

**REFERENCE:** P/22/740/BCB

**APPLICANT:** BCBC Communities Directorate Civic Offices, Angel Street, Bridgend, CF31 4WB

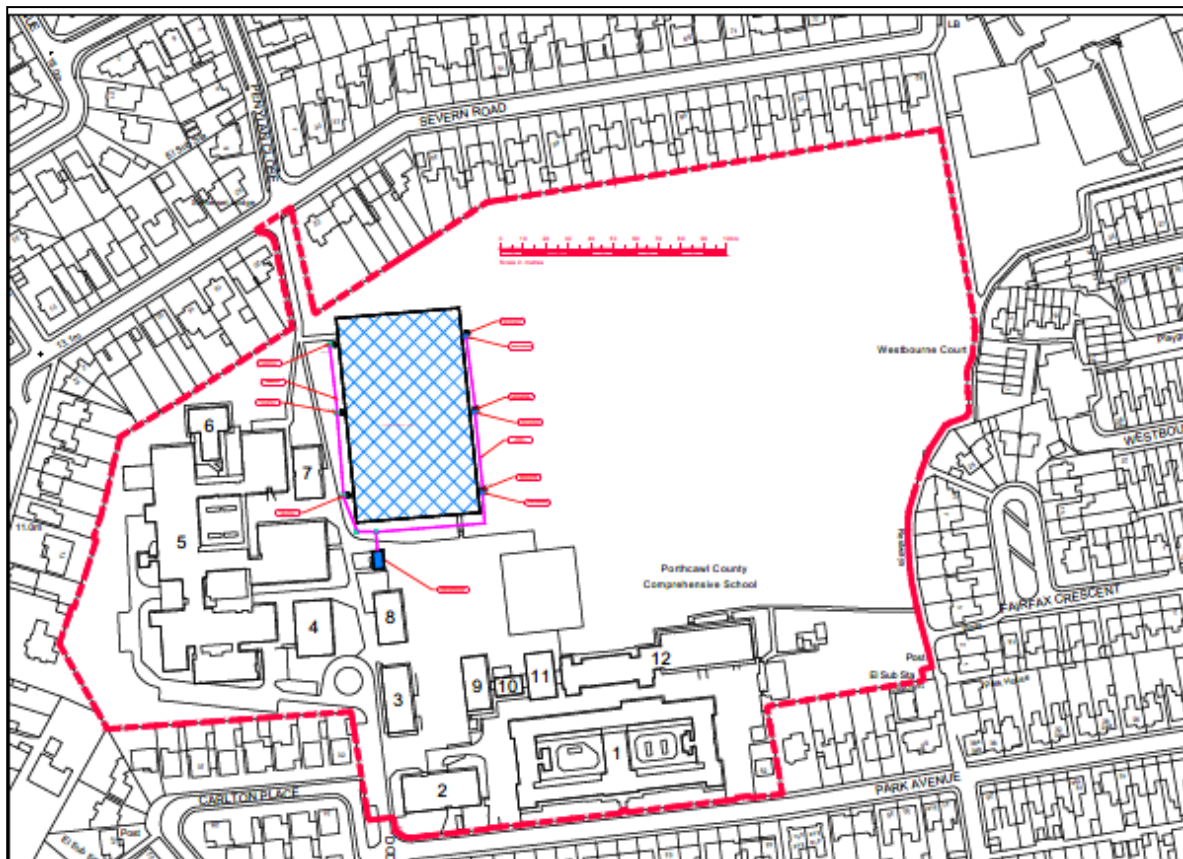
**LOCATION:** Porthcawl Comprehensive School Park Avenue Porthcawl CF36 3ES

**PROPOSAL:** Proposed multi use games area (MUGA) flood lighting

**RECEIVED:** 27 October 2022

### **SITE DESCRIPTION**

This application seeks full planning permission for new sports lighting consisting of 6 lighting columns at Porthcawl Comprehensive School, Park Avenue, Porthcawl.



