members and have been copied to officers. The representations are reproduced below.

9 Christ Church Road

16th October 2015

This application will be considered at your meeting next Thursday, with the recommendation to permit. It covers floodlighting of an existing astroturf hockey pitch right behind our houses and a new sports hall adjacent to an existing one. We strongly object to the floodlighting proposals and urge you to vote against them. In the spirit of the National Planning Policy Framework, which makes clear that planning should not be just about scrutiny but also be a creative exercise, we offer an alternative proposal which delivers much of what the applicants want without floodlighting the astroturf pitch.

We have no objection in principle to a new sports hall but object to its unnecessary 12 m height.

We have participated fully in the consultation process and submitted our objections which can be found on the planning website. However there is an awful lot to go through and wish to draw your attention to some key points.

Lighting levels falling on our houses

It is agreed that the rear of our houses fall into the Institution of Lighting Professionals zone E2 where light intrusion into windows should not exceed 5 lux, and indeed the planning officers propose to include a condition to that effect. The applicants have produced computer generated plots which show 2 lux produced by their floodlights close to our houses, making about 2.5 lux when added to existing background illumination. However it is vital to recognise that these computer plots only represent light coming directly in a straight line from the luminaires to the pitch or our houses on a clear day. It should be noted that light can also get from the luminaires to our houses via reflection from the pitch or via scattering by mist or rain. These effects are often ignored but should not be when floodlights are very close to houses, as is the case here.

One resident from Hatherley Road has reported on the planning website that in wet or misty weather there is a lot more light spilled from the Dean Close floodlights lights onto nearby properties. We can confirm this, having both seen the effect and made measurements. At the same spot the floodlights produced 1.3lux on a clear day, 1.8lux on a day with light rain and

20th October 2015

5.4lux on a misty but hockey playable day. If 1.3lux can become 5.4lux then 2.5lux in Christ Church Road can clearly become a lot more than the 5lux light intrusion limit. Indeed because the houses are only 27 metres from the floodlights in Christ Church Road, as opposed to the 70 metres in the Hatherley Road measurements, we believe, for good scientific reasons, that the effects of mist and rain will be very much higher in Christ Church Road, probably about 5 times higher, giving >5lux in rain and even 20lux on misty days.

In contrast the applicant's lighting consultant has stated that "light can be scattered by mist and rain but there is not a significant increase in spill light". The evidence from Hatherley Road is that this is simply not true. Given that light levels on our houses will exceed 5lux some of the time we urge you to vote against the floodlights. At the very least CBC should get independent advice before deciding this application and not just accept the applicant's consultant's assertions.

It is also noteworthy that in the Dean Close application for floodlights, 2lux falling in the garden of 133 Hatherley Road was considered by the independent lighting consultant to be a possible source of complaint and merited special mention in the decision notice. In Christ Church Road one neighbour has up to 50lux in the garden.

An alternative to floodlighting the "old" astroturf pitch

While the application concentrates on hockey, the Principal has now made clear in her justification statement that the drive to floodlight the old astro comes from the rejection of an earlier application to floodlight three tennis courts at the Well Place tennis and netball centre. She has tennis and netball at the top of her list for floodlit activities, which would free up indoor space for badminton, trampolining, volleyball and basketball.

It would be possible to fit in three floodlit tennis courts, as per Well Place appeal, between the proposed multi-sports hall and the existing "new" floodlit astro in more or less the same location as the floodlit courts permitted under a now lapsed earlier planning application. During consultation it was made clear there are problems with the lighting of the existing and underused "new" astro. These should be fixed, rather than insist on floodlighting the old astro for hockey.

Taken together these steps would deliver a large fraction of the Principal's objectives in a more sustainable way, since the tennis/netball courts could be lit to LTA and match netball standards, not to the much lower standards proposed for the "old" astro.

Multi-sports/tennis hall

We sympathize with the Principal's desire to promote health and fitness by introducing a wider range of activities in a second sports hall. The only question is how high does this hall need to be and hence does it need to block a key vista of the Malverns identified in the Lansdown character area appraisal.

All of the new activities could be fitted in a hall with 7.5 m internal clearance. The only exception is tennis, where the architects had a target of 10.67m at the centreline, but the real requirement is 9.0m. Only one "optional" tennis court is required in one of the two halls, but the applicants have chosen to put it in the new hall. However the existing hall has been used for tennis for 24 years and could accommodate the one tennis court.

