

Agenda Item:

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Regulatory Committee

Dorset County Council



Date of Meeting	29 January 2018
Officer	Head of Economy
Subject of Report	To consider planning application 2/2014/1393/PLG for provision of sports lighting to existing netball courts at the Blandford School, Milldown Road, Blandford Forum DT11 7SQ.
Executive Summary	Replacement floodlighting is proposed to serve existing netball courts. North District Council has raised concerns regarding the impact of the proposed development on heritage assets including the character, appearance and setting of a designated conservation area. Notwithstanding the concerns expressed, it is considered that there would be no significant additional adverse effect on the identified heritage assets, the character and appearance of the area or on amenity. The proposal provides for the continued and enhanced community use of an important school facility and recreation resource and is considered to be in accordance with the development plan.
Impact Assessment:	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations received and all other material planning considerations as detailed in the main body of the report.

	Budget/Risk Assessment: No budget/risk assessment implications.
Recommendation	Grant planning permission subject to the conditions set out in paragraph 8.2 of the report.
Reason for Recommendation	The reasons for granting planning permission are summarised in paragraph 6.12.
Appendices	1. Site Location. 2. Proposed Layout.
Background Papers	PA File 2/2014/1393/PLG
Report Originator and Contact	Name: Mrs Deboarah Thomas Tel: (01305) 221207 Email: deborah.thomas@dorsetcc.gov.uk

1. Background

- 1.1 Planning permission 2/2013/0649 was granted on 01 October 2013 for the provision of a synthetic turf sports pitch, fencing and lighting and an extension to existing netball courts at The Blandford School, Milldown Road, Blandford.
- 1.2 The school campus at Milldown Road includes Blandford Upper School, the Blandford Leisure Centre, Milldown Primary School and a large expanse of playing field running alongside the River Stour. There are tracks of woodland alongside the river bank and mature trees within the school grounds.
- 1.3 The synthetic turf pitch, which has recently been constructed, is located on a former deer park, to the rear of the Leisure Centre with the netball courts situated between the pitch and Leisure Centre.

2. Site Description

- 2.1 The school campus is located on the north-western edge of Blandford, between Milldown Road and the River Stour. It is located within the Blandford, Blandford St Mary and Bryanston Conservation area. A residential area lies to the north and north-east of the site.
- 2.2 The school campus formerly contained a disparate group of modern buildings. However, following the reorganisation of educational provision within the Blandford area, the age range of the Blandford School was extended to cater for pupils aged 11 to 18. Accordingly, new upper school accommodation has been constructed on the site and a new primary school built. In due course the former Milldown Middle School and some blocks of the Blandford School that are surplus to requirements are to be demolished.
- 2.3 The site is not covered by any landscape designations but is adjacent to The Crown Meadows and former deer park, which provide a pastoral parkland setting on the western fringe of the town and are identified as an “*important open or wooded area*” in the North Dorset District-Wide Local Plan.

3. The Proposal

- 3.1 There are three existing netball/tennis courts to the rear of the Leisure Centre. These are managed by the Blandford School and are available to the Leisure Centre and the community, who are able to book the facility after school hours. The courts are currently served by eight floodlights.
- 3.2 The proposal provides for eight, eight metre high lighting columns, each to be fitted with 1000 watt floodlights to achieve 200 LUX lighting levels. The Design and Access Statement which accompanies the application explains that this lighting arrangement will achieve a Class II standard which is suitable for principal local clubs and county competitions. The proposed floodlights include a cowl to limit light pollution and an integral baffle to reduce glare and enhance performance.
- 3.3 The application is also accompanied by a Heritage Impact Statement and a Landscape and Ecology Management Plan, both submitted subsequent to the main application.

- 3.4 The Heritage Impact Statement presents a detailed analysis of the impact of the proposal on the Blandford, Blandford St Mary and Bryanston Conservation Area and also nearby listed buildings.
- 3.5 The Landscape and Ecology Management Plan was produced in May 2014 in connection with the synthetic turf pitch application and includes an assessment and evaluation of the importance of the landscape and setting of the school campus within its river meadow context. The Plan includes details of a number of measures proposed to enhance the parkland, perpetuate the historic parkland landscape, ensure succession of mature parkland trees and the conservation of important mature and veteran trees and proposals for riverside tree planting and woodland management. The implementation of these management proposals has been secured under the existing grant of planning permission.

