

EASTERN AREA PLANNING COMMITTEE

EXTRACT OF THE MINUTES OF THE MEETING HELD ON WEDNESDAY, 29 OCTOBER 2014

Councillors Present: Peter Argyle, Brian Bedwell (Vice-Chairman), Keith Chopping, Richard Crumly, Royce Longton, Alan Macro, Geoff Mayes, Tim Metcalfe, Graham Pask and Quentin Webb (Chairman)

Also Present: Sharon Armour (Solicitor), Stephen Chard (Policy Officer), Emma Nutchey (Principal Planning Officer), Paul Goddard (Highways Development Control Team Leader), Charlene Myers (Democratic Services Officer) and David Pearson (Development Control Team Leader)

Apologies for inability to attend the meeting: Councillor Pamela Bale, Councillor Roger Croft and Councillor Alan Law

PART I

41(1) Application No. & Parish: 14/01558/FUL - Land at Bradfield College, Bradfield

(Councillor Brian Bedwell declared a personal interest in Agenda Item 6(5) by virtue of the fact that was a member of the Bradfield College Golf Club. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Richard Crumly declared a personal and prejudicial interest in Agenda Item 6(5) by virtue of his links with Bradfield College. As his interest was personal and prejudicial and a disclosable pecuniary interest, he left the meeting (as already minuted) at 7.36pm and took no further part in the meeting.)

The Committee considered a report (Agenda Item 6(5)) concerning Planning Application 14/01558/FUL in respect of the construction of six high performance tennis courts including floodlighting, landscaping, car parking, vehicular and pedestrian link at land to the north of New Road, Bradfield College.

In accordance with the Council's Constitution, Mr Andrew House, Parish Council representative, and Mr Trefor Llewellyn/Ms Lucy White, applicant/agent, addressed the Committee on this application.

Mr House in addressing the Committee raised the following points:

- The site was in a sensitive position in the AONB.
- The site was located outside the settlement boundary and only limited public transport available.
- The main concern was the impact of the proposed lighting, given the harm caused by the existing lighting on the sports pitches on the other side of the road.

Mr Llewellyn in addressing the Committee raised the following points:

- He had worked for and with Bradfield College for many years.
- The existing tennis provision at the College had seen many pupils/users reach adhered to the elite training standards of the Lawn Tennis Association (LTA) and the

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college was the only training facility area in West Berkshire that had achieved this. 90% of current usage was by the community, this included children of all ages and local schools. The current facility operated close to capacity.

- Approval of this proposal would enhance the outdoor facilities to an elite standard for use by both able bodied and disabled players.
- The proposal was in accordance with the National Planning Policy Framework (NPPF) as this supported the provision of sports facilities for local people.
- The land available for the tennis courts was in the ownership of the College on its eastern boundary. The courts would be below the ground level of the adjacent main road which would limit their visual impact and would be adjacent to the existing sports centre.
- The light spillage from the floodlights would be minimal beyond the courts themselves and would be further.
- Mr Llewellyn was of the view that the proposal presented an excellent opportunity for an enhanced tennis facility in West Berkshire that would be available for use by the local community.

Ms White in addressing the Committee raised the following points:

- She felt the Planning Officer's recommendation to refuse planning permission was overly cautious. Although the site was outside the settlement boundary, it was in the ownership of the College and the application would bring with it many benefits. The planning policy comments provided in the report stated that if the decision maker considered that the proposal accorded with Policy CS19 (historic environment and landscape character) then, on balance, an exception could be made in policy terms in this instance.
- The Council's landscape consultant and Conservation Officer had raised no objections to the proposed scheme. It was felt that the proposed planting would serve to screen the built form of the development.
- There was a high commitment to enabling community use of the proposed facility.

Councillor Graham Pask queried whether consideration had been given to alternative sites for the tennis centre within the settlement boundary. Mr Llewellyn confirmed that alternative sites had been considered on the College's grounds, but land was restricted within the settlement boundary and adequate space was not felt to be available elsewhere on the College site. The proposed location was ideal, it was located next to the existing tennis centre and this would enable the co-location and provision of both indoor and outdoor courts.

