

**1) External Lighting of the Core Activity park (GR/10/463)**  
**2) Clarification of use with particular regard to major events (GR/10/464)**  
**at the A2 Activity park Scheme from the Pepper Hill Junction to the Marling Cross Junction, Gravesend**

A report by Head of Planning Applications Group to Planning Applications Committee on 27 July 2010.

Two applications submitted by Kent County Council for:

- 1) External lighting including the tarmac cycle track, BMX race track, multi use games area (MUGA) and skate park (GR/10/463); &
- 2) Clarification of the usage of the park with particular reference to major events (GR/10/464); at the A2 Activity Park located between the new A2 and the redundant A2 Watling Street from the Pepper Hill Junction to the Marling Cross Junction, Gravesend.

Recommendation: that PERMISSION BE GRANTED for both applications, subject to conditions.

**Local Member:** Mr M. Snelling

**Classification:** Unrestricted

### **Site and Background**

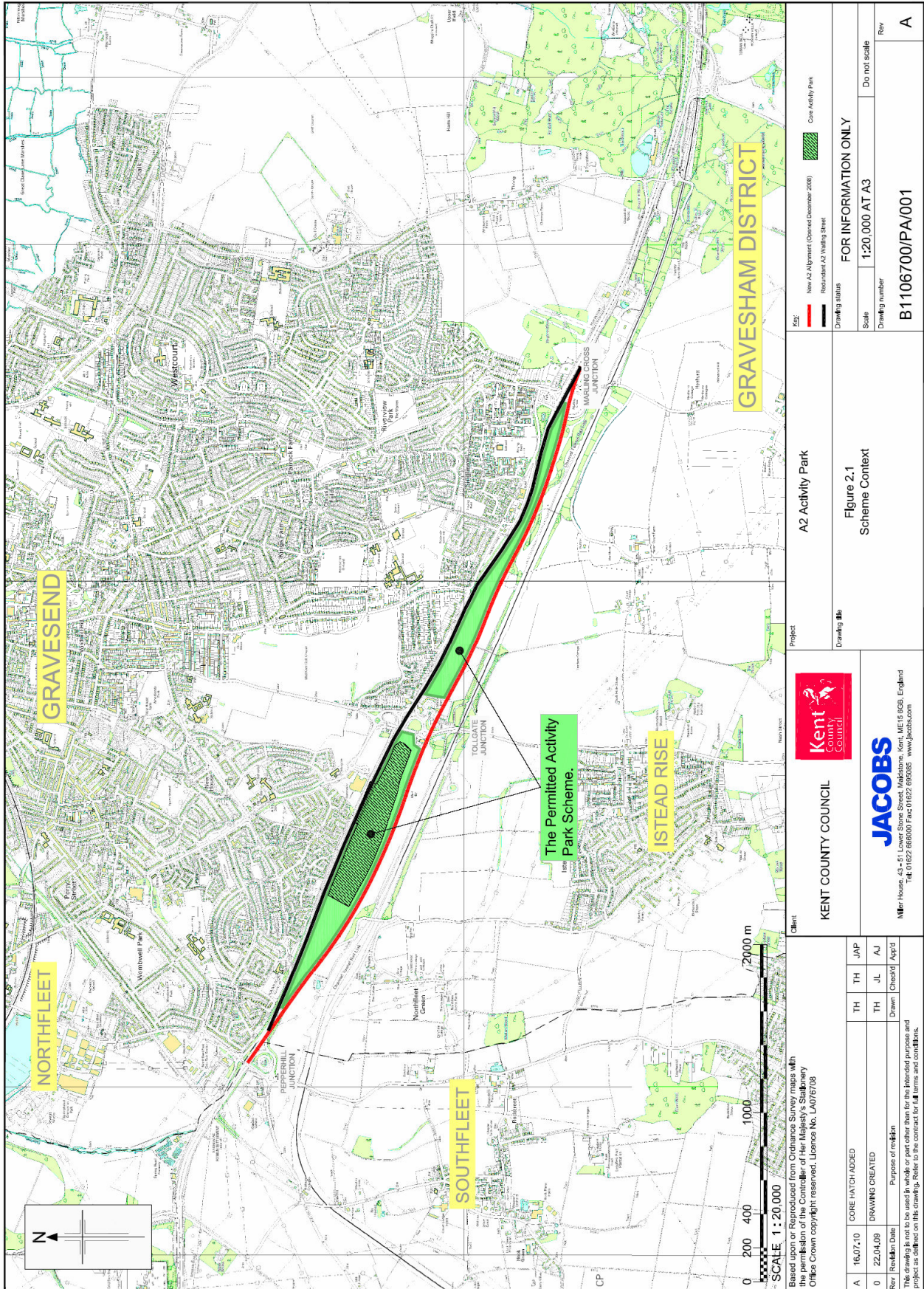
1. The A2 Activity Park planning application (GR/09/440) was considered by Members of the Planning Applications Committee on the 18 August 2009, and was subsequently granted planning permission on the 15 September 2009. The Activity Park is located between the Pepper Hill and Marling Cross junctions of the A2 at Gravesend. The recently completed A2 Widening Scheme created an open landscaped area of redundant carriageways and adjacent agricultural land which is sandwiched between the southern edge of the residential areas of Gravesend and the new A2. The linear Activity Park occupies an area of 46 ha between the A2 junctions of Pepperhill and Marling Cross, to the north of the new A2 carriageway and to the south of the urban edge of Gravesend. The site is 5km long and at its widest, adjacent to Morrison's Supermarket, is 230m wide. The old redundant A2 carriageway runs parallel to the edge of the residential area of Gravesend and now forms part of the cycle routes. In addition, the approved Activity Park pavilion building and car park would be built upon the old carriageway. The remainder of the site consists of newly landscaped open space and agricultural land, which is crossed with newly created paths and cycleways, and is open at all times to members of the public for recreational use. The approved Activity Park would retain and supplement this, in addition to providing a *Core Activity Park*. Apart from the redundant A2 carriageway, the application site is within the Metropolitan Green Belt. However, due to the nature of the development proposed, this application has not been advertised as a Departure to Development Plan Policy. This will be discussed in more detail in the discussion of this report.

