

CLC application for floodlighting (16/01790/FUL) - Response Note 19/01/2017

<p>1. Will permission set an unwanted precedent?</p> <p>This development would set a precedent that would inhibit the ability of the Planning Committee to decline similar proposals in and around Cheltenham. This application is set in a Conservation Area which has a low (E2) level of night time illumination. When other private schools enter the commercially driven floodlight 'arms race', they will be able to cite this development as a precedent.</p> <p>We have commissioned an independent report (Harwood Savin Ltd Town Planning Consultants Historical and designated and non-designated heritage assets in relation to national and local statutory policy and guidance: 21 November 2016) of similar applications that are held on the National Planning Database and freely available to planning officers. We would be grateful if you could take some of your valuable time to review this as no reference is made to it in the Planning Officer's report. A number of similar cases around the country have been cited for comparison.</p> <p>Within your own jurisdiction a similar planning application by Dean Close School was declined on the basis of a light spill of just 2 lux at the corner of a neighbouring garden; this current application will cause 25 times greater light pollution with no potential for any shielding after commissioning.</p>	<p>It is an established principle of planning law that each application be determined upon its merits having regard to local and national planning policy.</p> <p>In the determination of any application it is necessary for the decision maker to weigh in the balance all relevant planning and environmental considerations.</p> <p>The planning inspector who determined a previous proposal on this site determined in respect to the impact upon the conservation area the following:</p> <p><i>.... "Having regard for the established use and character of the College sports field, the character of surrounding land uses, the proposed positions of the floodlights and their height when extended and retracted, it is my opinion that the proposal is acceptable in terms of the character of the Conservation Area."</i></p> <p>That case was dismissed on the grounds of the hours of use. The Curfew time of the appeal scheme was 20:30 hrs Monday- Friday; 20:00 Saturday and 19:00hrs Sunday (no bank holiday restriction proposed). In comparison with the CLC scheme this equates to an additional 1.5 hours of potential use per day.</p> <p>The Dean Close scheme referenced was approved by your authority. IT WAS NOT DECLINED ON THE BASIS OF SPILL LEVEL.</p> <p>The Dean Close scheme was subject to a condition that required approval of additional details including the provision of a shielding mechanism to mitigate light spillage.</p> <p>The CLC application includes shielding to mitigate light spillage. Your authorities' independent lighting consultant has confirmed that the</p>
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	scheme is acceptable.
<p>2. Do the applicant's needs outweigh the loss of amenity within the Conservation Area?</p> <p>For this to be fairly assessed the applicant should provide a clear and cogent account of their need to have two floodlit pitches, a sports hall and the new very large Health and Fitness Centre. The applicants have not provided any such evidence, indeed, they reference an Independent Schools Authority report that praised the existing facilities and welcomed the new Health and Fitness Centre, but critically advised that any further illumination of a second pitch should be deferred until the effects of the development, to date, had been realised. As any improvement in CLC pupils' health and wellbeing provided by the increase in all-weather facilities in the new Health and Fitness Centre has yet to be measured, allowing this proposal would be contrary to evidence-based practice of procurement that drives current planning guidelines. Indeed, as guardians of the future, a more sustainable approach would be to assess any additional need only when there is clear measured evidence, rather than through speculation and arbitrary demand.</p> <p>For our part, we have clearly stated the loss of amenity to the whole community inherent in this proposal. This quiet and distinctive part of the Conservation Area is already compromised by the building of the Health and Fitness Centre, and will be lost for future generations. The residents, including families, the elderly and those in nursing and retirement homes, will be subjected to the noise of modern schools' hockey players and spectators, which have adopted the shrieking and grunting associated with Wimbledon tennis players. The illumination of our homes will destroy our privacy and comfort at a time when we gather to share the experiences of our days. The health and wellbeing of residents need not be compromised by the power of commercial interest</p>	<p>The CLC justification statement submitted with the application has set out the colleges need and justification for the additional floodlit pitch.</p> <p>The concerns expressed have been taken seriously by the college, however the objector's comments are in our view over stated and do not bear close scrutiny. The proposed curfew times allow for extended use during the winter months. Disturbance from players and spectators (if indeed such disturbance actually occurs) will happen throughout the day light hours currently. This proposal will not change that. The hours of use is to be limited to an early evening curfew. This will afford commensurate mitigation balancing the needs of the college with the appropriate protection of neighbours amenity.</p>
<p>3. Are there any concerns regarding safety?</p> <p>We have been told that the safety of the pupils participating in sports on the pitch is not a matter for the Planning Committee, therefore, we would simply</p>	<p>We have taken advice from the body undertaking the lighting research for England Hockey and the FIH. The advice from the governing body is that</p>