4. Consultations and Representations

- 4.1 The application was advertised in the local press and a notice posted on the site. The following representations have been received:
- 4.2 Ward Member
No objection.
- 4.3 North Dorset District Council
Initially raised objection on grounds that application was not accompanied by a Heritage Statement and expressed concerns in relating to impact of proposed development on character, appearance and setting of conservation area.

Further response received following submission of Heritage Impact Statement and Landscape and Ecology Management Plan noting:

- Report prepared as part of evidence base for emerging North Dorset Local Plan entitled Heritage Assessment Crown Meadows, Blandford Forum lays out Council's position with regard to significance of Crown Meadows and its contribution towards and providing a setting for several heritage assets including the conservation area and statutory listed and non-listed buildings, as well as being of interest in its own right.
- Crown Meadows (Deer Park) are considered to be of historic interest and are within designated conservation area. Whilst not of national importance in its own right, the Meadows area is significant in local terms by reason of historical associations with development of the town and its surroundings as well as individually. The asset is appreciated from various vantage points both within its own boundaries and from more distant views. Intervisibility between the Deer Park, Bryanston and the town are an extremely important element of their significance forming vital and significant components of their interest.
- Crown Meadows (Deer Park) is of vital importance in preserving undeveloped setting of town and for understanding its historic development. During 17th century, meadows were a busier pastoral landscape crossed with lanes and divided by hedgerow enclosures, but were made into an open parkland landscape during the 18th century. The Deer Park Stables farm complex is set on edge of this

open landscape; although built during mid-to-late 19th century, some minor settlement existed at, or very close to, the site since at least 17th century and could have been ecclesiastical in origin. Setting of stables and proposed site has become increasingly urbanised due to infill behind suburban villas on White Cliff Mill Street and developments along Milldown Road, although the stable lodge still retains its isolated position away from settlement edge. Since the infilling of the land to west of White Cliff Mill Street and the development of the Park House site during the late 20th century, urban fringe now lies at a distance from the historic core of the town, bordering directly onto Bryanston Park. The only remaining historic urban edge lies to south of Bryanston Street at Bryanston Cottage. The south of the Park remains undeveloped and its 18th-century boundary remains intact having been incorporated into Second World War defences. North of Deer Park has been encroached upon significantly since 1960s by developments on Milldown Road and buildings and sports fields of the two schools; further development here in the form of a floodlit synthetic sports field has been approved.

- Whilst it is evident and recognised that the proposal will result in various benefits as outlined in application, consideration has also been given to its likely impact upon previously stated heritage assets. Thus having considered the information put forward by your council including the degree to which the existing lighting will be viewed in context with existing infrastructure and buildings, we maintain our concerns about the degree of harm caused to heritage assets as previously stated to you. The Crown Meadows to west of town make a vital contribution to historic context and landscape setting of town with their high amenity value as undeveloped countryside. District Council has significant concerns that proliferation of high level artificial floodlighting in this urban fringe location will have a significant and intrusive impact on the setting of the Blandford Forum Conservation Area. This part of conservation area is highly sensitive to change given its open and undeveloped landscape character.
- Cumulative impact of lighting will cause harm. Request appropriate weight is given to statutory duties and government guidance (NPPF) relating to listed buildings and conservation areas (designated and non-designated heritage assets) as well as recent case-law relating to weight required to be given to assessing the impact of a proposed development on the significance of a designated heritage asset (i.e. great weight should be given to the asset's conservation) when determining the application.

4.4 Blandford Forum Town Council
No objection.

4.5 Natural England
No comment.

4.6 Highway Liaison Engineer
No objection.

4.7 District Environmental Health Office
No objection, but would be appropriate to apply suitably worded condition requiring lighting installations to be installed in accordance with submitted

plan, and design details ensuring luminaires do not create light spillage beyond the immediate area of the sports pitches through suitable unit selection, location, positioning, height, angle of illumination and, if appropriate, enclosure.

