



TO: Planning Committee North
BY: Development Manager
DATE: 7 February 2017
DEVELOPMENT: The existing tennis courts will be resurfaced and re-fenced. New floodlighting will be installed
SITE: Horsham Park North Street Horsham West Sussex
WARD: Horsham Park
APPLICATION: DC/16/2938
APPLICANT: Mrs Anna Chapman

REASON FOR INCLUSION ON THE AGENDA: HDC is landowner

RECOMMENDATION: Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the resurfacing of the four existing tennis courts, involving the replacement of the existing green colour coated porous macadam surface with a porous macadam surface with 'Saxe blue play areas' and spring green run offs, the replacement of existing fencing around the courts and the erection of 8m high floodlighting columns.
- 1.2 The existing 3m high green chain netting fence around the four tennis courts will be removed and replaced by a new 3m high twin bar fence around three of the existing tennis courts. The three fences dividing the existing courts will be removed and one dividing fence will be erected to create a fourth court within the footprint of the existing area.
- 1.3 It is proposed to use the existing fourth court as a multi-use court with a toughened surface for use as a tennis court or as a marked five-a-side football court. New tennis equipment will be installed and the surface made continuous over the three court area. A 4.5m high twin bar fence will be erected around the fourth multi-use court as recommended by the Football Association. All fencing will be finished in green polyester powder coating. The existing multi use games area fencing will remain in place.
- 1.4 Ten 8m high time controlled floodlighting columns will be erected along the newly resurfaced and fenced court areas (five columns along both the north and south sides of the pitches).

DESCRIPTION OF THE SITE

- 1.5 The existing tennis courts are located on the southern side of Horsham Park which is situated in close proximity to the town centre and railway station. The tennis courts are located to the south of the Bowling Green and east of the putting green. There is a footpath to the south of the courts and also a soft landscaped area and belt of trees along the southern boundary of the park, which screens the courts from the buildings close by.
- 1.6 The tennis courts are located within relatively close proximity to commercial buildings to the south and east, and to Westhope House (Sheltered Housing) located approximately 44.5m from the eastern boundary of the tennis courts, and approximately 53.2m away from the rear gardens of the nearest residential dwellings located in Madeira Avenue to the south of the tennis courts.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF) (2012) Core Principles, Section 8 - Promoting Healthy Communities (paragraphs 69)

RELEVANT COUNCIL POLICY

- 2.3 HDPF 1 Sustainable Development
HDPF33 Development Principles
HDPF42 Inclusive Communities
HDPF43 Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Horsham Blueprint Neighbourhood Forum is a designated area comprising representatives from Denne Neighbourhood, Forest Council and Trafalgar Neighbourhood Council. There is currently no made Neighbourhood Plan.

PLANNING HISTORY

HU/404/00	Replacement of close boarded fence with an iron railing fence with decorative finials Site: Horsham Park (Western Boundary) North Parade Horsham	PER
HU/45/03	Variation of condition 4 of hu/106/99 to extend floodlighting hours from dusk till 23.00 hours all year for skateboard park Site: Horsham Park North Street Horsham	PER
HU/106/99	Erection of a skateboard and street sports facility Site: Horsham Park North Street Horsham	PER
DC/06/2970	Installation of an additional floodlighting column and retention of extended floodlighting times as approved under planning permission HU/45/03	PER

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 **Head of Community and Culture**: Any comments received will be reported verbally at Committee

- 3.3 **Public Health and Licensing**: Any comments received will be reported verbally at Committee

OUTSIDE AGENCIES

- 3.4 **Denne Neighbourhood Council**: Any comments received will be reported verbally at Committee

PUBLIC CONSULTATIONS

- 3.5 **Neighbour responses**: None received. Any comments received will be reported verbally at Committee.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The main considerations in the determination of this application are:

- The principle of development
- The impact on residential and private amenity

Principle

- 6.2 The Supporting Statement confirms that following the recent redevelopment of the old Novartis Sports Ground, a need was identified by Sport England to improve participation in Tennis at Horsham Park Tennis Courts. The Council have confirmed the need for improvements to the Horsham Park Tennis Courts, including the need for surface refurbishment and erection of floodlighting in order to support the need for a healthier population and to enable and facilitate community engagement. The cost of the

improvements has been secured through S106 developer contributions arising from other developments in the area.