**Fig 1: Site Location Plan**

The application site lies within the Main Settlement of Porthcawl, as defined by Policy PLA1 of the adopted Local Development Plan (2013). It comprises the site of an existing Multi use Games Area (MUGA) associated with Porthcawl Comprehensive School which occupies the surrounding site.

Surrounding the school site is Severn Road to the North, Windsor Road to the West, Park Avenue to the South and Fairfax Crescent to the East. The area around the school is predominantly residential in character. The nearest properties to the MUGA are Located off Severn Road where the rear boundary is approximately 9.5m from the northernmost edge of the MUGA.

The school has two entrances on Severn Road and Park Street. The location plan in Figure 1 above shows the extent of the school site outlined in red and the existing MUGA

pitch hatched in blue.

## DESCRIPTION OF PROPOSED DEVELOPMENT

The existing MUGA already has flood lighting that was erected in 2000. However, this system is old and failing and needs replacing. The proposed LED sports lighting system consists of 6 columns situated around the perimeter of the pitch (3 on either side). The columns measure 15m in height and the floodlights will be aimed down and cowled. At this height and angle, the floodlights will create a narrower floodlight beam that results in less light spill.

It is proposed to operate the flood lights when required between the following hours:

- Weekdays 09:00-21:00
- Saturdays 09:00-19:00
- Sundays & Bank Holidays 10:00-16:00

with the floodlights to be in use following sundown in the evenings with timings to vary throughout the year. The applicant has advised that the lights would be on a timer and would automatically switch off at the set times if they have not already been turned off manually.

The planning application is supported by details of the lighting columns, head unit design and details of the likely levels of light spill that would occur from such floodlights as well as an ecology appraisal. Photos of the existing hockey pitch are shown below.



**Fig. 2: Photos of existing MUGA**

## RELEVANT HISTORY

P/99/1055/FUL - Erection of 6 X 15M Columns and Lights for Floodlighting (All Weather Surfacing) - Approved 06/01/2000

## PUBLICITY

This application has been advertised through direct neighbour notification on the 25 November and 19 June 2023. The latest consultation period expired on 3<sup>rd</sup> July 2023.

## CONSULTATION RESPONSES

**Cllr Sean Aspey** – Declared an interest (personal & prejudicial) owing to the fact that he is a LEA governor on the governing body at Porthcawl Comprehensive School.

**Shared Regulatory Services (Housing and Pollution)** – No objection subject to condition.

**Transportation Officer (Highways)** – No objection.

**Destination and Countryside Management (Ecology)** – No objection.

**Porthcawl Town Council:** No objection.

## **REPRESENTATIONS RECEIVED**

Four neighbouring properties (7 Westbourne Court, 10 Severn Road, 69 Park Avenue, 35 Carlton Place) are in support of the proposal and two properties (23 Carlton Road and 40 Severn Road) have submitted objections to the scheme.

### 23 Carlton Road have made the following comments:

- I am concerned at the increase in noise, traffic and parking issues this development will present at potentially increased times of day and weekends.
- The area is already heavily built up with huge congestion and parking issues. There is insufficient parking on school grounds currently which has a negative effect on the local community.
- Any potential development within the school needs first to look at how parking issues could be addressed on school grounds.
- Second, disturbance from noise is a concern in a built-up area.

### 40 Severn Road have raised the following objections.

- The proposed Muga at the school will be available for public use, which means the lighting may be switched on late into the evening.
- the current light pollution created by the school spotlights mean that the back of our property is constantly lit up throughout the night
- When the flood lights are on at the current games' courts, we suffer significant light exposure, the lights can remain on well after any sports have finished, in the evening time this can be well after 9.00pm at night before the lights are switched off.
- The school has also put large spotlights on the school building which come on 5.30 – 6.00am in the morning.
- We have put up curtains with black out linings to try to stop the light penetrating into the back of our house, particularly the bedrooms, and although the curtains have helped they have not entirely succeeded in preventing the light penetration.
- Generally, there is an awful lot of light pollution coming from the school windows and it's outside grounds lighting. More and larger flood lights around the proposed MUGA are only set to make the light pollution even worse.