- 4.8 Other Representations
No other representations received.

5. Planning Policy Framework

- 5.1 Applications for planning permissions must be determined in accordance with the development plan unless material considerations indicate otherwise. In exercising planning functions, special attention is to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 5.2 The development plan includes the saved policies of the North Dorset District-Wide Local Plan initially adopted in January 2003. The term '*other material considerations*' is wide ranging, but includes national and emerging planning policy documents. The most relevant policies are:

5.2 National Planning Policy Framework (NPPF)

- Paragraphs 69, 70 and 72 - Promoting healthy communities.
- Paragraphs 126 to 141 - Conserving and enhancing the historic environment.

5.3 North Dorset District-Wide Local Plan (The Local Plan)

- Policy 1.7 - Development Within Settlement Boundaries.
- Policy 1.8 - Standard Assessment Criteria.
- Policy 1.24 - Character of Conservation areas.

6. Planning Assessment

Principle of Development

- 6.1 Paragraph 69 of the NPPF notes that the planning system can play an important role in facilitating social interaction and creating healthy communities. Paragraph 70 provides that to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared space, community facilities (such as sports venues) and other local services. Paragraph 72 explains that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should give great weight to the need to create, expand or alter schools.

- 6.2 The application site lies within the settlement boundary defined on the Local Plan Proposals Map, wherein Local Plan Policy 1.7 provides that development will only be approved if the proposal satisfies the Standard Assessment Criteria Policy. These are set out in Policy 1.8 and require that development should meet with the overall Local Plan Strategy of Sustainable Development; that the form, scale and density of new development should be in character or enhance the immediate surroundings and the settlement or area as a whole; and that the amenity of neighbouring land users should be

safeguarded. Policy 1.24 provides that proposals for any new development which would have an adverse effect on the character or appearance of the Conservation Area will not be permitted.

- 6.3 In light of the above, it is considered that the principle of the proposed development is acceptable provided that the environmental considerations, especially the impact on heritage assets and amenity, are acceptable.

Impact on Amenity and Heritage Assets

- 6.4 The law requires that special regard is had to the desirability of preserving a listed building or its setting and to the desirability of preserving or enhancing the character and appearance of a conservation area. This statutory duty applies to deciding planning permissions which affect listed buildings and conservation areas and means that considerable weight should be given to preserving them. The Courts have held that preservation means not to harm.
- 6.5 Paragraph 126 of the NPPF provides that local planning authorities should recognise that heritage assets are an irreplaceable resource and should conserve them in a manner appropriate to their significance. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraphs 133 and 134 explain the relative weight to be given to any harm to a significant heritage asset and other considerations and it is noted that where a proposal will lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal, including securing optimum viable use.
- 6.6 North Dorset District Council objected to the application as made, noting concerns in relation to the impact of the development on the character, appearance and setting of the conservation area and to the historic context and landscape setting of the town.
- 6.7 The objection noted that the application was submitted without a Heritage Statement to identify the important characteristics of the conservation area and the level of significance of any effects of the proposed development on heritage assets.
- 6.8 A Heritage Impact Statement has since been provided, which notes that the existing netball courts are located between the Deer Park Stables development and the Leisure Centre buildings, to the north-east of the synthetic turf pitch grass pitch. Impact is considered from various points within the Conservation Area:
- From the north west and north east of the Conservation Area - lighting not visible due to intervening buildings and residential development.
 - From the Deer Park Stables and residential properties to the east of the school - the netball courts are visible; lighting will be visible on an evening when the courts are used in the winter months.
 - From the south and west - intermittent and glimpsed views of the courts, against a backdrop of existing school buildings and the leisure centre.
 - To the west of the River Stour - occasional glimpsed views of the school buildings through gaps in the mature riverside vegetation.