#### Contents of the approved A2 Activity Park

2. The approved activity park provides a 46 hectare high quality, traffic free, multi-use facility for cycle circuits, time trials, mountain bikes, BMX and skate boarding. The facility will, when constructed, provide dedicated facilities for local and national running and cycling, alongside informal walking, running and cycling and an equestrian route, all

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<p>Based upon or Reproduced from Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationary Office Crown copyright reserved. Licence No. LA076706</p>		<p>Client</p> <p><b>KENT COUNTY COUNCIL</b></p> <p><b>JACOBS</b></p> <p>Milner House, 43 - 51, Lower Stone Street, Maidstone, Kent, ME16 9GB, England Tel: 01622 666000 Fax: 01622 696885 www.jacobs.com</p>		<p>Project</p> <p><b>A2 Activity Park</b></p>		<p>Key:</p> <ul style="list-style-type: none"> <li><span style="color: red;">—</span> New A2 Alignment (Opened December 2008)</li> <li><span style="color: black;">—</span> Redesigned A2 Walling Street</li> <li><span style="background-color: green; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> Core Activity Park</li> </ul>	
<p>Scale: 1:20,000</p>		<p>Drawing #</p> <p>Figure 2.1</p> <p>Scheme Context</p>		<p>Drawing status</p> <p>FOR INFORMATION ONLY</p>		<p>Scale</p> <p>1:20,000 AT A3</p>	
<p>Rev</p> <p>0 22.04.09 Purpose of revision</p>		<p>TH TH</p> <p>TH JL</p> <p>TH JL</p> <p>TH JL</p>		<p>Drawing number</p> <p>B1106700/PA/001</p>		<p>Do not scale</p>	
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set within a landscaped and managed parkland accessible to the local community. The Activity Park has two main functions and will be managed as a whole from the pavilion.

Both functions are to be served by the same access and parking arrangements. The two functions are:

- The Core Activity Park: this is located on the larger agricultural land parcel between Downs Road and the Tollgate Junction. It is available to all members of the community and operates to appeal to all ages and abilities. It is a clearly defined fenced area with the pavilion building forming a part of the secure boundary line. The secure boundary of the site will enable activities in the core area of the park to be well managed.
  - A park with open access: The remainder of the Activity Park is open to members of the community at all times and includes the footway/cycleway and associated landscaped area created by the Highways Agency that stretches from the Pepperhill Junction to the Marling Cross Junction. It also includes the areas of land sandwiched between the old and new A2 corridors to the east of the Tollgate Junction, and the parcel of agricultural land to the east of the Tollgate Hotel.
3. A key aspect of the Core Activity Park is the pavilion building with café/restaurant, youth drop in and meeting facility, gym, cycle hire storage, British Cycling training centre, workshops, multi use space for dance, education and music, and a reception area. The pavilion leads to a series of functional spaces and the formal 2.8km tarmac cycle track, which is 6m wide on average, and can be broken down into four smaller tracks, all of which can function at the same time or as varied combinations. In addition, mountain bike trails run all over the Core Activity Park, segregated from the main track by basic underpasses. The tracks will be set in a landscape of grassland and tree and shrub planting. The Core Activity Park also provides a BMX track, free ride area, skate park, skills zones for mountain biking, down hill tracks, in line skating facilities, a Multi Use Games Area for informal outdoor sports and a play area designed for younger children.

#### Access and Car Parking

4. The Activity Park has a single dedicated point of vehicular access, via the old A2 coast bound on-slip, which is currently used to access the Tollgate petrol station and residential properties, and forms the eastern arm of the A227 Wrotham Road/Coldharbour Road Roundabout. A priority junction has been constructed to join the access road to the old coast bound on-slip, with appropriate visibility splays. The access road will provide access to the main car park and pavilion. The parking provision for the Activity Park also includes the construction of a small satellite car park at the eastern end of the scheme, accessed via Church Road. In total the main car park will provide 170 tarmac car parking spaces, of which 17 would be allocated as disabled spaces, 18 motorcycle parking spaces, 5 coach spaces and 80 cycle spaces. An overspill car park of 167 spaces would also be provided and a further 20 spaces would be provided in the satellite car park. Various existing access points for pedestrians and cyclists are located along the parks northern boundary, including controlled vehicular access points for service vehicles. Access points are located at the Pepper Hill Junction, Downs Road (accessed via Landseer Avenue), adjacent to the Tollgate Filling Station, Watling Street, and on Hever Court Road, including an access adjacent to the Marling Cross Junction.

