

Delegated Report

Major Planning Application

Variation of Condition Application

Planning Application No: 20250478

Location: Nelson Road Sports Ground Nelson Road Northfleet Gravesend

Description: Application for variation of condition 15 attached to planning permission reference number 20200001 for new sports facility comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting; to allow amendment to the floodlight times from 9 a.m. and 9.30 p.m. Monday to Friday; (b) 9 a.m. and 9.30 p.m. on Saturday; and (c) 9 a.m. and 8 p.m. on Sunday and Bank or Public Holidays to 9 a.m. and 10.00 p.m. Monday to Friday; (b) 9 a.m. and 10.00 p.m. on Saturday; and (c) 9 a.m. and 8 p.m. on Sunday and Bank or Public Holidays.

Applicant: Mr Nathan Bullas

Site Visit Date: N/A

Submitted Documents/Plans

Application Form; and
Supplementary Information – Cover Letter.

Relevant Planning History

Reference	Description	Decision	Decision Date
20200001	New sports facility comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting.	Permitted	29.07.2020

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS13 – Green Space, Sport and Recreation
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 8 – Promoting Healthy and Safe Communities
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

I'm aware that information was submitted in relation to discharging condition 26 of 20200001 which relates to the floodlighting. Insufficient information was submitted to satisfactorily address condition 26, so it is advised that until this condition has been discharged, that the timings should not be altered.

In addition, Environmental Protection has received complaints regarding noise from the use of the pitches and also the floodlighting, so to extend the times may result in further noise problems. The applicant has not provided any justification for wanting to extend the use of the lighting and the pitches apart from the fact that the lease allows operation until 10pm. More robust reasons are required for this extension in time and use of the pitches/floodlighting as the extension may result in loss of amenity to nearby residents.

Based on the above, it is advised that the variation application is refused.

Local Ward Councillors

I would like to, on behalf of residents, formally object to application 20250478 to formally extend the operating hours of Kedbull Leisure (formally Fleet Leisure and formally Bowaters) editing application 20200001.

While this site has long been a sport and leisure site before the housing was built it has an obligation to operate in partnership and harmony with the local community.

Recent cases which I have raised with and discussed with you and Planning Enforcement, which have been raised by residents, have outlined that the original permission has not been adhered to and that the operating hours as agreed by the previous planning permission has been breached with regularity.

Residents have complained about the lights which should not be affecting residents, the noise and behaviour of users which goes beyond 10pm at night. Balls have been cast over to neighbours with alarming regularity and the impact on the local residents has been a source of tension especially at night. Most residents want this sport and leisure facility to be a success and are looking forward to the club house being finally constructed. Despite a large car park which has now been tarmaced some residents are complaining of excess parking in the local area and indeed parking on pavements.

The original permission was that the lights and site should stop at 9.30pm and 8pm on Sunday and bank holidays and that this was understood and agreed to by a majority of residents and this is the permission that should be adhered to. The site and programme viability margins are not a material planning consideration and I ask that this be formally refused on behalf of residents, on the above reasons.

Neighbouring properties

167 surrounding properties were consulted and a site notice was displayed on 24.07.25. The overall consultation period expired on 22.08.25. 22 responses were received as a result of the consultation carried out for the proposal. 3 representations were in support of the proposal, with the remainder objecting.

The comments in support of the proposal are summarised below:

- I am in favour of the new sports venue being built and have no problem with the floodlights or noise from the players.
- Happy to know it will serve the community and not have housing built on it.
- Looking forward to having a club once again.
- Full support for Kedbull Leisure.

The objections are summarised below:

- Flood lights shine into my bedroom and keep me awake as well as loud noise.
- Causes excess traffic on the road and leaves no parking for residents.
- Floodlights already a nuisance as they shine on my house.
- Noise nuisance at night (shouting and swearing easily heard).
- Can the trees and perimeter please be maintained they overhang significantly and are a nuisance.
- Currently exceeding the 9.30pm finishing time, we have pictures to prove this. This means 6 nights a week we have people shouting outside the back of our house and ridiculously bright floodlights.
- Impacts sleep and health.
- Concerned about house value.
- Not safe crossing the road due to erratic drivers coming out of the football grounds. If a development were to occur this would make walking inaccessible and unsafe.
- Noise level is unbearable every day and every night.
- Light pollution is ridiculous.
- Speeding along Snelling Avenue.
- To add a club house to the mix is a no, this would mean private parties and extra noise alongside an already noisy venue.
- Floodlights are on past 21:30 and do not automatically shut off as documents state.
- Kedbull already advertises the pitches until 10pm.
- Sound proof fencing is doing nothing to mitigate noise.
- Unable to enjoy gardens in summer due to noise and in winter floodlights are so bright they shine through all of the windows at the back of the houses and on to the surrounding roads.
- If anything, hours should be reduced so people can enjoy their homes in peace.
- I would challenge if this is a venue for the local community as it has not given any benefit, only detriment to date.
- I have lots of footballs in the garden.
- Children struggle to sleep.

Concerns regarding house value, tree maintenance and erratic driving would not be material planning considerations for the assessment of this application. However, impacts on residential amenity such as noise and light pollution would be material planning considerations, that shall be considered in the report below.

Officer's Analysis

Permission was granted (subject to conditions) for a *new sports facility comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting* under application reference number 20200001.

