

11/00230/FUL: CONSTRUCTION OF TWO COVERED FLOODLIT TENNIS COURTS AT PETERBOROUGH TOWN AND SPORTS CLUB, BRETTON GATE, BRETTON, PETERBOROUGH  
VALID: 16 FEBRUARY 2011  
APPLICANT: PETERBOROUGH TOWN SPORTS CLUB & PETERBOROUGH CITY LAWN TENNIS CLUB  
AGENT: BARKER STOREY MATTHEWS  
REFERRED BY: CLLR S DALTON  
REASON: IMPACT ON LOCAL RESIDENTS  
DEPARTURE: NO  
  
CASE OFFICER: AMANDA MCSHERRY  
TELEPHONE: 01733 454416  
E-MAIL: amanda.mcsherry@peterborough.gov.uk

---

---

## **1 SUMMARY/OUTLINE OF THE MAIN ISSUES**

The main considerations are:

- Whether the proposed tennis facilities would provide suitable replacement tennis facilities for those lost at the former Peterborough City Lawn Tennis Club by planning application 11/00225/FUL
- The siting, and lighting design of the proposed development
- The impact on surrounding sites

The Head of Planning Transport and Engineering Services recommends that the application is **APPROVED**.

## **2 PLANNING POLICY**

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

### **Development Plan Policies**

Relevant policies are listed below with the key policies highlighted.

#### **Peterborough Core Strategy Development Plan Document**

**Policy CS18 Culture, Leisure and Tourism**

**Policy CS14 Transport**

**Policy CS16 Urban design and the public realm**

#### **The Peterborough Local Plan (First Replacement)**

**LT3 – Retention of sports facilities**

### **Material Planning Considerations**

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

**PPS1 - Delivering Sustainable Development**

**PPG 17 - Planning for open space, sport and recreation**

ODPM Circular 05/2005 "Planning Obligations". Amongst other factors, the Secretary of State's policy requires planning obligations to be sought only where they meet the following tests:

- i) relevant to planning;
- ii) necessary to make the proposed development acceptable in planning terms;
- iii) directly related to the proposed development; (in the Tesco/Witney case the House of Lords held that the planning obligation must at least have minimal connection with the development)
- iv) fairly and reasonably related in scale and kind to the proposed development;
- v) reasonable in all other respects.

In addition Circular 05/2005 states the following principles:

The use of planning obligations must be governed by the fundamental principle that **planning permission may not be bought or sold**. It is therefore not legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.

Similarly, planning obligations should never be used purely as a means of securing for the local community a share in the profits of development.

### **3 DESCRIPTION OF PROPOSAL**

Planning permission is sought for two floodlit covered hard surfaced tennis courts at the Peterborough Town Sports Club. The tennis courts are to be contained (in the winter months) under a single skin transparent polythene removable dome cover, which measures approximately 36.5m x 33.5m x 9m in height. 10m high floodlights are proposed around the outside of the dome to allow for night time play. The proposed opening hours of the courts are 8am to 10pm Monday to Sunday, including bank/public holidays.

The location of the tennis courts on site has been amended during the course of the application. When the application was first submitted the courts were located at the south eastern corner of the site adjacent to the Westwood Farm industrial area and Wentworth Croft residential area. Following consultation, the proposed courts have been relocated to the north east part of the club site adjacent to the existing floodlit tennis courts and Bretton Gate Road.

### **4 DESCRIPTION OF SITE AND SURROUNDINGS**

The existing site is the home of Peterborough Town Sports Club. The Club covers an area approximately 7.5 ha and comprises existing sports pitches, including flood lit pitches and tennis courts, changing rooms and clubhouse building, and car park comprising 184 spaces.

The Club is positioned adjacent to the Peterborough City Hospital site and Westwood Farm industrial complex. To the southeast is the Wentworth Croft residential nursing home, and to the east beyond Bretton Gate Road, is residential development at Hartwell Way (the nearest property is 46m from the edge of the proposed tennis courts). There is mature tree planting on the verges along both sides of Bretton Gate Road that lay between the proposed tennis courts and the Hartwell Way residential area.

### **5 PLANNING HISTORY**

Application Number	Description	Date	Decision
11/00391/NDMTEL	Removal of old equipment and installation of 3 no '02' antennas and 3 no 'Vodaphone' antennas; 1 no shared 02/Vodaphone Vulcan cabinet and 1 no 02 Cannon B cabinet		
10/00421/NDMTEL	Replacement of 3 no. existing antennae, installation of 1 no 300mm microwave dish and replacement of existing cabinet with 2 no cabinets	06.04.2010	Permitted

04/00165/FUL	Replacement of 15 metre high monopole with 20 metre monopole for site sharing	26.03.2004	Permitted
--------------	---	------------	-----------

## **6 CONSULTATIONS/REPRESENTATIONS**

### **INTERNAL**

**Head of Transport and Engineering** – No objections, subject to the imposition of a condition.

**Pollution Control** – This type of facility as a result of the required lighting and dome construction will exceed levels recommended in the Institution of Lighting Engineers ‘ Guidance Notes for the Reduction of Light Pollution (Revised) for source intensity and building luminance. The guidance is based upon traditional floodlighting systems without domes. The dome presents additional considerations such as luminance of the structure and reflected light. It would be advisable for an existing facility to be viewed to enable the lighting impact of sky glow and luminance of the dome structure to be assessed. If permission were to be granted recommend the imposition of a planning condition to minimise the light impact on neighbouring windows.