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#### Hours of Use

5. The main Activity Park is open 24 hours a day all year round for general recreational and leisure uses. However, conditions of consent limit use of the Core Activity Park to between the hours of 7.00am and 10.00pm. The pavilion building and associated car parking will be open from 7.00am until 11.00pm. The additional hour in the evening is to allow club meetings or classes for various activities to take place, and would enable users of the outdoor areas to shower and clear the site safely.

#### Type of Use

6. The use of the site is for predominately everyday recreational access and what the applicant terms a 'typical weekend event'. The applicant considers that a typical weekend event would occur approximately 40 times each year and would involve a 'non major event' being held on the cycle track or mountain bike track within the enclosed Core Activity Park, with average use of the other park facilities. It is anticipated that a 'typical weekend event' would attract approximately 424 visitors per day to the site, generating approximately 165 motor vehicle trips per day. However, when the planning application for the Activity Park was submitted the applicant also proposed to hold a limited number of 'major weekend events' at the site, which would involve mainly local, but sometimes regional, competitions. It was anticipated that a 'major weekend event' would attract approximately 1100 visitors per day to the site, generating approximately 455 motor vehicle trips per day.
7. At the time of considering the Activity Park application in August 2009, Kent Highway Services were unable to assess the suitability of the site and the local highway network to accommodate a 'major weekend event' due to a lack of survey work. Additional information was required, including a 'Major Event Travel Management and Parking Management Strategy', regional and national level survey information taken at a comparable site, an assessment of key junctions, survey work with regards to the cycle and highway network, and details of any works required as a result of these surveys. At the time of determining the Activity Park planning application, the applicant was unable to provide the required information due to the time needed to undertake survey work at a newly opened similar facility, and then relate this to the A2 Activity Park site, and assess. In light of this, it was agreed that 'major weekend events' should be considered as a separate planning application to be submitted in the future.

#### Restrictions imposed upon the Activity Park planning permission with regard to use

8. Therefore, in the planning permission for the A2 Activity Park conditions of consent ensured that no 'major weekend events' could be held at the site until such time as a separate planning application had been submitted to, and permitted by, the County Planning Authority. The planning permission also limited the use of the site to the number of participants and spectators expected for a 'typical weekend event' with regards to cycling, so that no more than 100 participants and 50 spectators could use the Core Activity Park per day. Conditions 3 & 4 of the planning consent (GR/09/440) are as follows:

*3. No major events shall be held at the site until such time as a planning application for such events is submitted to and permitted by the County Planning Authority.*

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*Reason: In the interest of highway safety and local residential amenity.*

4. For the purposes of condition 3 above, a major event is defined as a cycling event which would involve more than 100 participants and 50 spectators entering the Core Activity Park on any one day.

*Reason: For clarity and avoidance of doubt and in the interests of highway safety and local residential amenity.*

Therefore, only 'typical weekend events' and everyday use of the facility were approved at that time.

#### External Lighting

9. The planning application for the Activity Park proposed amenity/security lighting around the pavilion and along the link to the activity area and the car park to provide safe passage for users of the facilities. Further details of this lighting were required pursuant to planning condition, and have recently been submitted for consideration. However, the applicant also proposed that the BMX area, MUGA, and Skate Park, as well as other facilities within the Core Activity Park required lighting which was to be designed to be appropriate for the facility/activity and in accordance with industry standards. The requirement for lighting also applied to the tarmac track within the Core Activity Park, which as a training facility, would be treated and lit as a standard road.
10. At the time of considering the Activity Park planning application, very few details had been provided with regard to the external lighting of the Core Activity Park as specific lighting designs could not be finalised until the detailed design of some individual elements was complete, e.g. the skatepark. Due to the lack of detailed lighting specifications, the impact of the lighting on residential amenity, and the landscape, bearing in mind the site's Green Belt location, could not be adequately assessed.

#### Restrictions imposed upon the Activity Park planning permission with regard to external lighting

11. In light of the lack of detail in the planning application for the A2 Activity Park two planning conditions relating to lighting were imposed on permission GR/09/440. Conditions 8 & 9 of the planning consent (GR/09/440) are as follows:
  8. *No external lighting within the Activity Park, including the Core Activity Park, should be installed, other than external lighting/security lighting of the pavilion and car parking areas (details required pursuant to condition 7); the existing cycle/footpaths and/or bridle ways shall not be lit until such time as a planning application for such lighting is submitted to and permitted by the County Planning Authority.*

*Reason: In the interests of visual amenity and local residential amenity.*

9. *All lighting on site, except for security lighting of the pavilion and car park, shall be extinguished by 10pm, or 15 minutes after last use of the facility, whichever is the sooner.*

*Reason: In the interests of local residential amenity.*

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#### **Proposal**

12. In light of the planning conditions outlined above and imposed upon the planning permission for the A2 Activity Park, the following two separate planning applications have been submitted to the County Planning Authority for consideration and will be discussed throughout this report:

GR/10/463 – External lighting including the tarmac cycle track, BMX race track, multi use games area (MUGA) and skate park.

GR/10/464 – clarification of usage of the park with particular regard to major events.