This application is to vary condition 15 of 20200001 relating to hours of operation – AGP's and

Floodlighting, changing them from;

Hours of Operation - AGP's and Floodlighting

Unless otherwise agreed in advance and in writing by the Local Planning Authority the 3G AGPs and associated sports lighting shall not be used outside the hours of:

- (a) 9 a.m. and 9.30 p.m. Monday to Friday;*
- (b) 9 a.m. and 9.30 p.m. on Saturday; and*
- (c) 9 a.m. and 8 p.m. on Sunday and Bank or Public Holidays.*

The floodlighting of the AGP's shall be automatically turned off when the respective pitches are not being used during the hours of darkness and the floodlighting system shall be maintained effective at all times.

Reason: *To balance illuminating the 3G pitches for maximum use with the interest of amenity and sustainability and to accord with Gravesham Local Plan Core Strategy Policy CS19.*

To;

Unless otherwise agreed in advance and in writing by the Local Planning Authority the 3G AGPs and associated sports lighting shall not be used outside the hours of:

- (a) 9 a.m. and 10.00 p.m. Monday to Friday;*
- (b) 9 a.m. and 10.00 p.m. on Saturday; and*
- (c) 9 a.m. and 8 p.m. on Sunday and Bank or Public Holidays.*

The floodlighting of the AGP's shall be automatically turned off when the respective pitches are not being used during the hours of darkness and the floodlighting system shall be maintained effective at all times.

For avoidance of doubt, this application will only assess any impact from the change of opening hours. If planning permission were to be forthcoming, the relevant conditions from the 20200001 application would be carried across to this decision, unless they have already been discharged.

Design, Character and Appearance

The proposed amendment to the opening hours will not have an impact on the design, character and appearance of the premises and therefore does not need reassessing as part of this application.

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) sets out in paragraph 5.15.14 that amenity should be safeguarded and adverse environmental impacts such as noise and light pollution should be avoided. The impact on neighbouring amenity is a key consideration of this proposal. As stated within representations from neighbours, a Local Ward Councillor and Environmental Protection, there have been significant issues experienced by residents that arise from people making use of the facilities. This includes noise levels, light nuisance and anti-social behaviour. At the time of writing this report, there is an application pending consideration which is for a suitable post installation report, in relation to the floodlighting (condition 26) under application reference 20250482. This condition has not yet been discharged. It has been considered whether the successful discharge of condition 26 would impact the determination of this application. It is noted that if the floodlighting issues were rectified then some of the harm to neighbouring amenity, with regards to unacceptable light nuisance, would be reduced. Notwithstanding this, the detrimental impact on neighbouring amenity in terms of noise, would remain. As such, an extension to the hours for the 3G AGPs and associated sports lighting would detrimentally impact neighbouring amenity, even if the floodlight issue were to be rectified. As such, it is considered that this current application can be determined, without waiting for the outcome of application 20250482.

Returning back to this current application, where currently there are issues in terms of noise, light and antisocial behaviour, GBC Environmental Protection have recommended this application be refused. In their comments, they state that there have been; *'complaints regarding noise from the use of the pitches and also the floodlighting, so to extend the times may result in further noise problems. The applicant has not provided any justification for wanting to extend the use of the lighting and the pitches apart from the fact that the lease allows operation until 10pm. More robust reasons are required for this extension in time and use of the pitches/floodlighting as the extension may result in loss of amenity to nearby residents.'* Based on the aforementioned representations, it is clear that extended hours for the pitches and lighting would harm the amenity of neighbouring properties, contrary to the objectives of CS19, which aims to safeguard amenity.

Overall, it is considered that the proposed development would have significant adverse impacts to the residential amenity of surrounding properties, in terms of noise nuisance and light nuisance and would therefore fail to comply with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) which aims to safeguard amenity.

Sport and Recreation

Policy CS13 of the Gravesham Local Plan Core Strategy (LPCS) (2014) relates to Green Space, Sport and Recreation. It states at 5.8.7 that; *the Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.* No robust reasons or evidence has been put forward as to why the hours of operation should be extended for sports and recreational purposes. The reason submitted within the covering letter, is purely for the hours to align with the lease agreement. Although it is noted that there would be some benefit to extending the hours in terms of sports provision, the evidence for this need has not been provided, and in any case needs to be balanced against other considerations such as impact on neighbouring amenity. This is considered below.

Overall balancing Exercise and Conclusion

The proposal to extend the operating hours of the 3G AGPs and associated sports lighting is considered to be detrimental to the amenity of neighbouring properties and this harm is not outweighed by any other considerations. No robust reasoning for the extension of hours has been put forward, and no mitigation proposal to address any adverse impacts have been provided.

As set out in the report above, occupiers of neighbouring properties are already impacted by noise, light nuisance and anti-social behaviour. An extension to the operating hours would further exacerbate these issues. It is noted there is an application pending consideration at this time, which relates to the floodlighting and a suitable post installation report, (condition 26) under application reference 20250482. However, even if application 20250482 were to be approved, issues relating to the amenity of neighbouring properties would remain.

Overall it is considered that the proposed development would have significant adverse impacts to the residential amenity of surrounding properties and would therefore fail to comply with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) which aims to safeguard the amenity of neighbouring properties.

Recommendation

Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	8th October 2025	Dated:	8th October 2025