Much of the area west of the Stour is wooded and any potential views across the river to the school are obscured by woodland,

- From the Church of St Martin at the foot of The Cliff near to Bryanston School (a Grade II listed building) - an open view towards the school; the courts are partially visible behind the Artificial Grass Pitch and against a backdrop of school buildings, residential properties, street lighting and mature trees. The lighting columns do not break the skyline.
- From the permissive path adjacent to the church (distance about 0.5km) – and the Portman Chapel to the north of the Church (a Grade 1 Listed Building) - views from this property are limited and any proposed flood-lighting will be viewed against a backdrop of existing school buildings, residential properties, street lighting and will have a minimal and insignificant impact upon evening views from The Cliff to the south west.
- From Blandford Bridge (a Grade II listed structure) - an open view across the Parkland and River Stour from the bridge but no views of the netball courts due to intervening properties and mature vegetation.

6.9 The application further notes that the proposed columns are lower than the mast floodlighting to the synthetic turf pitch and that the impact of the proposed lighting would be lost against the background lighting from the pitch.

6.10 The proposed lighting is an improvement on the existing older style mast lighting around the courts and it is designed to have minimal light spill beyond the court area with cowls to shield and direct the lighting towards the courts and reduce glare.

6.11 The District Council's Environmental Health Officer has no objection to the proposed lighting, but considers that it would be appropriate to apply a suitably worded condition requiring the lighting to be installed in accordance with the submitted plan and design details ensuring luminaires do not create light spillage beyond the immediate area of the sports pitches through suitable unit selection, location, positioning, height, angle of illumination and, if appropriate, enclosure. I consider that the specification included with the application incorporates the relevant design details, but that correct installation and maintenance should be required by condition.

6.12 The impact of the proposed columns and lighting has therefore been carefully considered and it is concluded that, in the context of the site, the proposed lighting would have no significant adverse affect on the identified heritage assets, the character and appearance of the area or on amenity. Whilst considerable weight may be accorded to any harm to the character and/or appearance of the conservation area and/or the setting of listed buildings, in this instance, such harm is very limited and is outweighed by the benefits associated with enhanced school and community use of the existing courts. Accordingly, the proposal is considered to be in accordance with the development plan and planning permission can and should be granted.

7. Human Rights Implications

7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the

recommendation contained in this report. The articles/protocols of particular relevance are:

- Article 8 - Right to respect for private and family life; and
- The First Protocol, Article 1- Protection of Property.

7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

8. Recommendation

8.1 GRANT planning permission subject to the conditions set out in paragraph 8.2 below:

8.2 SCHEDULE OF CONDITIONS

Time Limit - Commencement of Development

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason:

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

Submitted Plans and Details

2. The development shall be carried out in strict accordance with the approved plans:

- Drawing No. 005154/L100 titled Site and Location Plan dated October 2014;
- Drawing No. 005154/L420 Rev P1 titled Proposed General Arrangement dated February 2014;
- Design Ref: UKS9099/7/INSTALL titled External Floodlighting dated 25/09/2014;
- Drawing No. TO87RLH titled Detail of TO87RLH Column dated 5/9/89;
- RHEA AL5210 floodlight specification detail;
- The Blandford School Netball Courts Floodlighting Design and Access Statement, October 2014; and
- The Blandford School Netball Courts Floodlighting Heritage Impact Statement dated 29.11.2014.

Reason:

To enable the County Planning Authority to deal with any development not in accordance with the submitted application.

Lighting

3. The proposed lighting shall be installed and maintained so that luminance levels associated with the proposed lighting within and adjacent to the netball courts does not exceed the levels indicated on submitted drawing Design Ref: UKS9099/7/INSTALL titled External Floodlighting dated 25/09/2014.

Reason:

To limit light spillage beyond the immediate area of the netballs courts and protect amenity having regard to North Dorset District-Wide Local Plan Policies 1.8 and 1.24.