Councillor Keith Chopping noted that courts would be available for able bodied and disabled players and queried whether this could be conditioned. Mr Llewellyn reaffirmed that it was very much the intention as part of this proposal to offer greater use for disabled players than was currently possible with the existing facility. Indeed, it was the intention to create a disabled tennis programme.

Councillor Chopping then queried the controls in place for the proposed floodlighting. Mr Llewellyn explained that the light fittings proposed would help to minimise light spillage and this was evidenced by their use elsewhere. This would help to ensure that the light source could not be directly viewed externally. There was also commitment to additional planting to help screen the courts/lighting.

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In terms of time restrictions, Mr Llewellyn confirmed that an automatic 10pm cut off time was proposed for the floodlights. This was in line with the view of the LTA with the intention of enhancing community use. The cut off time suggested by the Parish Council of 8pm had been noted, however Ms White clarified that the lighting would be turned off for those courts not in use and lights would not remain on when the courts were not in use.

Councillor Alan Macro queried the lighting in place for the all weather pitch which was visible externally. Mr Llewellyn clarified that the lighting for this existing provision differed to that proposed and was felt to be necessary as the all weather pitch was used for a variety of different sports. Mr Llewellyn did however add that additional screening was planned for the all weather pitch.

In response to a query from Councillor Tim Metcalfe, Mr Llewellyn confirmed that the current courts were sufficient for the College's own use, although they were at capacity. However, the surface of the existing courts was not that recommended by the LTA for elite tennis. The surface proposed for the new courts was artificial clay and it was the intention for the courts to be used for 11 months of the year, weather permitting. The indoor courts were of course available throughout the year.

Councillor Graham Pask, speaking as Ward Member, made the following points:

- This was a difficult application and he had called it in for the Committee to review given local concerns.
- The main point of objection was concern over the impact of further lighting.
- The college existed before 'sustainability' became an issue. The college was a benefactor to the local community and shared its facilities, and travelling up to 50 miles elsewhere to find similar facilities was hardly sustainable.
- He would not normally support such a development outside of a settlement boundary, but this would be a valuable community facility.
- Both planning policy and the landscape consultant had not objected and on balance the application was acceptable.

David Pearson sought to respond to some of the points raised so far. He referred Members to paragraph 6.1.8 of the report which stated that the original tennis centre was permitted with restrictions on its use. The legal agreement for this existing permission contained the provisos that the development would primarily be used as a non-commercial sports facility for Bradfield College. However, since that time the level of community use had increased and, as stated by the applicant, community use of around 90% was expected.

Sustainability and the impact on the Area of Outstanding Natural Beauty (AONB) were matters for concern. Efforts had been made to contact the LTA to discuss the potential for considering alternative and more sustainable sites elsewhere in the District, but it had been difficult to engage the LTA in the debate on this matter.

Mr Pearson then referred to the comments of the Conservation Officer and pointed out that an objection had been lodged due to concerns on the impact of the proposed application on the conservation area.

In terms of lighting and the matter of light spillage, information provided by the applicant demonstrated that this would be confined to the tennis courts. Discussions had also been held with Environmental Health Officers who had given the view that the lighting for the courts would constitute 'an island of light in the middle of the field'. A comprehensive level of screening was proposed by the applicant, but this was expected to take 15 years

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to fully mature and this screening would of course be less effective during the winter months.

Government policy was clear that new development needed to be sustainable and this was a key consideration for Officers. There were three elements to consider in terms of sustainability. The impact on economic sustainability was felt to be minimal and there would be benefits in terms of social sustainability from increased community use. However, environment sustainability was a concern with the hard surfacing in view throughout the day.

Paul Goddard referred to the increased level of community use of up to (the 90% with just 10% for the college referred to). In addition, it was the intention for the proposed tennis centre to become a major centre for elite tennis in central/southern England. However, there was no evidence that alternative locations for such a centre had been considered, there was not the potential for people to travel to Bradfield College other than by car and more sustainable travel options could be achieved for an alternative site in the central south of England. Vehicle movements to the new tennis centre were expected to increase by around 148 movements per week which constituted a 26% increase. Paragraph 34 of the NPPF stated that planning decisions should ensure that developments which generated significant movement were located where the need to travel would be minimised and the use of sustainable transport modes maximised. As stated, all trips to the tennis centre would be by private car and was therefore not a sustainable location. Mr Goddard was therefore recommending refusal of the application on highway grounds.