### **EXTERNAL**

**Sport England** – No objections. They consider that the principle of this development is acceptable with regards to their playing fields policy They are satisfied that these facilities constitute adequate replacement for the loss of the former grass courts at Park Crescent, as it is accepted that synthetic, covered, floodlit courts offer much greater scope for developing tennis in the area than grass courts which can only be used for part of the year. The courts will be particularly beneficial to the development of tennis in Peterborough given the lack of alternative indoor courts in the city. They highlight that it may be difficult for 2 courts to be financially viable, and that 3 courts might improve viability but would not object to the proposal on this basis.

**Police Architectural Liaison Officer** – No objections.

### **NEIGHBOURS**

2 Letters of objection have been received in respect of the initial consultation raising the following issues:

- Harmful visual impact
- Cumulative light pollution impacts from this and surrounding sites
- Too close to residential properties
- Cumulative noise impacts from this and surrounding sites
- Why is it not located beside the existing tennis courts on site
- Affect on property value
- The site is leasehold, the previous tennis club site was freehold
- The site is over 2 miles from the Park Crescent tennis club site and so is inconvenient for the local junior members

1 letter of support has been received, from 1 of the original objectors, in respect of the second consultation on the amended location of the courts on site. They are now supportive of the new location on site as it is well away from residential housing, and any noise will be muffled by passing traffic and all floodlighting on the site will be concentrated in one area.

### **COUNCILLORS**

Cllr Sam Dalton in respect of the initial location of the courts on site requested the application be heard by Members at Committee to allow a full and frank discussion due to the significant impact on local residents.

## **7 REASONING**

### **a) Introduction**

This planning application is submitted in conjunction with the planning application reference 11/00225/FUL for 3 residential houses on the former Peterborough City Lawn Tennis Club site in Park Crescent. It is proposed that the tennis facilities proposed under this planning application would mitigate for those to be lost as a result of the residential redevelopment of the Park Crescent site.

**b) Suitable replacement tennis facilities**

Policy LT3, does not allow the loss of open space facilities, if that loss would give rise to a deficiency, or would be in an area of the District where there is already a deficiency in open space.

There is not a deficiency in tennis court facilities within the Park Ward, and the loss of the former lawn tennis courts would not result in a deficiency, as there are existing hard surfaced tennis courts opposite the Park Crescent application site in the Central Park. Therefore the loss of the tennis facilities in this location would not be contrary to Policy LT3 provided alternative provision is made.

Policy LT3 requires the alternative provision to mitigate for those lost to be at least as accessible to users, and at least equivalent in terms of size, usefulness, attractiveness and quality as the facilities that would be replaced.

The Membership details supplied by the Lawn Tennis Club demonstrated that it has a city wide catchment and is not just a local club consisting predominately of the surrounding residents of the Park Ward. Therefore in ensuring replacement tennis facilities are at least as accessible to Members as those to be lost, it is not considered essential that the replacement tennis facilities would have to be located within the Park ward.

The new tennis facilities would be located approximately 2.5km from the city centre, on the Peterborough Town Sports Club site which is adjacent to the Peterborough City Hospital site. The site has a newly improved vehicle entrance and is close to the parkway junction on the main A47 through Peterborough. Bretton Gate is a public transport route, which serves the existing site, the hospital and the adjacent Westwood Farm commercial area. There are regular bus services that operate in this area. There are also cycle and pedestrian routes that connect the site with the city centre, and nearest residential areas are Netherton and Westwood. It is therefore considered that the site of the replacement facilities has good levels of accessibility by a range of different transport modes and so could be considered to be as accessible to users as those to be lost.

The tennis facilities proposed would be two tennis courts contained under a removable transparent polythene dome, which does not require lights inside for daytime play. External outdoor floodlighting is proposed and that will penetrate the membrane and provide sufficient light for night play in the dome. The floodlighting columns would be approximately 10m high with the lights positioned by downward deflection through the dome onto the playing surface to reduce light pollution. The dome can be kept on site permanently, or can be erected and deflated seasonally as required. It takes 3 people 3 hours to dismantle, and 6 hours to erect. The hours of play proposed for the courts is 8am to 10pm Monday to Sunday, including bank/public holidays.

The tennis facilities to be lost at Park Crescent were four former grass tennis courts, they were not covered or floodlit therefore the potential hours of use would have been restricted to dry weather and daylight hours only. Whilst two rather than four courts are now proposed, they are proposed to be covered and floodlit, therefore their potential hours of use are much greater than the courts to be lost, as they can be used in wet weather and in hours of darkness.