- We have also made a complaint of the current light pollution to the Shared Regulatory Services department and are awaiting their response.

## **RESPONSE TO REPRESENTATIONS RECEIVED**

In response to the above comments raised by the occupier of 23 Carlton Road, this application does not relate to the use of the land, as the school already allows the use of this facility outside of school hours. However, there is sufficient car parking located within the school site that could be utilised. This application relates to new floodlighting columns. The MUGA has had lighting since the year 2000.

In response to the comments raised by the occupier of 40 Severn Road, as above this application does not relate to the use of the land, the school already allow their facilities to be used outside of core school times. This application relates to new lighting columns. It is noted that issues with existing lighting from the school has been investigated by the Shared Regulatory Services. The school have confirmed they received a complaint regarding the security lights being left on all night. Investigations confirmed, it was not the school as they checked all their security cameras, and no lights were on. All lights on the school site are turned off by 9.20pm, Monday to Friday and are not on at all over the weekends or school holidays in the winter months. It should be noted that the proposed lighting has been designed to minimise any overspill onto any neighbouring property.

The impacts that the proposed lighting columns would have upon residential amenities and biodiversity are addressed within the appraisal section of this report and the applicant has also confirmed that the lights would be fitted with a timer to automatically switch them off.

## **PLANNING POLICY CONTEXT**

### **National Planning Policy:**

Planning Policy Wales (Edition 11) (PPW11) was revised and restructured in February 2021 to coincide with publication of, and take into account the policies, themes and approaches set out in, Future Wales - the National Plan 2040 and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of PPW11 is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

PPW11 Para 4.5.1 states *“Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area’s green infrastructure. They provide a place for*

*play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales.”*

Para 4.5.6 also states “*Planning authorities should encourage the multiple use of open space and facilities, where appropriate, to increase their effective use. ‘Beyond the Six-acre Standard’, produced by Fields in Trust, is a source of helpful advice to planning authorities on providing open space and outdoor sport and play through the planning system.”*

PPW11 is supported by a series of more detailed Technical Advice Notes (TANs), of which the following are of relevance: -

- Technical Advice Note (TAN) 5 Nature Conservation and Planning
- Technical Advice Note (TAN 11) Noise
- Technical Advice Note (TAN) 12 Design
- Technical Advice Note (TAN) 16 Sport, Recreation and Open Space

### **Local Policies**

The Development Plan for the area comprises of the Bridgend Local Development Plan 2006-2021 which was formally adopted by the Council in September 2013 and within which the following policies are of relevance:

#### *Strategic Policy*

- Policy SP1: Regeneration led Development.
- Policy SP2: Design and Sustainable Place Making
- Policy SP4: Conservation and Enhancement of the Natural Environment
- Policy SP13: Social and Community facilities

#### *Topic Based Policy*

- Policy PLA1: Settlement Hierarchy and Urban Management
- Policy ENV5: Green infrastructure
- Policy ENV7: Natural resource protection and Public Health
- Policy COM11: Provision of Outdoor recreation facilities

### **Supplementary Planning Guidance**

SPG19 – Biodiversity and Development

**The Well-being of Future Generations Act (Wales) 2015** places a duty on the Council to take reasonable steps in exercising its functions to meet the seven sustainable development (or wellbeing) goals/objectives. This report has been prepared in consideration of the Council’s duty and the “sustainable development principle” as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

**The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010)** which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for

those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

## **APPRAISAL**

The application is referred to the Development Control Committee on the basis that it is a BCBC application, and an objection has been received.

Having regard to the above, the main issues to consider in this application relate to the principal of development, the amenities of neighbouring residents, visual amenity biodiversity, drainage and highway/pedestrian safety.

### **Principle Of Development**

The site is located within the main settlement of Porthcawl as defined by Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted in 2013. Policy PLA1 states that development in the County Borough will be permitted where it provides the maximum benefits to regeneration at a scale that reflects the role and function of the settlement.

Policy SP2 Design and Sustainable Place Making of the LDP states that all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.

