

MC/13/2476

Date Received: 4 October, 2013

Location: The Anchorians Club, Darland Avenue, Darland, Gillingham, ME7 3AN

Proposal: Installation of six 15m masts and 16 2kw floodlights together with a 3 phase electricity and meter supply box cabinet measuring 2100mmx2000mmx1000m.

Applicant: Gillingham Anchorians RFC

Agent: Mr Wells CU Phosco Lighting CU Phosco Lighting Ltd. Charles House Great Amwell Ware, Hertfordshire SG12 9TA

Ward Watling

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 4 December, 2013.**

**Recommendation - Approval with 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 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: LS12533-LP-A, LS12533-4-3, LS12533-5-2-V1, LS12533-5-2-V2, LS12533-5-2-H and EI 08-0123.2.0 rev 4 received 04/10/2013.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The existing floodlights installed on the southern masts of the all-weather pitch granted in 1991 shall be removed prior to the installation of the floodlights hereby approved.

Reason: In the interests of amenity of the area and in compliance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 4 Prior to the installation of the floodlights hereby approved details of light switch(es) and timer for the floodlights shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the bringing into use of the floodlights and kept operational at all times.

Reason: In the interests of amenities and in compliance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 5 Prior to the installation of the floodlights hereby approved details of rear spill shields for the floodlights shall be submitted to and approved in writing by the Local Planning Authority. The approved shields shall be installed prior to the bringing into use of the floodlights and shall be retained and maintained thereafter.

Reason: In the interests of amenities and in compliance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 6 The Lux level of the flood lights hereby approved shall not exceed 200Lux at anytime.

Reason: In the interests of amenities and in compliance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 7 The flood lights hereby approved shall be switched on only between the hours of 19.00 to 21.00 from Monday to Friday inclusive and at no other time.

Reason: In the interests of amenities and in compliance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

### **Proposal**

This application is for the installation of six 15m high masts and 16 2kw floodlights together with a 3 phase electricity and meter supply box cabinet measuring 2100mmx2000mmx1000m. The 6 masts and the floodlights will be installed to provide a floodlighting system to the rugby training pitch. The cabinet will be located close to the clubhouse and will be constructed in concrete block.

### **Relevant Planning History**

Case ref: MC/07/1362      Variation of condition ii of planning permission GL/76/150H to increase the light level of the floodlight surrounding pitch to a maximum of 350 lux  
Approved 25 September, 2007

Case ref: MC/04/1884	Variation of condition 3 of planning consent GL96/0174/76/0150GL to allow extended times of opening from 0900 to 1600 Monday to Friday Approved 18 October, 2004
GL95/0725/76/0150	Proposed provision of 9 hard tennis courts together with the erection of associated flood lighting and fencing Approved 2 February, 1996
GL76/150H	Construction of an artificial all weather multi sport surface to be floodlit and fenced. Approved 12 November, 1988
GL/76/150B	Change of use from government land to public open space including playing fields, urban farm and car park as amended plan rec.10/7/81 Land at Star Farm, Darland Avenue and adjoining land. Approved 18 October 1983

## Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties including within the Business Park.

**Five letters** of representation have been received. They have expressed concern about the impact of the glare from the proposed floodlights on their amenities and extension of noise associated with the use of the play area into the late hours.

**The applicants** have written in support of their proposal advising:

- The existing poor quality lighting provides light from only one side of the training pitch and consequently has the effect of blinding the players when facing into it. ...over recent years training intensity, ..., has increased and with it our injuries sustained due to poor lighting....
- Due to the poor alignment our existing lights cast glare and local residents have complained.
- Whilst the primary use of the pitch equipped with new floodlights will be for RFC training purposes between 7pm and 9pm Monday to Friday, we will be able to satisfy the evident community demand which is illustrated by letters of support,

**The Applicant** has also submitted letters of support from Howard school, Mid Kent College, UMSA (Universities at Medway Student association), Kent County Rugby Football Union and KCRFU (women and girls).

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

## **Planning Appraisal**

The application site forms part of a wider sport field comprising a number of rugby /football pitches, an all-weather pitch and a two storey clubhouse.

Residential properties in the locality are two storey houses in Yeomen Drive and Darland Avenue and these properties are respectively 95m and 170m away from the application site.

The sport field is relatively flat and there are trees and hedges along the southern, eastern and western boundaries of the sport ground.