This replacement facilities on this site have the added advantage over the Park Crescent site that there is potential for linked sporting trips to be made, as a range of sporting facilities are provided on site, so families or groups could arrive together and participate in different sporting activities. This site also has the additional benefit over the existing Park Crescent site that it has larger changing and clubhouse facilities, and has on site car parking facilities.

The Lawn Tennis Association (LTA) is supportive of this proposal as the Peterborough area currently lacks indoor tennis facilities. They consider that an indoor, floodlit facility such as this will offer greater

year round sports development opportunities when compared to the former grass courts at Park Crescent.

It is therefore considered that the proposed replacement facilities accords with Policy LT3 and the requirements of PPG17, in that they are as accessible, and equivalent in terms of size, usefulness, attractiveness, and quality as those to be lost.

**c) The siting and design of the tennis facilities**

The original proposal submitted under this planning application sited the proposed tennis facilities in the south west corner of the site, adjacent to the Westwood Farm commercial units, a car park, the residential properties on Denham Walk and the Wentworth croft residential nursing home.

Amended plans have been received relocating the tennis facilities to the east of the application site, adjacent to the existing floodlit tennis courts on site and the site boundary with Bretton Gate Road. It is considered that this new location is an improvement to the original proposed as it is closer to the clubhouse and changing facilities, closer to the car park, and is positioned on site adjacent to the existing flood lit tennis and multi use surface facilities on the site. The original position proposed was in a currently unlit part of the site and in closer proximity to existing residential uses surrounding the site.

The transparent polythene dome covering the courts will be visually prominent on the site and will be visible from outside the site. Whilst its visual form is not characteristic of development in the area, it is not considered it would be visually unacceptable, due to the sporting character and appearance of the site.

It is considered the siting and design of the proposed tennis facility would be in accordance with the Policy CS16, and CS18 of the Core Strategy.

**d) The impact of development on surrounding sites**

In respect of the initial position of the tennis courts on site, concern was raised with the applicant about the impact of the lighting and potential noise disturbance on the residential properties on Denham Walk and the nursing home ,particularly in respect of the sky glow impact when the lighting was in use.

Amended plans were received re-siting the courts on site and providing additional technical lighting information, to try and address this concern.

The re-sited location has moved the tennis courts closer to the residential properties on Hartwell Way and Edgoote Close however these properties are separated from the site by the main road of Bretton Gate and the mature tree shelter belts which extends along both sides of this road. These properties already co-exist with the floodlit football/multi use surface pitch and the 3 floodlit tennis courts, which are positioned along this eastern boundary of the site. It is considered that the proposed floodlights would not unacceptably shine into any of the windows of the adjacent residential properties. The sky glow generated by the lights shining off the dome surface would be visible from the adjacent road and the residential properties beyond.

There is already a similar facility to this at the Peterborough Esporta sports centre, and sky glow and reflective light from the domes surface are visible at some distance from the site. It is accepted that the lighting impact will be visible from outside the site. It is not considered that facility would exceed the recommended lighting levels impact on neighbouring windows, but the dome structure will have a sky glow impact which will be visible to those in the surrounding area. The lighting will only be used in darkness hours and the lighting would be switched off after 10pm, the same time as the existing floodlights on site.

On balance, the lighting impact on the surrounding streetscene and residential properties is considered to be acceptable, subject to the conditioning that the lights are switched off at 10pm.

**8 CONCLUSIONS**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

It is considered that the replacement tennis courts proposed could be considered as accessible and equivalent to those proposed to be lost by planning reference 11/00225/FUL. The siting, and design of the tennis facilities proposed on this existing sports site is acceptable and on balance, the sky glow impact on the surrounding area would be acceptable as it is adjacent to the existing floodlit sports facilities.

The proposal is therefore considered to be in accordance with Policies CS18, CS14, CS16 of the Core Strategy, Policy LT3 of the Local Plan (First Replacement) 2005 and national policy guidance PPG17.

## **9 RECOMMENDATION**

The Head of Planning, Transport and Engineering Services recommends that this application is APPROVED subject to the following conditions:

**C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

**C2 The source of illumination shall not be directly visible to users of the adjoining highway.**

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy CS14 of the Peterborough Core Strategy Development Plan Document (2011).

**C3 The column lighting shall be operated in strict accordance with the details hereby approved unless otherwise agreed in writing by the Local Planning Authority and in any event, shall not exceed the obtrusive light limitations for sky glow into windows, specified (in the environmental zone E3) in the Institution of Lighting Engineers document 'Guidance Notes for the Reduction of Light Pollution (Revised) (2005).**

Reason: In order to protect the amenity of local residents and highway safety, in accordance with Policies CS18, CS16 and CS14 of the Peterborough Core Strategy Development Plan Document (2011).

**C4 The tennis courts and associated floodlighting hereby permitted in accordance with the block plan drawing shall not be used outside the following times 8am to 10pm Monday to Sundays, including bank/public holidays.**

Reason: In order to protect the amenity of adjoining occupiers from noise and light, in accordance with Planning Policy Guidance (PPG24 Planning and Noise) and Policies CS18 and CS16 of the Peterborough Core Strategy Development Plan Document 2011.

Copy to Councillors Arculus, M Dalton and S Dalton