

## ADDENDUM

**Application No:** 21/01803/FUL  
**Date valid:** 6 September 2021  
**Target decision date:** 1 November 2021

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**Ward:** Monkseaton South

Application type: full planning application

**Location: Tennis Courts At Beverley Park Lawn Tennis Club Beverley Park Whitley Bay Tyne And Wear**

**Proposal: Installation of new low level LED floodlighting to two existing outdoor tennis court Numbers 2 and 3 via 9no. 6m high lighting columns with LED 'box' type fittings**

**Applicant:** Beverley Park Lawn Tennis Club, Ms Lauri Chandler Beverley Road Monkseaton Whitley Bay NE25 8JH

**Agent:** S.F.P.A.D. Limited, Mr Lee West 39 Hemwood Road Windsor SL4 4YX

**RECOMMENDATION:** Application Permitted

### Additional Information

The applicant has requested that the leaflet entitled 'Club Success Story' is circulated to Members.

### Representations

#### Petition

A petition against the proposal has been submitted. The petition went to Beverley Park and along Beverley Road to the junction with St Georges Crescent. It has 66 signatures. All of the properties in Beverley Park (13 dwellings) signed the petition. 21 out of 27 properties on Beverley Road signed the petition.

### Existing Representation – additional detail

One objector has requested that a more detailed summary of their objection is provided. This is set out as follows:

- I had been a member of Beverley Park Tennis Club Committee for over 20 years at the time of my resignation in 2020, and I was appointed as Vice Chair.
- Financial information provided by applicant is not accurate, the club is not suffering any financial hardship. It is in a healthy position without the need for floodlights.
- The positioning of the poles between the courts will result prevent disabled access, making changing sides impossible and their presence may well cause a danger to some court users. This would be a breach of Human Rights Legislation (HRA 98 S 6) the concept of Public Authority and The Equality Act 2010, failing to accommodate.
- There are factual inaccuracies in the application.
- After researching approx.30 tennis clubs in the UK, I have not found any tennis club with a successful floodlighting application where the circumstances match Beverley Park Tennis Club; being so close to the residential properties with the main living and sleeping accommodation being in full view of the courts.

- There is a lack of demand – courts are often empty and are not well managed.
- Club has the use of other facilities in walking distance for winter tennis (either indoor or outdoor floodlit).
- No one is against tennis at the club, but we value the tranquillity and peace of the seasonal character of the club, with us all having a respite from the issues around noise, parking and loss of privacy and residential and visual amenity in the darker nights.
- Harmful impact on health and well-being.
- Proposal will exacerbate existing noise problems, which I have already submitted several complaints to NTC about.
- Loss of residential and visual amenity.
- This (tennis club) committee have no concern for the resident's loss of residential amenity from their proposed scheme.
- I would also like to draw a comparison with North Tyneside Councils planning committee's own comments on refusing Collingwood Tennis Club's (Tynemouth) floodlighting application; *"The proposed floodlighting columns represent development which in height, material and design would form an incongruent feature in the conservation area setting that this would be the case during daytime and at night when the floodlighting would intrude extensively"*
- Danger to highway safety and damage to property from tennis balls and light during hours of darkness.
- Will exacerbate existing parking and congestion problems.
- North Tyneside Council should be consistent in their approach to the conservation area created around Beverley Park Tennis Club and residents have been refused planning permission for various alterations to their properties under the heading of Conservation. Reference made to application for floodlighting in a South London conservation area.
- Suggestions put forward for alternatives to the proposed floodlighting.
- The club does not need the floodlighting to fulfil its league obligations.
- The entrance gate was moved without consultation with the residents. This results in a loss of privacy for residents directly opposite and noise disturbance.
- There is no need to balance this (impact on conservation area) against the benefits of playing tennis as the club and members already use alternative venues.
- Existing/previous issues between the committee and Beverley Leisure who the club, as lessee must include a representative from. Representative has been excluded from discussions.
- Previous breach of planning regulations, i.e. installation of banners without advertisement consent.
- A noise assessment should be undertaken for the full season of 2022/23
- The applicant has referred to Beverley Residents Association, this does not exist.
- Concerned that any fault in the floodlights will simply be ignored by the committee. LED lighting is known to flicker.
- Information provided with regard to lack of demand for use of courts.
- Photographs provided via an appendix to support objection.

