



Delegated Report

Variation of Condition Application

Application No:	20230817
Location:	Meopham Tennis Club, Tennis Courts, Village Hall, Wrotham Road, Gravesend, Kent
Description:	Application for a variation of condition 3 to planning permission reference 20200936 for the installation of new low level LED floodlighting to two existing outdoor tennis courts (numbers 4 and 5) to be operated on a seasonal basis; to allow the lights to be used between 7pm and 9pm for the month of April and for the month of September, the lights will not be used after 7pm on Saturdays and will continue not to be used on Sundays.
Applicant:	Mr Andrew Candler, Meopham Lawn Tennis Club
Site Visit:	23 rd October 2023

Submitted Documents/Plans

- Application Form - dated 10 October 2023;
- Ordnance Survey Site Location Plan (scale 1:1250).

Relevant Planning History

Reference	Description	Decision	Decision Date
20200936	The installation of new low level LED floodlighting to two existing outdoor tennis courts (numbers 4 and 5) to be operated on a seasonal basis.	PER	18.12.2020

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- Policy CS01 - Sustainable Development
- Policy CS02 - Scale and Distribution of Development
- Policy CS11 - Transport
- Policy CS12 - Green Infrastructure
- Policy CS13 - Green Space, Sport and Recreation
- Policy CS18 - Climate Change
- Policy CS19 - Design & Development Principles

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and

Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 - Achieving Sustainable Development
- Section 8 - Promoting Health and Safe Communities
- Section 12 - Achieving Well-designed Places
- Section 13 - Protecting Green Belt Land
- Section 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity - Variation of Condition 3:

The current condition states: *The lighting installation hereby permitted shall only be used, when required, between the hours of 4 pm to 9pm Monday to Friday and 4pm to 7pm on Saturday and only between 1 October and 31 March the following year. The installation shall include automatic cutoff switches to ensure the approved floodlights are turned off completely outside of these times.*

We understand that the proposal is to extend the lighting to be operational between 7 and 9 Monday to Friday in April and September.

The lighting could have negative impacts on foraging/commuting bats within the area if the lighting impacts any of the site boundaries or surrounding habitats.

Therefore, to consider this impact photos of the light when operational have been provided by the planning officer. They do indicate that the light spill from the existing lighting does drop off fairly quickly due to the angles of the lights and the existing vegetated boundary. So while there is light spill from the courts the photos do suggest that it is not excessive.

As the lighting will only be operational until 9pm there will be periods that the site is in darkness ensuring that bats and other nocturnal species (if present) can continue to forage/commute along the boundaries. In addition due to the location of the tennis court nocturnal species will be able to forage /commute along the opposite side of the hedgerows/boundaries.

Based on the above conclusions we advise that while the increase in lighting could have a negative impact on the bat population it is unlikely to be a significant impact.

We advise that we accept that the extension of hours is acceptable.

Meopham Parish Council - No objection to this planning application.

Internal Consultees

Local Ward Councillors - No comment received.

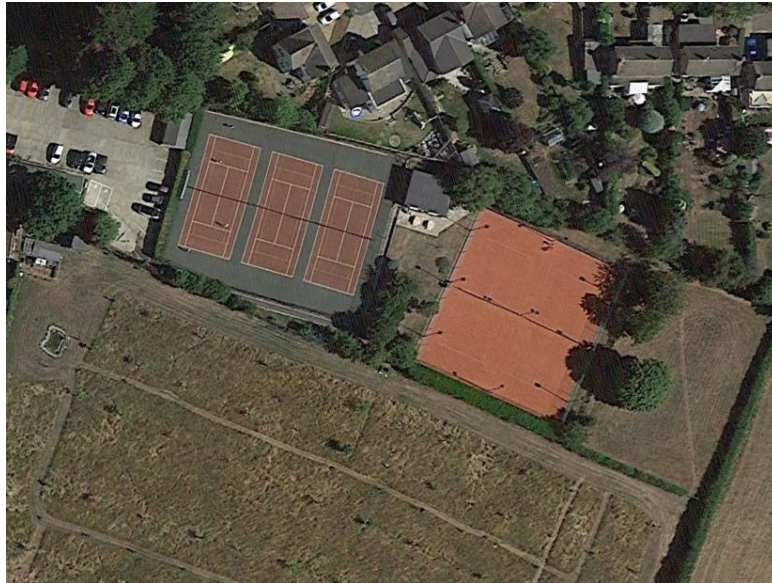
Neighbouring properties

A notice was displayed on site 13th September 2023.