With tennis in the existing hall the internal height requirement for the new hall would be 7.5m. Currently the proposed height of the new hall is 12m. It must be possible to reduce this significantly and deliver a good looking hall which meets all the applicant's requirements without blocking the view of the Malverns. We urge you to support that approach, which is also advocated by the CBC landscape architect.

17 Christ Church Road*18th October 2015*

Dear Councillor,

You have been asked to adjudicate on a planning application by Cheltenham Ladies College to redevelop their sports facilities. As residents in this Conservation Area we would be grateful if you would consider the following in particular.

Our concern is not the sports halls, but the proposal to erect 15m floodlights within 25m of our living rooms and bedrooms. The enduring detrimental consequences to our well-being and privacy are incalculable. Indeed, independent lighting expertise clearly indicates that, on the evidence submitted by the applicant that it is impossible to ascertain a worst case scenario for light pollution (see below). Despite this the applicant's report claims that there will be marginal light intrusion to compromise the area's special character that is considered remarkable in the Conservation Report for Landsdown. The 15 metre lights are higher than the homes and the trees that accompany them and so will be alight during both the rush hour and at the end of the working day; a time when the residents should be permitted to find peace and privacy in their homes.

The NPPF (which is informed the Human Rights Act which is founded on the historical freedoms enshrined in English Common Law) has been adopted by Cheltenham Borough Council through a series of documents intended to encourage sustainable development . This application runs counter to these principles: it fails to utilise and improve the established development; it fails to minimise the impact on this Conservation Area; it fails to enhance this environment; it fails to consider more creative and sustainable usage options; and it curtails our right to enjoy the freedoms created by privacy and peace.

A previous CLC planning application (Well Place, 1999), materially no different to this one, was not permitted because the adverse effects on the Conservation Area and the disturbance to residents' lives were deemed to outweigh any benefit. A similar detrimental impact is acknowledged by the Inspector in this proposal, but the recommendation is swayed by the commercial needs of CLC. Although the Government has indicated that commercial considerations should be considered in a less negative light, the intention was not to produce a free-for-all, but to generate benefit for the common good through economic stimulus and much needed house building.

The established floodlit pitch is significantly further away from residential properties yet planning permission was only granted after an agreement to sink the pitch and erect a substantial screening bank of vegetation. There is no provision for such protection in this plan. Our survey of current CLC usage of both of the pitches reveals significant under use during natural and twilight hours. The suggestion to permanently compromise residents' privacy and well-being by floodlighting the old pitch totally disregards the creative and sustainability focus of the guidance given in the NPPF, which informs Gloucestershire's Joint Core Strategy Plan (2013) and the Cheltenham Plan (2006).

The international standing of the school is not based upon whether it has one or two flood-lit pitches, but on evidence of its foundational commitment to equity and academic excellence. Indeed in the school's Environmental Policy the commitment to act as a role model in contributing to the environmental and community is clearly stated as guiding principle to their business and curriculum delivery. In proposing to erect another set of floodlights, rather than considering the upgrading of underutilised facilities and by not addressing the detrimental effect on our homes, the school's commitment to such sustainable development and responsibility to the well-being of the co-existent community must be called into question.

20th October 2015

This application does not address any shared benefit, but is based on two individual benefits for CLC alone: the health and well-being of the school's pupils; and the school's commercial development. As we have stated in all our communications we wholeheartedly support these aspirations, but not by sacrificing our own and the greater community's well-being. We have suggested an alternative plan that meets all of CLCs needs whilst ameliorating the impact on our homes. This sustainable plan would allow the continuation of the established mutually beneficial relationships between school and community. With a more creative design of the sports-hall and the upgrading and extension of the already established screened floodlights, we believe this can be achieved. Although this alternative could satisfy all parties and has already been granted planning permission, it has been ignored with no explanation offered to suggest any real consideration or desire to accommodate the needs of the wider community. Yet, it is this very community, both in its residents and its physical fabric that creates the safe and secure ambience and attractive setting, which the school relies on to provide an environment that is conducive to the development of their pupils. We would, therefore, ask that you consider a deferral until this option has been properly considered.