On the subject of increased traffic movements, Councillor Brian Bedwell advised that he was a regular visitor to Bradfield. The majority of these occasions were during the day and he stated that it was unusual to encounter another car on the roads in Bradfield. He did not feel there was evidence to suggest this was a busy road and did not believe it to be an issue. Approval of the application would greatly improve tennis facilities in West Berkshire.

Councillor Bedwell then proposed acceptance of the planning application. While he understood the concerns raised by Officers, on balance he felt these were outweighed by the benefits the new tennis centre would bring.

Councillor Royce Longton agreed with the view that the estimated increase in traffic movements was not significant. The number provided by the Highway's Officer would only equate to 20 additional movements per day. In terms of alternative sites, none had been put forward. Councillor Longton seconded the proposal for approval.

Councillor Peter Argyle advised that he too understood the views expressed by Officers. However, this would be an excellent facility for the community and much thought had been given to the most appropriate layout/lighting to minimise the impact. He was supportive of the proposal.

Councillor Alan Macro was supportive of Officers' views. This was an unsustainable location and alternative sites had not been considered. Concerns had also been expressed by the Conservation Officer. In addition, while he was not particularly concerned in relation to increased traffic, he was concerned in relation to the impact of this on pedestrian safety.

Councillor Chopping referred to the Parish Council's concern in relation to the lighting, however assurances had been provided by the applicant on this matter and if their plans with regard to the lighting were adhered to then he felt this would be acceptable. He was therefore supportive of the proposal to grant planning permission.

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In terms of conditions of approval, should this be Members' decision, David Pearson listed a number of potential conditions for Members' consideration:

- Three year commencement of development
- Built in accordance with approved plans, including ground levels
- Materials to be as specified
- Submission of a Landscaping Scheme, Arboricultural Method Statement, Construction Method Statement and boundary treatment/fencing information
- Tree protection during and post construction
- Floodlighting to be in accordance with necessary guidelines
- Hours of use/lighting restricted between 8am and 10pm with lights turned off when courts not in use
- Submission of a court management scheme that would need to include mixed use, including for disabled players
- Parking/turning in accordance with plans
- Requirement for bat boxes

Councillor Bedwell gave his agreement to the proposed conditions.

David Pearson then advised the Committee that should the application be approved, then it was the view of the Development Control Manager that the item would be referenced up to the District Planning Committee for determination due to the strategic issues highlighted for the District, i.e. in relation to sustainability. Councillor Pask questioned this view when considering the points made in the report by Planning Policy which stated that an exception could be made in policy terms in this instance. In response, Mr Pearson advised that this that Planning Policy's view was based on a desk top analysis and not with the benefit of a site visit. It was his view, and that of the Development Control Manager and Case Officer, that approval of this application would be contrary to Council policy and the NPPF in terms of the sustainability of the development in the AONB.

For clarification purposes, Sharon Armour referred to Part 7 of the Constitution (paragraph 7.3.4) which stated that the Development Control Manager was able to reference reports up to the District Planning Committee if there was a potential Policy conflict.

RESOLVED that the Head of Planning and Countryside be authorised to grant planning permission subject to the conditions listed below. However, as this decision conflicted with Council Policy and the NPPF, the application would be referenced up to the District Planning Committee for determination.

Conditions

The conditions will be drafted in full for the DPC to consider.

- Three year commencement of development
- Built in accordance with approved plans, including ground levels
- Materials to be as specified
- Submission of a Landscaping Scheme,
- Arboricultural Method Statement
- Construction Method Statement, and [see below]

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- B boundary treatment/fencing information
- Tree protection during and post construction
- Floodlighting to be in accordance with necessary guidelines
- Hours of use/lighting restricted between 8am and 10pm with lights turned off when courts not in use
- Submission of a court management scheme that would need to include mixed use, including for disabled players
- Parking/turning in accordance with plans
- Requirement for bat boxes

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

And the following informatives:

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

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The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.