

REPORT SUMMARY

REFERENCE NO: 16/506349/FULL			
APPLICATION PROPOSAL: Variation of condition application in relation to installation of 6no. floodlighting columns ref. MA/09/1616 (allowed on appeal) with amendment to condition 3) The floodlighting shall not be used between 1st May and 31st August in any calendar year; and condition 4) The floodlighting shall not be used outside the hours of 15:00-22:30 on Tuesdays, Wednesdays and Thursdays, 15:00-21:30 on Saturdays and not at all on any other day of the week.			
ADDRESS: Bearsted Football Club Honey Lane Otham Kent			
RECOMMENDATION: GRANT PLANNING PERMISSION for the development to proceed with the amended conditions at the end of this report.			
SUMMARY OF REASONS FOR RECOMMENDATION: The extended times of floodlighting the main pitch would not have a significant impact on countryside character or residential amenity, above and beyond that which currently occurs. Environmental impact should be balanced with the benefits of promoting sport and leisure and the variations applied for would enable the club to fulfil its league obligations.			
REASON FOR REFERRAL TO COMMITTEE: At the request of Councillor Gordon Newton			
WARD Downswood And Otham	PARISH/TOWN COUNCIL Otham	APPLICANT Trustees Of Bearsted Football Club AGENT Watson Day Chartered Surveyors	
DECISION DUE DATE 28/09/16	PUBLICITY EXPIRY DATE 02/09/16	OFFICER SITE VISIT DATE <u>State date</u>	
RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites): There is a lengthy planning history here concerned with the development of the playing fields and associated development. The most relevant history for this application is as follows:			
App No:	Proposal:	Decision:	Date:
16/508636/FULL	Installation and siting of covered standing spectator accommodation	Granted	16.08.2017
15/508999/FULL	Retention of concrete hardstanding surrounding main pitch, concrete hardstanding adjacent to changing rooms and provision of turnstile within palisade security fencing	Granted	27.04.2016
09/1616	Planning permission for installation of 6no. floodlighting columns	Refused but appeal allowed	15.03.2011

09/1615	Planning application for installation of 2no. portable covered seating stands (57 seats each) and associated works including laying of paved area	Refused but allowed on appeal	15.03.2011
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MAIN REPORT

1.0 This application was deferred at the meeting of the Planning Committee on the 14 September 2017 (Adjourned from the 7th September 2017 (Committee Report and updates for this meeting are attached as Appendix 1 to this report).

1.01 Members resolved to defer consideration of the application 'so as for officers to investigate the impact of the additional hours and month on ecology, specifically in relation to bats'.

1.02 In response to the above, the applicant has submitted an Update Bat Tree Assessment Report which in summary advises that:-

- The core bat breeding period is between May and August and the use of the lights from the very end of August (31st) is not considered likely to have any impact on breeding bats in the local area.
- None of the trees within the site are considered suitable to support a bat maternity roost.
- The floodlighting is directional and illuminates the pitch without excessive spillage into the landscape.
- The highest level of lighting only affects the northern edges of trees T9, T10 and T11 which have 'low' and 'negligible' potential to support a bat roost.
- The use of lighting for an additional hour (until 22:30hrs on Tuesdays, Wednesdays and Thursdays) may reduce the foraging time available for bats by one hour per night on the northern edge of the treeline and along the lime trees to the west. However the area to be affected is small and consists of hardstanding car park with mature trees. There is no ground flora or shrub layer, and as such there is no quality foraging available for bats.
- The majority of the trees to the south remain unaffected by the lighting and there are multiple opportunities within the woods to the south, south-west and north-west.
- It is considered that using the lighting during this time would have minimal impact on the local bat population's ability to forage and commute.

2.0 LOCAL REPRESENTATIONS:

2.01 No representations received in connection with the additional information submitted.

3.0 CONSULTATIONS

3.01 KCC Biodiversity Officer advises that they have reviewed the bat tree assessment which has assessed the impacts of the increased use of floodlighting upon roosting and foraging bats. They are satisfied with the submitted information and consider that the increase in floodlighting operating hours (as specified within the application) will have minimal impacts upon roosting/foraging bats.

4.0 APPRAISAL

4.01 Since members first considered this application the Local Plan has been adopted. The key relevant policies SP17, DM1, DM3, DM7 and DM8 therefore carry full weight.

4.02 It remains the case that proposals for external lighting should be carefully designed and appropriate specifications used such that glare and spillage would not have a

detrimental impact on areas of nature conservation importance. The Maidstone Local Plan advises that protected species such as bats tend to avoid well-lit areas, and lighting schemes should ensure that ecological issues are carefully considered in their design.