15 Christ Church Road

19th October 2015

To the Members of the PL63 Cleevemount Road - electrical certificateanning Committee,

Planning application 15/01171/FUL: The Cheltenham Ladies' College Health and Fitness Centre

My wife and I are residents of Christ Church Road and strongly object to the above planning application for the extension of the sports hall at Cheltenham Ladies College (CLC) and the erection of floodlights on a second Astro turf pitch, which is situated next to our home.

We have written extensive comments which have been placed on the planning website and are sure you will have seen them. Nevertheless, we wished to specifically mention our concerns on the following points in respect of the implications of the proposed floodlights.

Road safety

Little comment would appear to have been made by the applicants on the junction of Douro Road and Christ Church Road. The GCC Highways Planning Liaison Officer states no reported collisions at this junction. We would not like this statistic changed, a single serious incident would be one too many.

Pulling out of Douro Road onto Christ Church Road is difficult due to the limited view and would be made more hazardous when faced with areas of bright light and deep shadow as the houses opposite are silhouetted by large floodlights. Pedestrians and cyclists would be particularly vulnerable. Proposed floodlight illumination times also coincide with rush hour accentuating the danger. We hope that during your site visit to the area you will be able to appreciate this risk.

We also have concerns that when dark, road traffic will be increased with visiting school coaches. These always park on Christ Church Road further compromising visibility and safety and their passengers increasing the number of vulnerable pedestrians.

Rejection of Well Place Application

We would like to draw attention to the documented reasons for rejection of the previous planning application for the erection of floodlights on the Well Place tennis courts by the same

20th October 2015

applicants. This was a smaller scheme with floodlights only 8m in height, on an enclosed site not visible from the surrounding public roads but only 300m away from the site of the current proposal. (APP/B1605/A/08/2082812)

The stated reasons include:-

“ I consider also that the appearance of a brightly lit space in close proximity to the private rear sides of the surrounding houses, where darkness would normally be expected, would in itself have a negative effect on the living conditions of local residents. I conclude that the proposal would harm the living conditions of nearby occupiers, contrary to local Plan CP4.”

“There is a need for local amenity to be protected when considering applications for floodlighting. In this case it is necessary to balance the benefits of improving facilities against both the legal duty to preserve or enhance the character or appearance of the Central Conservation Area and the need to protect the living conditions of local residents.....and I conclude the appeal should fail.”

Light spillage levels are greater in the current proposal making these reasons even more applicable and justifying rejection of this proposal.

Noise

Whilst the suggested installation of backboard dampers on the hockey pitch is welcome, this reduces only one element of the noise created during hockey. The more constant high pitched shouting, screaming and whistling are intrusive and combined with bright lighting will result in a significant nuisance to adjacent residential properties. Furthermore, the justification document provided by the applicants suggests the use of the pitch will be for a number of different sporting activities for which the damper buffers will be irrelevant but other noises will still prevail.

Loss of amenity

The negative impact of floodlights on the local character of Christ Church Road would be immeasurable and once lost will never be retrieved. On a personal level the loss of privacy from a 15m tall mast with floodlights on top at our rear boundary and only 20m from our bedroom and kitchen windows cannot be imagined. This combined with the bright white block of light created by the 6 masts would be so detrimental to our current amenity as to make it unjustifiable. The College's desires must be balanced with the needs and rights of the local community.

Justification

The justification document produced by the CLC principal as the basis for the proposal describes aspirations. In this competitive, commercial sector one always asks for more so there is room for negotiation. It is difficult to believe there is justification for 2 floodlit pitches when their use with good natural light during the majority of the proposed floodlight operating hours has been minimal so far this term (see table below). Would it be environmentally sound to turn the lights on for 1 or 2 girls to briefly use the facilities? Surely for an environmentally friendly and sustainable proposal optimisation of existing facilities and daylight is paramount. The existing floodlit pitch should be up-graded and its use maximised. Not only are the environmental benefits evident but this pitch is also further away and afforded some screening from adjacent houses.

The CLC state this proposal stems from the previous rejection of floodlighting for 3 tennis courts used also for netball at Well Place, yet this proposal is for a hockey pitch. The obvious solution,

to accommodate these 3 tennis courts between the existing floodlit area and the new sports complex, does not appear to have been considered.

Conclusion

We fully appreciate the CLC need to upgrade their facilities and are keen to support them as a successful local business, however, the enormous negative impact of this proposal on local amenity, the loss of privacy and safety issues go far beyond what should be considered an acceptable balance. This application should be rejected for all the stated reasons in this and the previously published letters.