#### Additional Representations

- An additional objection has been submitted by Lichfields on behalf of Beverley Leisure Limited. It has been requested that the letter is circulated to Members. The letter raises the following concerns:
  - The submitted lighting assessment fails to include a full review of the mitigation required to deliver a satisfactory solution to this application.
  - Matters including whether a satisfactory lighting scheme can actually be achieved and highway safety considerations should be assessed ahead of determination to ensure

that the proposed development is acceptable at the point of determination.

- Inadequacy of robust controls to protect residential amenity and ensure highway safety.

- An additional letter has been submitted by Sintons LLP on behalf of a resident of Beverley Park. This has been attached to this addendum to circulate to Members.

- The same resident who Sintons LLP have submitted a letter on behalf of, has also submitted an additional objection. This is summarised below:

- I request that an extension of time be granted to residents in order that they can properly consider the (additional) information that has been provided, take professional advice and respond within the timeframe. It is unreasonable for the residents most directly affected by the scheme not to be permitted sufficient time to take proper advice,

- The summary report to the Planning Committee makes no reference to the residents' petition. This provides misleading information to the Planning Committee as the location of the objectors is of great significance and must be relevant to the committee members considering the matter fairly and properly. For that reason the petition and the plan (that has been provided as part of the objections) showing the location of objectors should be made available to the committee and summarised within your report.

- Environmental Health have based their views around the noise impact assessment that has been submitted by the club. The noise impact assessment was based around a maximum occupation of a court i.e., 4 persons on a court. On that basis the numbers of persons present on the court should be limited to 4 i.e., the maximum number permitted under tennis rules for a doubles match. By way of reference this condition was imposed under the Paddington Sports Club, Maida Vale London Permission ref 21/03215/FULL which is referenced in the applicants submission. This is a better example of planning conditions relevant to a floodlit tennis court within a residential area and specifically close proximity to residential houses. The examples used by the EHO are not comparable due to the location of the courts being a much greater distance from housing and there being greater landscape barriers. Furthermore, I witnessed the play that was taking place when the noise assessment was carried out and there was no loud shouting by the coaches that is normally the case and has been the source of many of the recent complaints.

- If planning were to be granted then a condition should be imposed that there should be no group coaching sessions after 8.00 pm in the summer and 7.00 pm in the winter. Play after 8.00 pm in summer should be limited to a maximum of 4 persons per court, and play in winter limited to a maximum of 4 persons per court after 7.00 pm.

- A condition should also be imposed that there should be no amplified music of any type played outside the clubhouse or inside so as to be audible outside. This is a specific concern that should be conditioned because of the problems that have arisen in the past with the coach taking a large amplifier and placing it on the court and playing high volume music in the day time and evening.

- The number of persons on court is also specifically relevant to the parking problems. As previously stated in objections parking at night in winter is not a problem, however, unless the numbers of persons on court are limited it will become an issue.

- I remain concerned by the suggestion that the nature of the screening that may be imposed will not be capable of comment by the residents and I restate my objection to this on the basis that the current fence is already a dominating visual structure and alterations to it and the materials used in its construction are extremely relevant to both the visual amenity, impact on the conservation area and impact upon the residents' homes.

- I object to a noise management plan being the sole mechanism for controlling noise.

The planning conditions should be imposed as highlighted above. Given the issues with regard to noise and also the particular concerns with regard to the health and wellbeing of our daughter who has severe life-threatening medical conditions, it is reasonable that a minimum level of items should be covered by planning conditions with the remainder being dealt with under the noise management plan. Without this level of control there will be no further need to consult the residents and they will have no input with regard to terms that are agreed as between the local planning authority and the club on such matters.

- One further additional objection has been received from a resident of Whitley Bay. This raises no new issues to the concerns already set out within the report and within this addendum.