

**COMMITTEE DATE:** 04/06/2019

**Application Reference:** 19/0093

WARD: Tyldesley  
DATE REGISTERED: 20/02/19  
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Blackpool Subscription Bowling Club

**PROPOSAL:** Erection of four floodlighting columns to be positioned one at each corner of the bowling green.

**LOCATION:** SUBSCRIPTION BOWLING CLUB, SOMERSET AVENUE, BLACKPOOL,  
FY1 5QU

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**Summary of Recommendation:** Grant Permission

**CASE OFFICER**

Mark Shaw

**BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

**SUMMARY OF RECOMMENDATION**

The application is recommended for approval subject to the comments of the Environmental Protection Manager being met which can be dealt with by way of a condition imposed on any planning permission. This will limit the height of the lights, their hours of use and ensure that the lights are fitted and angled in such a way as to minimise their impact on adjoining residents to an acceptable level.

**SITE DESCRIPTION**

The application premises is a well-established private members bowling club located on an otherwise residential street located between Whitegate Drive and Park Road. Residential properties are also located directly to the rear on Westmorland Avenue. The club has its own clubhouse and car park positioned on either side of the bowling green.

## **DETAILS OF PROPOSAL**

The erection of four 9 metres high floodlighting columns, one in either corner of the bowling green, to enable play to continue in hours of darkness, although the height of the lights will be reduced to 7metres in line with the Environmental Protection Officer's comments. Each column would be fitted with two x 60 watt LED lights.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Impact of residential amenity
- Impact on visual amenity
- Other issues

These issues will be discussed in the assessment section of this report.

## **CONSULTATIONS**

**Service Manager Public Protection:** No objections subject to the following:-

- The lights be fitted no higher than 7metres above the bowling green with some flexibility for slight adjustment
- The lights are in use no later than 9pm on any given evening
- Any approval of the application to be subject to a condition requiring agreement on site of the exact height, angling, shading, brightness, colour of the lighting

## **PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 21 February 2019

Neighbours notified: 20 February 2019

**209 Westmorland Road** - the bowling green is at the end of my garden and I would like to object to this application on the basis of these points:

- we currently have a bat colony somewhere in the local vicinity which frequent my garden and no doubt surrounding gardens to feed every night.
- having looked and read the application I could not find any timeframes as to when the floodlights would be switched on/off.
- myself and wife sleep in the back bedroom and are concerned about excessive noise and light impingement during sleeping hours.

**217 Westmorland Road** - I would like to object strongly to the proposal to erect 9 metres high flood lights on the corners of the bowling green. The bottom right hand corner is directly behind our garage and would flood our garden with light. We already suffer from excessive noise from the club, especially during the lighter nights so to encourage longer periods of

people being outside making noise when in bed is not something we can support. These lights would be shining directly into our bedroom. I am also interested to know if they would be triggered by movement and going on and off all night. This has not been made clear in the application.

**16 Somerset Court, Somerset Avenue** - I raise my objections to the erection of four 9 metres high floodlighting columns to be positioned at each corner of the bowling green. I wish to strongly object to these plans as I do not feel they are appropriate for a residential area.

My bedroom is directly opposite the pitch where these lights will be situated which will inevitably mean light from these four lights will shine into my bedroom whilst I'm trying to sleep. In addition to the light pollution, I can only imagine these lights are being installed to allow games to be played into the evening which will mean an increase to the already high noise levels produced by the club only for longer hours.

We already have issues with noise pollution from rowdy members leaving the club drunk during the early hours and taxi drivers beeping to make their customers aware they have arrived. There is already an issue with parking as the site does not currently use the car park that they states accommodates 30 vehicles. The site does not encourage members to use this therefore the street is used meaning often I am unable to park my car outside my own door and frequently have to park very far up the street. The street does have residents parking however this is futile in reducing the effects of club members parking as the restriction ends at 6pm and members park after this time.

In addition to this, the properties on this street are period properties retaining many of their original features and the placement of these lights is not aesthetically in keeping with the road therefore detracting from the natural charm of the properties and reducing their value and appeal. I hope my strong objections are considered and valued as I have approached the club numerous times to amicably discuss the many issues they cause however they disregard the wishes and concerns of immediate residents and continue to disrespect the community.

**9 Somerset Avenue** - I agree with comments already made and in addition it is not clear on the application what the intention/need/purpose for the lights is, therefore we can only assume it is to commence night time bowling or functions/parties etc. This would involve additional evening visitors to the club impacting even more so on issues with street parking, late night noise which are already an issue. The application states the club has 30 parking spaces, however to our knowledge they are let out and our experience is that visitors/members to the club are not encouraged and do not currently make use of the car park but choose instead to park on the street and also in albeit a shared private alley way blocking our access to our garage.