Policy SP13 Social and community facilities states *"In order to maintain and improve the quality of life of residents the following social and community uses and/ or facilities will be retained or enhanced,"* with Health and wellbeing being one of the categories.

This application is for new lighting to improve the facility and replace dilapidated lighting, as such, it is considered that in principle, subject to satisfying the requirements of LDP Policy SP2, the proposed development is acceptable and accords with the Bridgend Local Development Plan (2013).

### **Impact on Visual Amenity**

The acceptability of the proposed development is assessed against Policy SP2 of the Local Development Plan (2013) which stipulates *"all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment"*.

PPW11 states at paragraph 3.9 *"the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important Planning considerations"*.

The proposed floodlights, which are 15m in height, will be installed with 3 columns either side of the MUGA. Whilst the school is set within its own grounds, the wider area is characterised as residential with a mixture of house types including terraced, semi-detached and detached dwellings that have a variety of designs. The MUGA forms part of a wider playing field area, is set back from the public highway and backs onto residential properties, with views of the site being distanced from publicly accessible spaces. The MUGA already has 3 older lighting columns which are 15m high (the MUGA originally had 6 however 3 have already been taken down on one side).

The proposed floodlights, in isolation, are not considered to be attractive features. However, regard must be given in this case to the purpose of the development and the fact that there are existing lighting columns on site (since 2000). The scheme will utilise



improved LED lighting which has been designed to minimise any overspill outside of the playing area. This will benefit the school as well as the local community by providing improved low energy consumption lighting enabling the existing sports facility to be utilised throughout the year by the school and the local community.

Overall, the development is not considered to be so visually incongruous or detrimental to the overall character and appearance of the area to warrant a refusal of the scheme in this regard. Its visual impact is considered to be acceptable on balance in line with the provisions of Policy SP2 of the LDP.

### Impact on Neighbouring and Residential Amenity

Planning Policy Wales (Edition 11, February 2021) states at paragraph 2.7 that “placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people”.

Criterion (12) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that the viability and amenity of neighbouring uses and their users/occupiers is not adversely affected by development proposals.

The nearest residential properties are to the North along Severn Road where their back gardens back onto the school grounds. The nearest boundary to the existing MUGA is approximately 9.5m away with other residential properties progressively getting further away. The nearest lighting column is approximately 17m away from the nearest residential boundary. As such, given the nature of the proposal and the separation distances maintained, it is unlikely that the proposed development (flood lighting columns) would have any unacceptable impacts on the residential amenities of neighbouring properties.

### Lighting

In terms of light pollution, the proposed floodlighting columns will be situated around the perimeter of the pitch (3 on either side). The columns measure 15m in height and the floodlights will be aimed down and cowled. At this height and angle, the floodlights will create a narrower floodlight beam that results in reduced levels of light spill. It should be noted that the applicant has worked with the Local Authority to minimise any lighting overspill.