The first of the two planning applications has been submitted in response to condition 8 of the Activity Park planning permission, which states that no external lighting of the Activity Park, including the Core Activity Park, shall be installed until such time as a separate planning application is submitted to and approved by the County Planning Authority. The second of the applications has been submitted in response to condition 3 of the consent, which states that no major events shall be held at the site until such time as a planning application for such events is submitted to and approved by the County Planning Authority. For the avoidance of doubt, a major events is defined as a cycling event which would involve more than 100 participants and 50 spectators entering the Core Activity Park on any one day. The following will detail each application in turn:

#### **GR/10/463 – External Lighting**

13. This application proposes the external lighting of the facilities within the Core Activity Park only. No additional lighting is proposed within the wider Activity Park itself. The Core Activity Park is carefully sited to minimise impacts on local residents, primarily located to the south of Morrison's Supermarket. This location was considered in the determination of the Activity Park planning application and was deemed to be the least intrusive location within the site. In addition to being to the south of a retail outlet, existing mitigation along the old A2 corridor, including extensive landscaping and acoustic fencing, also aid in screening the Core Activity Park.
14. The design objectives for the lighting proposals are to create a high quality, safe and pleasant environment that is cost effective, maintainable and energy efficient. The applicant states that the lighting scheme has been designed to minimise light spill and to comply with the relevant Chartered Institute of Building Services Engineers (CIBSE) guidance and with Institute of Lighting Engineer's (ILE) guidance notes for the reduction of obtrusive light. In addition, levels would comply with British Cycling standards for the BMX and Cycle Track, and Sport England standards for the MUGA.
15. The lighting would only be required for the following elements of the Core Activity park:
- Tarmac race track;
  - BMX track;
  - Multi use games area (MUGA); &
  - Skate park.
16. Each of the 4 elements are proposed to be lit in accordance with the following details:

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#### Tarmac Track

It is proposed to light the track with 10 metre high galvanised tapered columns at approximately 27 metre centres. The luminaires would be fitted with 140w lamps, to achieve a minimum maintained lux level of 22.5 on the track surface.

#### BMX Track

It is proposed to install four columns along the length of each side of the track, giving eight columns in total. Columns would be 15 metres high, and the applicant advises that this would achieve the best and most efficient light spread for the sport, given the undulating profile of the track. Each galvanised column would accommodate two 2000w luminaires, fitted at a 0 degree angle, to achieve a minimum maintained lux level of 200 at the track surface.

#### Multi Use Games Area

Four 8 metre high galvanised columns would be positioned at each corner of the MUGA, with 1000w luminaires tilted at 5 degrees from horizontal. The lighting is designed to achieve a minimum maintained lux level of 200 at the playing surface, suitable for large ball sports.

#### Skate park

Five 8 metre high columns would be positioned around the edge of the skate park, each accommodating two 240w lamps, tilted at 7 degrees from horizontal. The lighting is designed to achieve a minimum maintained lux level of 50, which the applicant advises is suitable for all non ball activities.

17. The applicant advises that the use of the lighting would be limited to the darker months of September to April, and within this period, is unlikely to be used in poor weather conditions. Furthermore, it is not the applicants intention to use all of the facilities all of the time with lighting. Hours of use would accord with those imposed on the Activity Park planning permission (GR/09/440, conditions 9 & 28), in that all lighting must be extinguished by 10pm or within 15 minutes of the last use, whichever is the sooner.

*This application was accompanied by a Planning Application Report, a Design and Access Statement, various figures, Lighting Spill Diagrams and Technical Data, letters of support, and Visual Impact Tables.*

#### **GR/10/464 – clarification of use, with particular regard to major events**

18. This planning application has been submitted to gain approval for major events at the site, defined in condition 4 of the Activity Park planning permission as a cycling events which would involve more than 100 participants and 50 spectators entering the Core Activity Park on any one day. This planning application relates to use of the approved Activity Park only, and does not propose any built development of any kind. Only the transport and access arrangements require clarification, and this will be discussed and assessed throughout this report. The additional information that was not available for assessment at the time of determining the Activity Park planning application, including a 'Major Event Travel Management and Parking Management Strategy', regional and national level survey information taken at a comparable site, an assessment of key junctions, survey work with regards to the cycle and highway network, and details of any works required as a result of these surveys, has been submitted with this planning application.

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19. The applicant expects that major events would become an important and exciting part of the Activity Park. Examples of typical major events that are being hosted at similar facilities include British Cycling's National Youth Circuit Race (held at Redbridge in Essex) and Gosport Regional BMX event. It is expected that the Activity Park would host similar events to these.
20. Major events are proposed to be held at the Activity Park on weekend/holiday periods only, and would comply with the restrictions imposed on hours of use (condition 28 of consent reference GR/09/440), to between the hours of 07.00 and 22.00 with regard to the Core Activity Park, and until 23.00 with regard to the pavilion and associated car parking.
21. The applicant, as part of the Major Events Transport Assessment, has developed seven 'visitor case scenarios':-
- Case 1: Event (not a major event) on cycle track or mountain bike track, plus average use of other facilities.
  - Case 2: 'Fine summer evening' – event on cycle track plus 100% above average use of the other facilities.
  - Case 3: Major event plus average use of other facilities.
  - Case 4: 'Major event weekend' – major event plus 100% above average use of other facilities.
  - Case 5: 'Big weekend 1' – major event with 20% additional competitors and 50% extra paying spectators plus 100% above average use of other facilities.
  - Case 6: 'Big weekend 2' – major event with 20% additional competitors and 100% extra paying spectators. *This represents the worse case scenario.*
  - Case 7: Ordinary weekday afternoon or evening.
22. The Major Events Transport Assessment goes on to state that major events (exceeding 100 participants and 50 spectators (cases 3 – 6)) would occur no more than 22 times a year, at weekends and holiday periods only. The frequencies for each case could be broken down as follows:
- Case 3 - approximately 8-18 days per year;
  - Case 4 – approximately 3-8 days per year;
  - Case 5 – approximately 1-4 days per year;
  - Case 6 – approximately 0-3 days per year;