### *Background*

In November 1988 Gillingham Borough Council granted planning permission for the construction of an artificial all-weather multi-sport surface with 15m mast floodlights and fenced enclosure. Condition 3 of the planning permission restricted the use of the floodlights up to 9.30 pm Monday to Saturday and 7.30 pm on Sundays. Condition 2 limited the floodlights Lux level to no more than 200.

Following submission of planning applications in 1990 and 2007, conditions 3 and 2 were respectively amended to allow extension of the use of the flood lights up to 10.30 pm Monday to Saturday and 7.30pm Sundays; and increase the Lux level to no more than 350 Lux.

In 1991 Gillingham Borough Council also granted planning permission for the installation of additional floodlights on the all-weather pitch mast facing the south (the application site). Condition attached to this permission limited the use of these new floodlights from 6.00pm to 9.30 pm on Tuesdays and Thursdays.

### *Amenity*

Based on The Institution of Lighting Engineers Guidance Notes the application site and its surrounding falls into zone E2 (low district brightness area, rural, small village or relatively dark urban location). To limit harm to the E2 zone character and amenities of the local residents the proposed flood lights are designed to ensure that the lights are concentrated in the appropriate areas. Upward lighting, spillage into surrounding area, light pollution and nuisance to neighbouring properties is minimised because the proposal comprises the following:

- 6X15 metres mast height (typical floodlight columns for a full size football/rugby pitch recommended by England Hockey and England Football Association is between 15 –22 metres). The height of the columns is one of the determining factors in reducing stray light into surrounding properties.
- Use of flat glass technology to reduce overspill and upward lighting/glare.
- Mounting floodlights as near to horizontal as possible and keep the floodlight elevation angle low.
- Slim line raising and lowering masts.
- Keeping the luminance level to no more than 200 Lux. (This is lux limit recommended by Sport Council to ensure safe environment for players)
- Limiting the hours of use of the floodlights to 19:00 to 21:00 Monday to Friday only.

It is considered that the mitigating measures proposed above, the considerable distance between the pitch and the nearest residential property, together with the screening provided by the hedges and trees means that the floodlights would not cause significant detrimental impact on the amenities of the occupiers of the surrounding properties.

To assist the proposed mitigating measures further it is considered appropriate to impose a planning condition to require rear spill shields to ensure glare and light spillage is reduced further so that when it reaches the surrounding roads it will be well below the street lighting level of 3 to 5 lux.

Paragraph 125 of NPPF states:

*By encouraging good design, planning policies and designs should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscape and nature conservation.*

It is considered that the proposed floodlights have been designed to minimise impact on this E2 zone and thus reduce harm to the amenities of the surrounding residents.

The proposal also seeks to increase number of the days the floodlit pitch can be used from the current two days (Tuesday and Thursday) to five days (Monday to Friday) and alter the hours of the use from 18.00 - 21.30 to 19:00 - 21:00. It is considered that currently the unlit pitch can be used lawfully anytime and it is likely that it is used for long periods during the summer months; therefore, on balance, the use of the lit pitch for only two hours in the evening would not significantly impact on the amenities of the surrounding properties. However, to ensure that the lights are not left on, a condition is recommended regarding details of a timing control switch to be submitted for approval.

With regard to the height of the masts and lux level proposed it is considered that these measures are standards recommended by England Hockey and the England Football Association and therefore conform to national standards and E2 zone.

Moreover, the masts' design has a hydraulic base hinge which allow them to be lowered when not in use thus reducing their visual presence.

It is considered that the floodlights would be visible from the surrounding roads and would have an impact on the appearance of the area during the hours of darkness, but given the distance involved and the mitigating measures proposed, this is not considered to be a significantly greater impact when compared to the existing situation.

Overall the visual impact of the proposal and its impact on the neighbouring properties are considered acceptable. The proposal is in accordance with policies BNE1, BNE2 and BNE5 of the Medway Local Plan 2003.

#### *Highways*

There are no highway issues arising from this development.

#### *Local Finance Considerations*

None relevant to this application.

#### *Other matters*

The proposed electricity box/cabinet will be installed by UK Power Network under permitted development rights granted by the Town and Country Planning General Permitted development Order 1995 as amended and as such separate permission from the Local Planning Authority would not be required.

### **Conclusions and Reasons for Approval**

The proposed floodlights would allow the rugby club to provide a safer and better sport facility for its members and the wider community (schools, colleges and under 17) without causing significant harm to the amenities of the surrounding properties.

This application would normally be determined under delegated powers but is being reported to planning committee due to number of representations received expressing a view contrary to the recommendation.

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### **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/dconline/AcolNetCGI.gov>