In addition, twenty-one surrounding properties were consulted and no representations were received. The consultation period expired 19th October 2023.

Officer's Analysis

Meopham Lawn Tennis Club is located on the east side of Wrotham Road near Meopham Green and shares an existing site with the Meopham Country Club and Village Hall.



The club have five doubles hard courts and have currently over 100 adult members and the same number of junior members. The first three courts are open to all members and for pay and play (which has been introduced due to the pandemic) while courts 4 and 5 are used for coaching apart from weekends.

The courts are located at the foot of the rear gardens of existing dwellings in Grenville Close and Cheyne Walk. They are enclosed by 3.6m high chain link fencing.

There is a single storey club pavilion building between the two sets of courts.

Proposed Development

Planning permission was granted in 2020 (ref. 20200936) for “the installation of new low level LED floodlighting to two existing outdoor tennis courts (numbers 4 and 5) to be operated on a seasonal basis”. This was subject to a number of conditions, including condition 3, which stated:

3. *The lighting installation hereby permitted shall only be used, when required, between the hours of 4 pm to 9pm Monday to Friday and 4pm to 7pm on Saturday and only between 1 October and 31 March the following year. The installation shall include automatic cutoff switches to ensure the approved floodlights are turned off completely outside of these times.*

This application seeks to vary this condition to allow for the LED floodlights to be operated between 7pm and 9pm on Monday-Friday and up to 7pm on Saturdays in the months of April and September.

Design, Character and Appearance

The proposal seeks to extend the operational times of the existing floodlights that were approved in 2020

(ref. 20200936). Therefore, there would be no change in the existing development and there is no impact on the design, character or appearance of the area.

Neighbouring Amenity

The proposed increase in floodlight operation in the months of April and September will not have any material impact on the amenity of surrounding properties. During the site visit it was evident that the lights have screens attached to limit spill out from the courts or outside of the boundaries of the site. Therefore, the proposal will safeguard amenity of neighbours in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Any Other Material Planning Considerations

Impact on Ecology and Biodiversity - A key consideration in the original permission for the floodlighting was the impact on ecology and biodiversity, with Kent County Council Biodiversity expressed concerns with lighting affecting roosting and migrating bats.

KCC Biodiversity were consulted on this application and were sent site photographs showing the lighting and how it impacts on the site boundaries. Following the review of photographs the KCC officers stated:

“Based on the above conclusions we advise that while the increase in lighting could have a negative impact on the bat population it is unlikely to be a significant impact. We advise that we accept that the extension of hours is acceptable”.

Therefore, the proposed extension of the lighting operation in the months of April and September is considered to be acceptable in terms of ecology and biodiversity in accordance with Policy CS12 (LPCS) and Section 15 of the NPPF (2023).

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The proposed extension in operating times of the floodlights will have no impact on the character or appearance of the area, will not materially alter the existing amenity of surrounding properties and is considered acceptable in terms of ecology and biodiversity.

As such, it is recommended that planning permission is granted.

Suggested Conditions

All previous conditions attached to planning permission ref. 20200936 will be attached to this permission. However, the following condition will be changed:

Floodlighting

The lighting installation hereby permitted shall only be used, when required, between the hours of 4 pm to 9pm Monday to Friday and 4pm to 7pm on Saturday between 1 October and 31 March, and between 7pm and 9pm Monday to Friday and until 7pm on Saturday between 1 September and 30 April, the following year. The installation shall include automatic cut-off switches to ensure the approved floodlights are turned off completely outside of these times.

Reason In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:	<i>Ethan Bonthron</i>	Signed:	<i>R Hart</i>
Dated:	1 st November 2023	Dated:	2nd November 2023