8.3 INFORMATIVES TO BE INCLUDED ON DECISION NOTICE

Statement of Positive Involvement

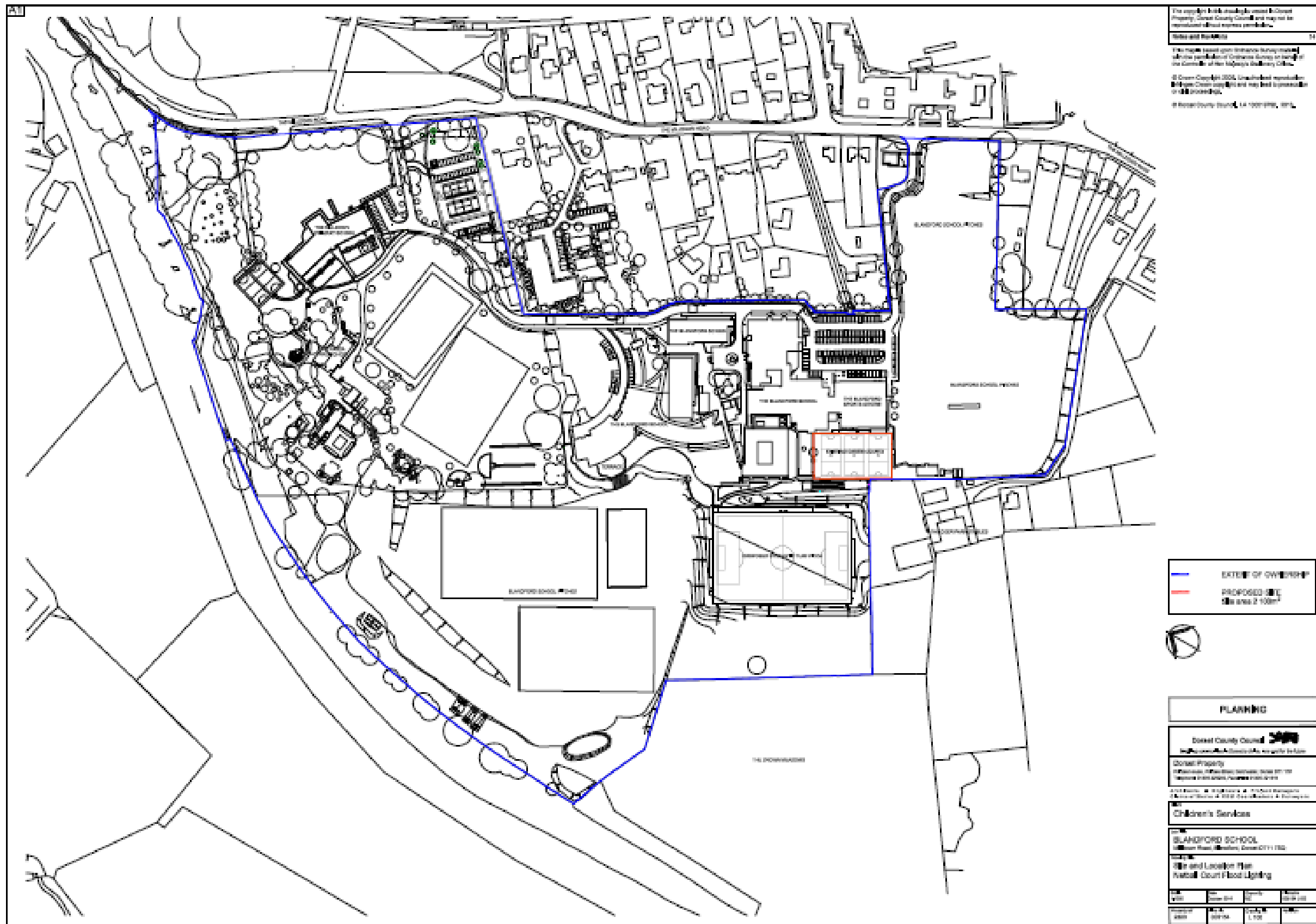
1. In accordance with paragraphs 186 and 187 of the NPPF, Dorset County Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:
 - i. providing a pre-application advice service;
 - ii. updating the applicant's agent of issues as they arose in the processing of the application;
 - iii. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

Further Information

2. Further details including application documents and the Planning Officers report can be viewed using the Application No. above at the following url:
<http://countyplanning.dorsetforyou.com/ePlanningOPS/searchPageLoad.do>