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<p>point out that according England Hockey this pitch will not be suitable for match play. Match play is an intended use because the applicants have asked for use by visiting schools.</p> <p>Road safety, however, must be a concern for a Planning Committee. We have asked a specific question regarding this, which remains unanswered; will the light spill onto the roads adjacent to this development cause light pooling that will inhibit road users' vision? It is a requirement of the British Standard pertaining to the installation of sports lighting that this possibility should be considered. The incomplete documentation provided by the applicants fails to include the data required to do so. We can see no record of the County's Highways Department having been asked to consider this specific question.</p>	<p>any lighting scheme subject to planning now should be designed to the 2011 recommendations.</p> <p>In terms of safety the reference point is the British and European standard, there is no suggestion that this standard will change. The lighting system as designed complies with the British Standard and European Standards.</p> <p>CLC are entirely comfortable that the 300 lux maintained level is appropriate for their needs .</p> <p>Road Safety</p> <p>The lighting spill plans indicate that there will be less than 1 Lux projected towards Christchurch Road assuming an open site with no obstructions. There are buildings and trees between the site and Christchurch Road, therefore there will be no pooling of light on the carriageway which will inhibit the vision of road users.</p> <p>The highway authority have raised no objection.</p>
<p>4. Is the light level predicted acceptable in relation to National Standards?</p> <p>The British Standards Institute has produced a document (BS EN 12193; Light and lighting – Sports lighting.pdf) that includes standards for the minimisation of light pollution. The standard for light spillage on adjacent properties in an E2 zone, which is clearly the appropriate designation and does not represent a compromise by the applicants, is just 5 lux. The applicant's documentation indicates that the light levels will reach as high as 10 times that level.</p> <p>The applicants and the Planning Officer have chosen to overlook the BSI standard, and to use the guidance notes issued by the Institute of Professional Lighting (Guidance Notes for the Reduction of Obtrusive Light GN01:2011), which acknowledges that all light spillage must be minimised, but that in certain</p>	<p>The ILP 'Guidance Notes for the Reduction of Obtrusive Light' GN01:2011 have been adopted as the bench mark for planning policy throughout the UK. BS EN 12193 does include a section relating to obtrusive light, however, this is an extract from the 2005 edition of the ILP 'Guidance Notes for the Reduction of Obtrusive Light'. This is repeated in all current CEN lighting guides including the ones for Road Lighting(BS EN 13201) and the Lighting of Outdoor Work Spaces(BE EN 12464) using the most up to date ILP Lighting Guidance.</p>

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<p>circumstances a limit of 5 lux at the windows facing a development may be appropriate. In this, specific case, this level would seem inappropriate because it is contentious. We would, therefore, request that the Planning Committee uses the British Standard, rather than the trade body's guidance, in its deliberation.</p>	<p>Furthermore the measurement of obtrusive light is measured 'Flat on the glazing in the centre of the window' and does not relate to out buildings or gardens. The Institution of Lighting Professionals (ILP) is the UK and Ireland's largest and most influential professional lighting association, dedicated solely to excellence in lighting. Its membership is made up of lighting designers, consultants and engineers, it is not a trade organisation.</p> <p>By referring to and adhering to the recommendations of the ILP the applicant and planning officers have used the most appropriate advice and planning policy available.</p>
<p>5. Is the proposal fit for purpose?</p> <p>We have been told that this question does not fall into the Planning Committee's remit. However, in the light of the above 4 points it must be worth considering the possibility that in making compromises to shoe-horn the lighting into a pre-determined area that the applicants will not have a functional facility, despite the permanent disfigurement of the Conservation Area; both the applicants and the locality will lose.</p> <p>Crucially, England Hockey, the sport's governing body, are currently revising their instructions for lighting hockey pitches, their recommendations are due to be published within the next few weeks (http://www.englandhockey.co.uk/page.asp?section=2080). At present, this proposal does not even fulfil the current safety standard required by England Hockey for Class III activity; reference to the applicant's plan shows, despite the Planning Officer's assertion, that the variation in lighting is too great even for the most basic sporting activity.</p>	<p>For reasons previously set out this proposal will not impact negatively upon the conservation area. This has been considered and verified by the inspector determining a previous appeal on site.</p> <p>The lighting scheme complies with the British and European standards and the lighting lux level is appropriate for the users' needs and requirements.</p> <p>I am aware that England Hockey have been carrying out some work in conjunction with Loughborough University and will be publishing a new document in the near future, however, this is still being discussed and has not yet been published. We are only able to reference current standards and cannot pre-empt the content of a document which is still work in progress. In the UK and Europe the minimum safety standards are set by CEN who produce the European Standards, these include standards for almost every item we buy or install. The current standard for Sport Lighting is BS EN 12193 which requires an average maintained illuminance of 200</p>

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	<p>Lux for Class II suitable for local and regional competitions. The designer and applicant has made reference to several design standards before deciding to use the illuminance levels detailed in the design drawings. The levels were chosen as they were higher than the recommendations in BE EN 12193, fulfilling the requirements for safe play, whilst still ensuring that the obtrusive light limitations for and environmental zone 2 were met. The proposed system is and will be fit for purpose now and in the future.</p>
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