4.03 This assessment has already been undertaken in the original Committee Report attached as APPENDIX1. The original committee report concludes that the impacts of the increased use of floodlighting upon roosting and foraging bats was acceptable.

4.04 Planning Permission was allowed at appeal in March 2011 under ref MA/09/1616 (Inspector's decision letter is included here as APPENDIX1) for the installation of 6no. floodlighting columns.

4.05 The Inspector imposed the following conditions:-

Condition no.3) The floodlighting hereby approved shall not be used between 1st of May and 30 September (inclusive) in any calendar year' and Condition no.4) The floodlighting hereby approved shall not be used outside the hours of 15.00 to 21.30 on Tuesday s, Wednesdays Thursdays and Saturdays and not at all on any other day of the week.'

4.06 This application proposes to amend the above conditions (condition 3 and 4) to allow an extension to the times of use of the floodlighting around the main pitch.

4.07 The current condition 3 states that the use of the floodlighting is not permitted in the months of May, June, July August and September and the current amendment requests that this restriction is amended to allow use of the floodlighting in September. Condition 3 is proposed to read as follows:-

Condition 3) The floodlighting hereby approved shall not be used between 1st of may and 31st of August (inclusive) in any calendar year.'

4.08 The current condition 4 restricts the use of floodlighting so they can only be used between the hours of 3pm and 9.30pm on Tuesdays, Wednesdays, Thursdays and the condition requests greater use of the floodlighting to allow an extra hour of use on Tuesdays, Wednesdays, and Thursdays with use until 10.30pm to account for mid-week fixtures.

4.09 Condition 4 is proposed to read as follows:-

Condition no.4) The floodlighting hereby approved shall not be used outside the hours of 15.00 to 22.30 on Tuesdays, Wednesdays Thursdays; 15:00 to 21:30 on Saturdays; and not at all on any other day of the week.'

4.10 The submitted updated bat assessment concludes that the increase in floodlighting as detailed above will have minimal impacts upon roosting/foraging bats.

5.0 CONCLUSION

5.01 Members resolved to defer consideration of the application 'so as for officers to investigate the impact of the additional hours and month on ecology, specifically in relation to bats'. Following this, an 'Update Bat Tree Assessment Report' was submitted to further justify the development. The submitted survey concludes that the core bat breeding season is between May and August and none of the trees within the site have potential to support a maternity roost of bats. As such, it is not considered that extending the use of lighting so that it can be switched on from 31st

August (rather than 30th of September) will have a significant impact on breeding bats.

- 5.02 In regards to the proposed increase in hours of use to allow an extra hour on Tuesdays, Wednesdays and Thursdays (up to 22:30 hrs), it is considered that this may affect a small (0.33hac) area which consists of hardstanding car park with mature trees. There are multiple foraging opportunities around the trees in the unlit section of the car park to the south in the nearby woodlands, and as such loss of the small area will not cause a significant impact on foraging bats. In addition, the small area that would be affected is of poor quality foraging habitat for bats as it does not have ground flora or shrub layer which would provide a high quality foraging habitat for bats. Furthermore, it is considered that the eastern side of the row of lime trees to the west of the pitch would still be a suitable commuting corridor even when the lights are switched on as the tree line is illuminated by c.5 lux. Given this, it is considered that using the lighting for an addition hour on Tuesdays, Wednesdays and Thursdays (up to 22.30) would have a minimal impact on the local bat populations' ability to forage and commute.
- 5.03 The minimal impact of the extended times of floodlighting the main pitch on the bat populations' ability to forage and commute (as discussed herein) should be balanced against the benefits of promoting sport and leisure. Overall, it is considered that the benefits of the development significantly outweigh the minimal impact detailed herein, and as such it is recommended that planning permission be GRANTED for the development.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/7126/02, DHA/7126/10, DHA/7126/11, DHA/7126/12 and the specifications set out by Highlights Floodlighting Ltd dated 17 October 2008. Reason: In the interests of proper planning.
- (2) The floodlighting hereby approved shall not be used between 1st May and 31st August (inclusive) in any calendar year; Reason: In order to protect the character of the countryside.
- (3) The floodlighting hereby approved shall not be used outside the hours of 15.00 to 22.30 on Tuesdays, Wednesdays, Thursdays; 15:00 to 21:30 on Saturdays; and not at all on any other day of the week; Reason: In order to protect the character of the countryside.

Case Officer: Thandi Zulu

- N.B. For full details of all papers submitted with this application please refer to the relevant Public Access pages on the Council's website.