The projected visitor forecasts associated with the major event cases are shown in the table below:



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User Type	Visitor Type	Visitor Numbers by Case			
		Case 3	Case 4	Case 5	Case 6
Major Event	Participants	150	150	180	180
	Non paying spectators	75	75	90	90
	Paying spectators	300	300	450	600
	Centre staff and event officials	40	40	50	50
	<b>Total</b>	<b>565</b>	<b>565</b>	<b>770</b>	<b>920</b>
Public Session Users (Non Event)	Participants	50	100	100	40
	Spectators	24	48	48	8
	<b>Total</b>	<b>74</b>	<b>148</b>	<b>148</b>	<b>48</b>
Recreation (Average Summer Day)	Walkers	75	75	75	75
	Cyclists	45	45	45	45
	<b>Total</b>	<b>120</b>	<b>120</b>	<b>120</b>	<b>120</b>
Café Users	150 seats/100m <sup>2</sup> (Vehicle Trips with 75% linked trip reduction)	9	9	9	9
<b>Total Visitors</b>		<b>768</b>	<b>842</b>	<b>1047</b>	<b>1097</b>

23. The applicant states that if a major event is scheduled no other conflicting events would be booked at the same time. The public session users would be using parts of the facility which are not in use for a major events, and the applicant states that these are 'non events' which can be carefully managed. In addition, the largest of the major events would last the whole day whereas a public session would last on average about 1.5 hours.
24. The car parking already permitted for the A2 Activity Park includes a small 20 space satellite car park at the western end of Church Road, for use by recreational visitors, and a main car park to the east of the pavilion building. The main car park encompasses a tarmac car park, providing 170 spaces, and an overspill car park providing a further 167 spaces. In addition, 18 motorcycle parking spaces, 5 coach parking spaces and 80 cycle parking spaces are provided. As outlined in the main Activity Park planning application, it is proposed to charge for car parking within the park, either on a vehicle by vehicle basis or as part of the entry fee. There is no charge for short stay visitors to reflect local/community park usage. The 'Framework Major Event Travel Plan and Traffic and Parking Management Strategy' submitted with this application proposes a range of measures to ensure that the car park is operated efficiently and that overspill car parking does not occur on local roads. Cycling, walking and access by public transport is also encouraged and detailed within the submitted documentation.
25. The submitted 'Major Event Transport Assessment' concludes that the proposed development has been assessed within the national, regional and sub-regional context, and conforms to all these policies. The development has also been appraised in relation to accessibility, safety, environmental, economic and integration objectives, as set out in the latest DfT Transport Assessment Guidelines.

*This application was accompanied by a Planning Application Report, a Design and Access Statement, and Transport Assessment, with appendices including a 'Major Event Travel Plan and Traffic and Parking Management Strategy'.*

*Copies of a site plan will be on display in the Committee Chamber on the day of the meeting.*

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### Planning Policy

26. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **Planning Policy Guidance and Statements:**

<b>PPS1</b>	Delivering Sustainable Development
<b>PPG2</b>	Greenbelt
<b>PPS7</b>	Sustainable Development in Rural Areas
<b>PPG13</b>	Transport
<b>PPG17</b>	Planning for Open Space, Sport and Recreation

(ii) **Gravesham Local Plan First Review (adopted 1994):**

**Policy TC1** - The Borough Council will not normally permit proposals for new development which cause harm to interests of acknowledged importance. Applications will be considered in accordance with a number of design principles including the appropriateness of scale and massing, use of good quality materials, the design respecting the character and appearance of existing buildings, and safeguarding the amenity of neighbouring properties.

**Policy TC7** – On archaeological sites where permanent preservation is not warranted, applications will normally be refused unless arrangements have been made by the developer to ensure that time and resources are available to allow satisfactory archaeological investigation and recording to take place in advance of or during development.

**Policy TC10** - The Borough Council will normally require the submission of details of the landscaping proposed and will use its powers to ensure such landscaping is implemented.

**Policy GB2** - There will be a strong presumption against permitting new development in areas subject to Green Belt policies.

**Policy LT1** – Suitable facilities for formal and informal recreation will be permitted at appropriate locations in the urban area and in the villages, having regard to an identified need for such facilities and subject to compliance with other policies of the Local Plan. Suitable facilities for informal recreation and formal outdoor recreation will be permitted in the Countryside where it can be demonstrated that this would be compatible with Green Belt and Countryside Conservation Policies.

**Policy LT8** - The Borough Council will aim to maintain and improve the existing public rights of way network and as opportunities arise,

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it will seek to provide new recreational footpaths, cycleways and bridleways in the Borough.

**Policy T1** - The Local Planning Authority will consider the impact on the transport system and on the environment of traffic generated by new development and would wish to ensure that all proposed developments are adequately served by the highway network.

**Policy P3** - The Borough Council will expect development to make provision for vehicle parking, in accordance with Kent County Council Vehicle Parking Standards.