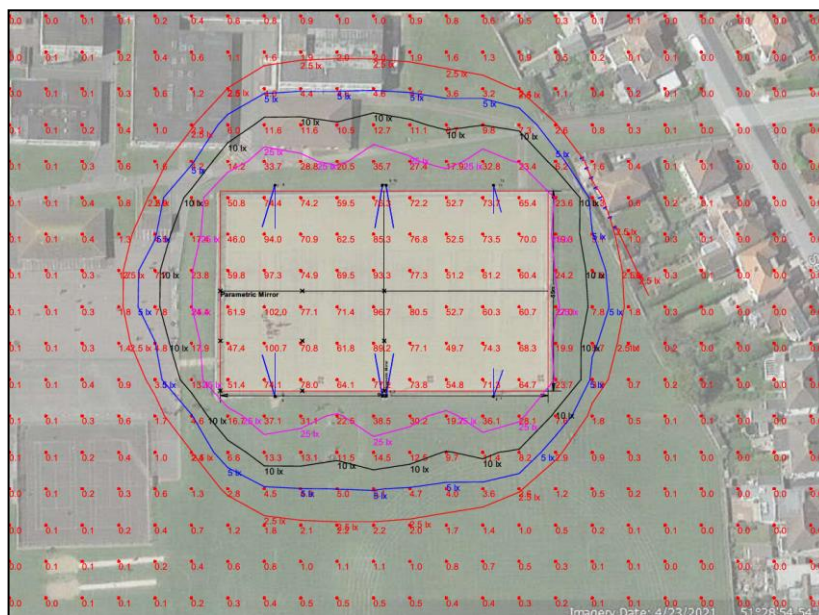


Fig 3: Lighting overspill diagram

Guidance Note 1 for The Reduction of Obtrusive Light (Institution of Lighting Professionals) suggests that in small town centres or urban locations (Zone E3), the maximum level of illuminance permitted to nearby dwellings/premises is 10 lux.

This reduces to 2 lux post-curfew (*post curfew is the time after which stricter requirements for the control of obtrusive lights will apply which is generally 2300hrs*) although in this case no use of the floodlights will be permitted past 21:00 hours which will be imposed by a condition.

The applicant has also advised that the lights would be on a timer which would turn them off at the set time or by a manual switch if they are not being used. The Shared Regulatory Service (SRS) Public Protection Officer assessed the original scheme and advised that they considered this site not to be within zone E3 and suggested the lighting is designed to comply with Zone E2 which is for a small village, or relatively dark urban locations. This requires that the light trespass into windows should be no more than 5 lux.

The applicant redesigned the scheme which shows that no property would have light spill in excess of 5 lux. The submitted lighting plans suggest that the level of light spill at the boundary of any residential or neighbouring properties surrounding the site will be less than 5 lux. The blue line within figure 3 above shows the 5 lux level.

SRS have carefully assessed the revised submission which includes details regarding the lux levels, the lighting columns and details of the proposed hours of operation and have raised no objections to the scheme (it should also be noted that the existing lighting can operate for longer hours than the proposed scheme).

SRS are comfortable that the light power and location of the floodlights have been designed so as to ensure that they would not cause a statutory nuisance to neighbouring residents. They have recommended that the times of operation are restricted by condition.

### **Noise**

Policy SP2 Criterion (8) also states "Development should Avoid or minimise noise, air, soil and water pollution". This application is for lighting columns. The use of the MUGA is already established. It should also be noted that the school does not need permission from the Local Planning Authority to allow their facilities to be used by the public outside of school times. Many schools within the County Borough allow the public to use their sports facilities outside of school - this is managed and controlled by each school independently. This benefits both the school and wider communities.

To conclude it is considered that the proposed development is considered to be acceptable in accordance with criterion (12) of Policy SP2 and guidance contained within PPW11.

### **Ecology**

In assessing a planning application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.



Planning Policy Wales 11 (PPW11) states in Section 6.4.4: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* it further goes on to state that *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

As part of the submission, an Ecological appraisal was undertaken by Soltys Brewster. The walkover survey identified a limited range of habitats at the school site considered to be of low/negligible ecological value. Most of the school grounds comprise of amenity grassland and hardstanding which provide limited foraging resources for bats, and following a review of the lighting plans, any additional artificial lighting is unlikely to impact any ecologically sensitive habitats or foraging bats. The report suggested that works should avoid the bird breeding season (typically March – September) and if not, then the columns should be checked for the presence of nesting birds prior to any works.

The Council’s Ecologist has assessed the submission, agrees with the findings of the Ecological Appraisal and has raised no objection. There are limited bat records for this part of Porthcawl so it is likely the development will have a negligible effect on bats. However, it is not proposed to use the lights after 9pm. Being turned off at this time between May and September would benefit bats during periods where they are more active. As such the condition mentioned earlier relating to the control of the lights would also minimise any impacts relating to bats.

No biodiversity enhancements have been suggested, however, given the extensive school grounds, it is considered that a condition could be imposed relating to the provision of suitable bird boxes to be erected around the school site. Given the small scale of the development, this would be a suitable enhancement to biodiversity and incorporating biodiversity enhancements will help contribute to the environmental sustainability of the development.

