

# Planning Committee

## Tuesday, 12 September 2017

<b>Planning application no.</b>	16/01278/FUL	
<b>Site</b>	Hanbury Tennis Club, Hanbury Crescent, Wolverhampton	
<b>Proposal</b>	Erection of eight low level retractable floodlighting on Court No.1 (2.75 metres lowered, 3.95metres fully extended)	
<b>Ward</b>	Penn	
<b>Applicant</b>	Hanbury Tennis Club	
<b>Cabinet member with lead responsibility</b>	Cabinet Member for City Economy, Councillor John C Reynolds	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Planning Officer	Ragbir Sahota
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### 1.0 Summary recommendation

1.1 Refuse.

### 2.0 Application site

2.1 The application site is Hanbury Tennis Club which is accessed off Hanbury Crescent, Penn. The tennis club is small in that it has two tennis courts and a club house.

2.2 The area surrounding the site is predominantly residential in character. To the rear of the properties in Hanbury Crescent, Windsor Avenue and Kingswood Gardens there are boundary fencing, trees and hedges providing screening to the site.

2.3 An access to the site is also off Hanbury Crescent where there is provision for a small number of vehicles with pedestrian access.

### 3.0 Application details

3.1 The proposal seeks the erection of eight low level retractable floodlights on court one.

3.2 The application has been submitted following earlier submissions, the most recent in 2010 under reference 10/01263/FUL for the erection of six floodlights to court two which was refused and dismissed at appeal.

#### **4.0 Relevant policy documents**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)

#### **5.0 Publicity**

5.1 Four letters of objection have been received. The main reasons for objecting are: lack of parking, traffic safety, noise and disturbance, wildlife issues and light pollution.

#### **6.0 Consultees**

6.1 Environmental Health – The proposed lighting is close to residential properties and the information submitted is insufficient to adequately determine the light spill into neighbouring properties.

#### **7.0 Legal implications**

7.1 Other than the possibility of an appeal there are no immediate legal implications arising from this report. RB/0092017/A

#### **8.0 Appraisal**

- 8.1 The proposal seeks the introduction of additional floodlighting to enable to enable extended use of the facility into the evenings.
- 8.2 The Planning Inspectors appeal decision in 2010 dismissed an appeal for the erection of six floodlights on court number 2. The Inspector considered the concerns of residents in that the night time ambience to the rear of neighbouring properties was clearly of importance, when it is proposed the artificial lighting would be used but residents were more likely to be indoors and have their doors and windows shut and therefore the proposal would not impact on their amenities by virtue of noise and disturbance.
- 8.3 However, in concluding the appeal decision, the Inspector states that dark and tranquil areas to the rear of neighbouring gardens would be harmed by the addition of artificial lighting and whilst the aspirations of the tennis club to extend the scope of its useable hours are acknowledged, the harm could not be outweighed and the proposal would be contrary to the development plan.

8.4 The proposal albeit using an alternative lighting scheme differing in specification, design, location and height to the previous refusal, would still pose the same impact of light spillage into neighbouring properties when they can reasonably expect the area to be tranquil. As a result of this, it is considered that impact of the proposal would be no different and neighbouring amenities would be similarly affected to an extent that is considered unacceptable and still, contrary to the provisions of the development plan.

## **9.0 Conclusion**

9.1 The proposed development is therefore recommended for refusal on the grounds that the light intrusion would result significant harm to residents' amenities.

## **10.0 Detail recommendation**

The proposed installation of floodlighting would seriously harm the living conditions of the occupiers of the neighbouring dwellings in Hanbury Crescent, Windsor Avenue and Kingswood Gardens through light pollution. The proposal is therefore contrary to the Unitary Development Plan Policies EP1 and EP4.