#### **(iii) Gravesham Local Plan Second Review (deposit version 2000):**

**Policy T1** - In considering development proposals, the Local Planning Authority will consider the impact of the generated travel demand on the transport system as a whole, and on the environment.

**Policy T7** - The Borough Council will encourage the use of cycles as a means of travel for short and medium distance trips and for recreation.

**Policy T8-** The Borough Council will encourage the maintenance and enhancement of the network of footways, footpaths, bridleways and other public access routes throughout the urban and rural areas.

**Policy T16** - Provision will be made for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards.

**Policy NE6** - Development on sites containing or directly adjacent to trees or hedgerows of amenity, wildlife or landscape value will only be allowed if these landscape features are protected and retained in the long term. All new proposals for new development must incorporate new landscaping as an integral part of the scheme.

**Policy NE7** - The Borough Council will encourage the implementation of wildlife enhancement initiatives and the planting of new landscaping in suitable locations to improve the ecological resource and the appearance of the environment.

**Policy NE16** - Development likely to result in emissions to the air, by reasons of operational characteristics or the traffic generated by it, will require submission of details to enable a full assessment of the impacts on air quality to be carried out.

**Policy NE19** - Proposals for noise generating development will require a full assessment of the impact.

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**Policy NE20** -Development involving the provision of external lighting will require the submission of details to demonstrate that the proposed lighting scheme is the minimum necessary for security, safety and working purposes, taking into account the design of the scheme.

**Policy BE1** - The Borough Council will give priority to conserving and enhancing the built environment in both the urban and rural areas.

**Policy BE12** -A high standard of layout, design and materials will be expected for all new development. The Borough Council will not normally permit proposals for new developments which cause harm to the interests of acknowledged importance. Applications will be considered against a number of criteria.

**Policy RA2** - Within the Green Belt, inappropriate development will not be permitted.

**Policy LT9** - Land is safeguarded for new recreational or public open space use at – land between the A2 and CTRL south of Singlewell.

**Policy LT12**- Proposals to improve and extend the existing public rights of way network will be positively encouraged where they either provide a shorter or more convenient route, or improve access to the countryside.

*Members should note that the South East Plan has been revoked and no longer forms part of the Development Plan.*

## **Consultations**

### **27. Gravesham Borough Council:**

GR/10/463 - floodlighting – no objection raised. The following comments were made:

“The Borough Council would request that the proposed external lighting is properly installed in accordance with the manufacturers instructions to ensure that there is no stray light or glare to local residents or road users, that it is designed to ‘best practical means’ standards, that it is thereafter properly maintained at all times, that the need for any additional mitigation by way of planting or mounding is considered and implemented following installation and that the lighting is not subsequently altered or additional lighting installed without prior written permission.”

GR/10/464- major events – no objection raised. The following comments were made:

“The Borough Council requests that an upper limit is placed on the number of major events per year, that monitoring of such events in terms of noise and traffic generation is carried out for at least the first two years following the implementation of such events and the results of that monitoring exercise be made known to the Borough Council and that the ‘Major Event Travel Plan and Traffic and Parking and Management Strategy’ initiatives are implemented from the outset.”

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### **Cobham Parish Council:**

GR/10/463 - floodlighting – not consulted due to the nature of the development.

GR/10/464- major events – has concerns about the position of the access at Marling Cross, on a bend of the road with restricted sightlines. The Parish Council is also concerned about additional traffic that may be generated on roads through Henhurst, Cobham and Sole Street.

### **Southfleet Parish Council:**

GR/10/463 - floodlighting – no comments received too date.

GR/10/464 – major events – no comments received too date.

### **The Divisional Transport Manager:**

GR/10/463- floodlighting – no objections raised.

GR/10/464 – major events – states that the ‘Major Event Travel Plan and Traffic and Parking Management Strategy’ has been agreed in principle with Kent Highway Services, having been subject to detailed discussions over an extended time period leading up to the submission of this application. Kent Highway Services therefore has no objection to the application, although the following should be noted:

“Reference is made within the ‘mitigation’ section of the aforementioned Strategy document of the potential for a financial contribution to be made to KHS in respect of local parking restriction measures and/or TROs, should parking capacity problems be encountered in relation to major events (this is one of a number of potential mitigation measures on offer). Whilst the level of contribution could clearly not be calculated in advance of knowing the scope of the necessary potential work, assurance is sought that should such an eventuality occur, the presence of this requirement within the strategy document is enough to ensure that the need for such a contribution could be enforced through the planning process.”

### **The Highways Agency:**

GR/10/463 - floodlighting – not consulted due to the nature of the development.

GR/10/464 – major events – raises no objection subject to conditions securing the safeguards and commitments given within the ‘Major Event Travel Plan and Traffic and Parking Management Strategy’.

### **The County Council’s Landscape Advisor:**

GR/10/463 - floodlighting – comments as follows:

“The receptors with views (from upper floor windows only) towards the site currently see the site against a complex tangle of overhead gantries, lighting columns and lanterns on the A2 together, with a tall radio mast with pylons crossing the landscape beyond. The proposals would initially slightly increase the overall extent of light visible during the evening (when in use), and the tops of the columns may just be visible during daylight hours. However as the planting within the A2 Activity Park matures, views towards both the lit areas within the Activity Park and on the A2 would diminish. The large existing retained mounds along the existing cycle/footway, and the additional planting in this location, would provide instant screening for local visual receptors.