Such enhancements will demonstrate local authority compliance with Section 6 of the Environment (Wales) Act 2016 that places a duty on public authorities to ‘seek to maintain and enhance biodiversity’ so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to ‘promote the resilience of ecosystems. As such the proposal is acceptable in terms of Biodiversity.

## **Highways**

The application relates to 6 new floodlighting columns. It should be noted that the site has benefited from floodlighting since 2000. This application will replace the old lighting with new LED lighting that has been designed to minimise any overspill.

The Council’s Highway Officer has advised that, as this MUGA is already floodlit and used by the community in the evening and weekends, the application will not have a detrimental impact on the local highway network. Therefore, the Highway Authority has no objection to the scheme.

As such, the proposed development is compliant with Policy SP2 of the Local Development Plan (2013) and is acceptable from a highway and pedestrian safety perspective.

## **CONCLUSION**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

The concerns raised by neighbouring residents have been noted and taken into consideration. It is considered that, on balance, the proposal represents an appropriate and sympathetic form of development that would have no unacceptable impacts on visual amenity, residential amenity, or highway and pedestrian safety and ecology.

The proposal is therefore recommended for approval as complying with Policies SP1, SP2, SP3, SP4, SP13 PLA1, ENV5, ENV7 and COM11 of the Bridgend Local Development Plan (2013).

## **RECOMMENDATION**

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plan/document:

BCB0104054 E01 Electrical Services- proposed MUGA Pitch Flood Lighting Detail 1  
BCB0104054 E02 Electrical Services- proposed MUGA Pitch Flood Lighting System  
Obtrusive light compliance Report  
Revised Lighting Plan dated 14/03/2023 by Thorn Lighting Ltd.  
ZG-AGI-0002251612-EX1-R02-140323  
Areaflood pro 96645110 AFP L Louvres F+B by Thorn  
Ecological Appraisal by Soltys Brewster dated Feb 2023

Reason: To avoid doubt and confusion as to the nature and extent of the approved development

2. The recommendations of Section 5 of the Ecological Appraisal by Soltys Brewster dated Feb 2023 shall be adhered to throughout the construction of the development.

Reason: In the interests of Biodiversity and mitigation and to accord with Policies SP2 and ENV5 of the Bridgend Local Development Plan.

3. Prior to the construction of any building, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing suitable artificial nesting sites for house sparrow, swift and house martin. The scheme shall include details and locations of bird nesting boxes at suitable points within the school grounds as outlined in red on drawing BCB0104054 E02 "Electrical Services- proposed MUGA Pitch Flood Lighting System." All approved artificial nesting sites shall be implemented in accordance with the approved details prior to the installation of the lighting.

Reason: In the interests of Biodiversity enhancements and to accord with Policies SP2 and ENV5 of the Bridgend Local Development Plan.

4. The floodlighting hereby permitted shall only be illuminated between the following times:

- Weekdays 09:00-21:00
- Saturdays 09:00-19:00
- Sundays & Bank Holidays 10:00-16:00

Reason: In the interests of residential amenity and biodiversity and to accord with Policy SP2 and ENV7 of the Bridgend Local Development Plan.

5. Should the local planning authority make such a request in writing, a post-operation survey shall be undertaken and submitted to the local planning authority within one month of such request being made to demonstrate that the light spill beyond the site boundaries does not exceed the levels in approved plan Revised Lighting Plan dated 14/03/2023 by Thorn Lighting Ltd. ZG-AGI-0002251612-EX1-R02-140323. If the survey demonstrates that it does not meet the approved specifications within that plan, any remedial action necessary to achieve such approved levels shall be undertaken within one month of such request being made in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with Policies SP2 and ENV7 of the Bridgend Local Development Plan.

6. \* THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

The concerns raised by neighbouring residents have been noted and taken into consideration. The proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity residential amenity, or highway and pedestrian safety, drainage and ecology and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP13 PLA1, ENV5, ENV7 and COM11 of the Bridgend Local Development Plan (2013)

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None