- 6.3 The statement advises that the Lawn Tennis Association (LTA) is keen to support Local Authorities who want to develop their park sites as well as any coaches or clubs interested in encouraging social community tennis. Horsham Park has been identified as a priority area for increasing participation in tennis through the LTA's demand modelling based on the Sport England Active People Survey. The Council has chosen to develop their social league in Horsham Park and has recently let a coaching contract. Various winter evening programmes have been planned to engage people of school and working age at the midweek evening times and include ladies only tennis; men's advantage tennis; cardio tennis (fitness based tennis), junior programmes and social tennis league operations.
- 6.4 Horsham Park is seen as a central location accessible to many local businesses and in order to facilitate the planned programmes for year round play, lighting is required and is seen as vital to developing 'customer loyalty habits and year round play', essential to their success.
- 6.5 The park benefits from having a lit access path which is centrally located immediately to the south of the courts, in addition to the use of the tennis courts, the existing Multi Use Games Area (MUGA) will continue to be available for use. The proposed new single court multi use facility would also offer flexibility.
- 6.6 The total dimensions of the court areas are 60.73m x 36.7m. The total area of the courts will remain as existing, however the internal space will be re-configured to create three tennis courts within one enclosure, and a multi-use court within a separate enclosure (in addition to the existing multi use games area).
- 6.7 No new formal landscaping is proposed around the courts; however the area around the courts will be graded down between the new level and the existing grass levels for ease of maintenance.
- 6.8 It is considered that the proposed enhancement of the tennis courts is acceptable and in accordance with the guidance contained in the NPPF and Policy 43 of the HDPF.

Private and Visual Amenity

- 6.9 The potential impact of the floodlights on residential amenity of neighbouring occupiers including Westhope House (Sheltered Housing) located approximately 44.5m from the eastern boundary of the tennis courts, and the residential properties in Madeira Avenue located approximately 53.2m away to the south of the tennis courts has been assessed. The floodlights are downward facing which should restrict the level of light spillage.
- 6.10 The floodlights are downward facing which should restrict the level of light spillage. There is a belt of mature trees along the southern boundary of the park that provides a buffer between the park and the residential properties in Madeira Avenue, and that would also help to provide a degree of screening from any light spillage from the floodlights. The floodlights point away from the sheltered housing in Westhope House, and although occupiers may be able to see the floodlight columns this does not mean that residential occupiers would be directly or adversely impacted by them in terms of their impact on private amenity. The floodlights would be controlled by a time clock which ensures that measures are in place to switch the floodlights off outside of any agreed times of operation.
- 6.11 In regards to the visual impact of the floodlights within the street scene, it is not considered that the floodlights would be visible from Madeira Avenue to the south of Horsham Park, as views would be obscured by the houses. Any views of the floodlights within the park setting would be viewed within the context of the park itself and are not considered to result in any

appreciable or demonstrable harm to visual amenities and are thereby in accordance with Policy 33 of the HDPF.

Other matters

- 6.12 The Public Health and Licensing Department have been consulted and their views will be reported verbally at committee.

Conclusions

- 6.13 The proposal for the resurfacing of the tennis courts and multi-use court, the new fencing and the erection of 10 No. 8m high floodlight columns within Horsham Park, subject to appropriate conditions to control the use, is considered to comply with Policy 33 of the Horsham District Planning Framework 2015 and the National Planning Policy Framework 2012.

7. RECOMMENDATIONS

- 7.1 Grant Planning Permission subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The floodlights hereby approved shall not be illuminated outside the hours of 08:00 – 22:00 Monday – Friday, 08:00 -21:00hrs Saturday, 08:00 - 21:00 Sundays.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2938