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Therefore it is not considered that there would be any significant visual impacts as a result of the lighting proposals from either the lighting columns or light spill.

The 'openness' of the existing site will change over the next fifteen years from an area dominated by the landform and long open views over grasslands to a more internally focused series of open spaces within a 'parkland' setting of tree groups and woodland areas. The presence of the proposed lighting columns would be the most extensive of the new vertical elements (which also include fencing, play structures and elements within the skate park) that could affect the character and openness of the core Activity Park relative to the other elements of the proposal. Mounding and tree planting within and around the perimeter would break up the number of visible columns, and the areas from which the columns would be visible. Tree and shrub planting would also reduce the impact of the columns within the spaces.

In terms of the changes to character that would take place on completion of the Activity Park, it is considered that although the lighting columns would reduce the 'openness' by forming regular linear vertical lines throughout the space, the effect would be reduced by the intermittency of views caused by the landform and woodland nature of the area. The trees and mounds would help to integrate the lighting columns into the landscape, and would break up the degree to which the columns read as a single entity within the landscape. Therefore it is not considered that the lighting columns would cause any significant impact on the general landscape character, or the open character of the Green Belt.

It is not considered that there would be any significant visual impacts as a result of the proposed lighting proposals from either the lighting columns or light spill. It is not considered that the proposed lighting columns would cause any significant impact on the general landscape character, or the open character of the Green Belt. This is because new planting and landform alterations would help to mitigate the visual prominence of the columns, and they would generally be viewed in the context of the surrounding existing columns, gantries and pylons."

GR/10/464 – major events – not consulted due to the nature of the development.

#### **The County Council's Noise Advisor:**

GR/10/463- floodlighting – states that the additional information on the proposed lighting has no consequence in terms of noise impact, above that raised in the previous comments on this application site. (*N B. Considered and addressed in the determination of the main Activity Park application and covered, where appropriate and necessary, by conditions of consent*)

GR/10/464 – major events – states that having considered the additional information provided, no concerns are raised. In fact, the traffic assessment indicates that the expected traffic flow during peak hours is lower than that previously presented by the applicant's acoustic consultant, which would likely result in lower noise levels for properties adjacent to Wrotham Road than initially anticipated.

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### **The County Council's Lighting Advisor:**

GR/10/463 - floodlighting – considers that, in view of the lighting specification proposed, and the existing landscaping and screening on site, light spill and direct views of the lamps would be minimised. No concerns or objections are raised.

GR/10/464 – major events – not consulted due to the nature of the development.

### **The County Council's Biodiversity Officer:**

GR/10/463 - floodlighting – is satisfied that the potential ecological impacts of the proposed lighting scheme have been adequately assessed and that the sensitive design of the proposal will result in minimal impacts on protected species.

GR/10/464 – major events – not consulted due to the nature of the development.

### **The County Archaeologist:**

GR/10/463 - floodlighting – no comments received too date.

GR/10/464 – major events – not consulted due to the nature of the development.

### **The County Council's Public Rights of Way Officer:**

GR/10/463 - floodlighting – no comments received too date.

GR/10/464 – major events – not consulted due to the nature of the development.

### **The Environment Agency:**

GR/10/463 - floodlighting – confirmed that this application falls outside those which the Environment Agency would need to see, and therefore classifies the development as having a low environmental risk. No further comments are made.

GR/10/464 – major events – not consulted due to the nature of the development.

### **Sport England:**

GR/10/463 – floodlighting – supports this application. The proposed floodlights would increase the opportunities for the community to use the sports facility during the winter months and in the evenings.

GR/10/464 – major events – supports this application.

## **Local Member**

28. The local County Member, Mr M. Snelling, was notified of both applications on the 19 May 2010. In addition the following County Members of adjacent wards were notified of the applications: Mr L. Christie & Mr H. Craske.

## **Publicity**

29. Both applications were publicised by advertisement in a local newspaper and the posting of site notices. In addition, 77 nearby properties were notified of application GR/10/463, and 96 nearby properties notified of application GR/10/464.

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### Representations

30. To date I have received 27 letters in support of both applications and the provision of such cycling/sporting facilities from members of the public and cycling clubs/organisations. (13 letters with regard to GR/10/463 & 12 letters with regard to GR/10/464.)

I have also received 3 letters of objection/concern and a petition signed by 20 residents of Kemsley Close, with regard to application GR/10/463 (floodlighting). I have also received 3 letters of objection/concern with regard to application GR/10/464 (major events). The main comments/points of concern and objection can be summarised as follows:

#### GR/10/463 - floodlighting

##### General amenity concerns:

- Lighting would be intrusive. Residents are concerned about how powerful the lights would be, and the risk of glare/light spill/light pollution. This would be worse in winter when trees have lost their leaves;
- Hours of use of the lighting, including concern that security lighting would remain on all night;
- There is no need for lighting as the park should be closed at dusk;
- Residents have recently had the opportunity to enjoy a peaceful noise and pollution free environment, increasing the value of homes and the neighbourhood. This is what residents want, not an Activity Park;
- Should permission be granted, additional trees should be planted to screen the development;

#### GR/10/464 – major events

##### General amenity concerns:

- Concern is raised over the level of noise that would be generated from the use of the park for major events;
- Concern is raised over security of local properties;
- Residents were promised landscaped gardens when the A2 was moved, not an Activity Park holding international events open until 10pm every day;

##### Access and parking:

- The application would increase traffic, noise, congestion and pollution;
- Local roads cannot accommodate the traffic that would be generated by major events;
- Local roads would be used as car parks;
- Existing parking restrictions are ignored, this situation would worsen;
- Residents in Wrotham Road are concerned that their road is already too busy, and has been turned into a lorry park, especially due to the 24 hr BP Petrol Station;
- Strong objection is raised to any further increase in the number of people who will be allowed into the Activity Park at any one time. Strong objection is raised to major events;
- Correspondence relating to previous objections to the site access was attached to one letter of representation;



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### Discussion

31. In considering these proposals regard must be had to the Development Plan policies outlined in paragraph (26) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include access and car parking, general amenity issues, landscape and ecology, and the impact upon the Metropolitan Green Belt.