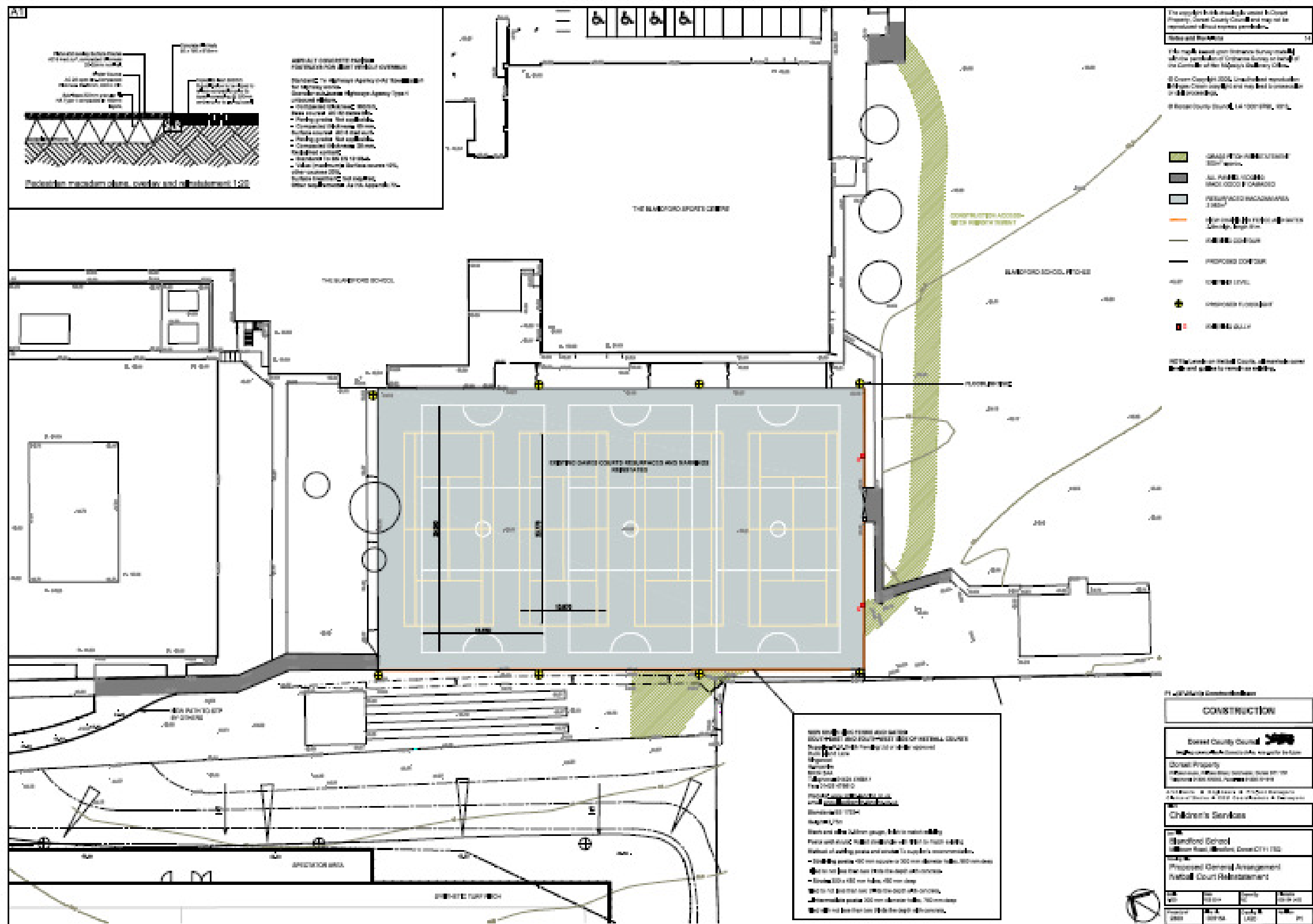
Matthew Piles

Head of Economy
January 2015



Appendix 1: Site Location

Application No: 2/2014/1393/PLG - Blandford School, Milldown Road, Blandford Forum DT11 7SQ.
 Provision of sports lighting to existing netball courts.



Appendix 2: Proposed Layout

Application No: 2/2014/1393/PLG - Blandford School, Milldown Road, Blandford Forum DT11 7SQ.

Provision of sports lighting to existing netball courts.