We as residents have to pay for resident parking permits between 9am-6pm therefore after 6pm we are still unable to park on the street due to club visitors and occasional coaches when trips/matches are taking place.

What times of day and night will the floodlights be on? Will they be in use all year round as per club opening times? Why the choice of the colour/quantity of the bulbs being daylight white as opposed to warm white.

Our property is next door to the club house so image due to the location of the lights will see at least one/two which will spill over into our front/back garden and impacting on our front and rear bedrooms. We feel yet again the needs/wants of the club do not take into account the impact on local residents.

**219 Westmorland Avenue** - I am concerned about the proposed height and brightness of the lighting and the purpose of its intended use. Is the lighting for security or to illuminate the bowling club during matches?

If its purpose is for matches, what time would they be switched off as the club does open late, would they stay on until everyone went home (in the early hours of the morning)? If it is for security why do they need to be 9 metres high? Would they only come on if an intruder was in the vicinity? (flashing on and off)

The proposed height and level of brightness would constitute a high level of light pollution directly on my home and specifically my bedroom which overlooks the bowling club and therefore impacting on sleep especially if the lighting is left on continuously, or flashing on and off.

**211 Westmorland Avenue** - My concerns are that it doesn't state what times of the day and night the floodlighting will be on, and will it be used all year round as the club house is open all year round? My property backs on to the bowling green, so the light will spill beyond their boundary compromising an existing fairly dark landscape. The colour of the bulb is daylight white which is the brightest as opposed to warm white which is softer and has a more yellow glow. This would be preferable in a residential area and also how many bulbs per column are they using? I don't wish to compromise the success of the bowling green in any way, but feel in necessary to put my concerns forward.

### **Club's response**

We have now taken steps to ensure that the lighting system that we eventually purchase will come with propriety shading to ensure that there is no overspill and all 4 floodlights will be directed on the bowling green.

There are no fixed operational times, they will be switched on when the daylight fades and off on completion of the bowling match – usually before 9:30pm This will generally be during the bowling season April – September and in all probability take place in the months of April, August and September.

Brightness of the lights. 70 ultra-bright LEDs producing 6000 lumen high brightness clear cool white light. 60 watts, 120°beam angle, shadow-free and anti-glare, providing efficient lighting

Type of shading, adjustable light shield with horizontally movable and easily rotatable light shield and highly flexible bracket, the floodlights can work flexibly without disturbing the neighbours. No light pollution caused.

One point I would like you to consider before making your judgement on this particular point is that property in close proximity to a bowling green or similar green space is like to gain an advantageous boost in marketable value rather than the opposite. It is also a fact that our property was built before virtually all the adjacent properties in the vicinity. This year we will celebrate our Centenary (100 years).

One objector states that her bedroom is directly opposite the green where these lights will be situated. The bedrooms in these apartments are mainly at the front and rear of the building, this means that our bowling green lights which will be directed onto the bowling surface are unlikely to shine into any bedroom.

Although our planning application only relates to lighting for our bowling green, an issue is raised about parking difficulties and the fact that she has to "park very far up the road" why should she do this when there is adequate parking for all the residents in her apartment block, in fact she has her own allocated space.

Another resident refers to a number of issues, (i) what times of day will they be on; (ii) will they be on all year round; (iii) daylight white versus warm white; (iv) overspill into his gardens and bedrooms; (v) parking;

- (i) The lights will only be used when the daylight is inappropriate to safely finish a bowling match and in all probability will be no later than 9:30pm. We as a Club have responsibilities under the Health and Safety Act to supply a safe working and recreational area for all staff and visitors.
- (ii) illumination of the green should only be required during April, August and September. The bowling season generally runs from April to the end of September. After which our bowling green is closed to members for the duration of the winter months and therefore there is no requirement to illuminate the bowling surface.
- (iii) Daylight white versus warm white. We are currently looking at this and will probably settle on cool white.
- (iv) Overspill into his gardens and bedroom. Of the four floodlights he will only be able to see one and that will be facing in the opposite direction to his property and will have a protective shade on it to avoid any overspill and notwithstanding that light does not travel backwards.
- (v) Again he has raised the issue of parking when as you know there is a process in place to deal with illegal or inappropriate parking. We do encourage all our visitors to use our car park because of the parking restrictions, and we do let out five parking places to the pharmacy that occupies the Health Centre on Whitegate Drive for their staff

during the day, they usually vacate the car park by 6:00pm, the other 25 spaces are for our members.

Another resident objects on the following points (i) Bat Colony, (ii) Time Frames, (iii) Light impingement.

(i) I assume the bat colony he is referring to somewhere in the local vicinity is the same colony that resides in the Woodland Gardens on East Park Drive. They are pipistrelle bats and have been resident there for many years. They seem to be unaffected by the light display illuminating the all weather football pitches on Stanley Park that have now been lighting up the area for many years. On this basis I think our 4 lighting masts are unlikely to cause them any distress. Furthermore he states that the bats frequent his garden. It is a well known fact that bats do not land on the ground – they feed in flight.

(ii) Time frames – the primary function is to ensure that Bowling matches are finished in safety and are unlikely to be on later than 9:30pm during the months of April, August and September and this will only be during evening matches:- These take place on Tuesday, Wednesday, Friday and Saturday. The Friday and Saturday will be fortnightly.

(iii) Light impingement – referring to light impingement during sleeping hours, does this mean sometime after 10.00pm in which case the lights will not be on.

Another resident raises the following objections:- (i) Light flooding his garden. (ii) Light shining directly into his bedroom. (iii) Lights activated by movement.

(i) it is stated that the lights would flood his garden, this is unlikely to happen as the lights will be pointed away from his garden and property, they will also be shaded to ensure there is no overspill.

(ii) As stated previously the lights will be facing in the opposite direction to his property.

(iii) Lights activated by movement – This will not happen, there are no activation sensors attached to this lighting system, nor are there any plans to do so.

## **NATIONAL PLANNING POLICY FRAMEWORK**

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in determination of planning applications. The parts most relevant to this application are -

11 – Making effective use of land

12 – Achieving well-designed places

15 - Conserving and enhancing the natural environment (in particular paragraph 180)

16 – Conserving and enhancing the historic environment

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

CS7 - Quality of Design

CS10 - Sustainable Design and Renewable and Low Carbon Energy

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

LQ1 - Lifting the Quality of Design

LQ14- Extensions and alterations

BH3- Residential and Visitor Amenity

BH4- Public Health and Safety

### **BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The policies in Part 2 that are most relevant to this application are -

Policy DM19 -Extensions and Alterations

Policy DM21- Public Health and Safety

### **ASSESSMENT**

**Impact of residential amenity-** the proposal has raised a number of objections, concerns and queries relating to the impact of the proposed lighting. The club is long established, it is understood it will shortly be celebrating its centenary. The proposed lighting will allow bowls matches to take place into the evening during hours of darkness. This would not affect play during the summer months when natural light should usually allow play to continue without the aid of artificial lighting. It is considered that the principle of allowing the club to make some limited use of the bowling green in hours of darkness during the bowling season of April to September is acceptable, subject to those hours being limited to 9pm and the fitting of the lights being in accordance with details to be agreed on site with officers and the height of the

lights being limited to 7metres. This will ensure that light does not shine into adjoining houses and the impact on residential amenity kept to a minimum. The proposal, subject to these details is therefore considered to comply with Policies BH3 and BH4 of the Blackpool Local Plan and Policy CS7 of the Core Strategy and para 180 of the NPPF.

**Impact on visual amenity-** lighting columns are a feature within any streetscene, within car parks and within the grounds of sport clubs and therefore the addition of four lighting columns is not considered to be out of character with either the club itself or the surrounding residential area. The relevant issue relates more to the hours of use and agreeing details of how the lights are fitted which is dealt with elsewhere in this report. It is therefore considered that the application is consistent with Policies LQ1 and LQ14 of the Blackpool Local Plan and Policy CS7 of the Core Strategy.

**Other issues-** the proposal will enable the club to make better use of the bowling green and hence there are sporting, community and health benefits to be had and the proposal will strengthen the viability of the club at a time when a number of social clubs and sports clubs are closing or are under pressure to close.

The level of car parking demands at the club should not be increased as a result of the proposal though the times when car parking is in demand would increase with the bowling green being used more frequently but the club has its own car park for approximately 30 spaces which should be sufficient for most of, if not all of, its car parking requirements.

With reference made to a bat colony it is not known whether this is correct although given the level of use of the floodlights until 9pm during evening bowls matches on some nights between April and September the proposal is unlikely to have a significant impact

## **CONCLUSION**

The application is recommended for approval subject to an appropriate condition being attached to any planning permission. This will limit the height of the lights, their hours of use and ensure that the light are fitted and angled in such a way as to minimise their impact on adjoining residents. Subject to this condition the proposal is considered acceptable.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

## **HUMAN RIGHTS ACT**

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

## **CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998.

## **BACKGROUND PAPERS**

Planning Application File(s) 19/0093 which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

## **Conditions and Reasons**

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Plans received by the Council on 12th, 19th and 20th February and 6th March 2019.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. Prior to the first use of the lighting hereby approved the following details shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

- the exact height, angling, shading, brightness, colour of the lighting.

In addition the lights be fitted no higher than 7metres above the bowling green and the lights shall not be in use after 9pm on any given evening.

Reason: In the interests of residential amenity and the appearance of the locality, in accordance with Policies BH3, BH4 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

### **Advice Notes to Developer**

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.