### Green Belt

32. As outlined in paragraph 1 of this report, all of the A2 Activity Park to the south of the old A2 carriageway is within the Metropolitan Green Belt. However, due to the nature of the developments proposed, the applications are not, in my view, departures from the Development Plan and have not therefore been advertised as such. The rationale for this is that application GR/10/464 does not propose any built development - the application seeks to clarify use of the approved A2 Activity Park only. The Green Belt's function is to preserve the openness of the Countryside and to prevent urban sprawl by maintaining separation between built up areas. As application GR/10/464 proposes only an increased use of facilities which already have planning permission, I do not consider that this proposal would have any impact upon the functioning of the Green Belt greater than that already permitted. In addition, increased recreational use of the Green Belt accords with the general thrust of policy guidance (PPG2) and development plan policies with regard to improving access to Green Belt land as part of initiatives to improve the rural/urban fringe, and in the promotion of sport and leisure activities.
33. Application GR/10/463 however, needs further discussion and consideration as this application proposes the introduction of lighting within the Green Belt, development which could have a potential urbanising effect. The A2 Activity Park itself was considered to be appropriate development within the Green Belt. Appropriate uses within the Green Belt are well established through National Policy Guidance (PPG2) and case law. There is a general presumption against inappropriate development within the Green Belt, and such development should not be approved except in very special circumstances. However, PPG2 lists a number of appropriate uses in the Green Belt, for which there is no presumption against development or a need to provide very special circumstances. One of the appropriate uses listed is '*essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it*'. PPG2 goes on to define 'essential facilities' as facilities which are genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport/recreation.
34. When the main A2 Activity Park planning application was submitted it included lighting of the facilities. Although a lack of detail led to lighting being removed from the scheme at the time of determination, it was included at the time of writing the report, and was considered in the assessment of the Activity Park as a whole in terms of Green Belt Policy. The principle of the Activity Park, including lighting, was considered to be an

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appropriate use within the Green Belt, as defined by PPG2. The approved Core Activity Park is fenced and would contain hard landscaped elements such as the BMX and skateboard areas, the main cycle tracks and a small Multi Use Games Area (MUGA). The introduction of lighting columns would not, in my view, impact on the openness of the Green Belt any further than the already approved facilities. I therefore consider the proposed lighting to be an appropriate use within the Green Belt in this particular case, bearing in mind the development already approved at this site.

35. The Core Activity Park, and the wider park, would not be enclosed in any way, thereby maintaining the openness of the Green Belt. In addition, the lighting columns, along with the Core Activity Park, would be integrated into new and existing mounding and landscaping. The County Council's Landscape Advisor concludes that it is not considered that the proposed lighting columns would cause any significant impact on the general landscape character, or the open character of the Green Belt. New planting and landform alterations, both that provided by the Highway's Agency, and that secured by condition of consent on the main Activity Park planning permission, would help mitigate the visual prominence of the columns. In addition, it is considered that the proposed lighting columns would generally be viewed in the context of the surrounding existing columns, gantries and pylons. The application site is sandwiched between the well lit A2 carriageway and the urban edge of Gravesend. The impact of the lighting on residential amenity will be discussed later in this report, but I consider that the lighting specification proposed would not significantly alter the character of the area, bearing in mind existing surrounding development. The A2 carriageway has formed an 'artificial barrier' between the urban area of Gravesend, and the rural villages beyond. This application would not extend any lighting beyond the line of the A2 carriageway and, in my view, would not have a significantly detrimental effect on the character of the landscape. Therefore, I consider that the proposed lighting would, in this case, fall within the definition of appropriate development, as outlined in PPG2, as it would preserve the openness of the Green Belt and would not conflict with the purpose of including land within the Green Belt.
36. In summary, I consider that application GR/10/464, which proposes only an increased use of facilities which already have planning permission, would not have any material impact upon the functioning of the Green Belt. I also consider that the lighting of the Core Activity Park, application GR/10/463, falls within the definition of '*appropriate development*' in this case, and that the proposed lighting would not have a significantly detrimental effect on the openness of the Green Belt. The development would also accord with the general principles of relevant Development Plan Policies in that it would improve access to the Green Belt by providing a facility for outdoor leisure and recreation, whilst maintaining the openness of the Green Belt and safeguarding the countryside from encroachment. Therefore, I do not consider either application to be a Departure from Development Plan Policy, and see no overriding reason to refuse either application on Green Belt grounds.

#### Landscape and ecology

37. Extensive landscaping of the whole Activity Park has already been undertaken by the Highways Agency, using spoil from the re-alignment of the A2 to create soil mounds and landscaping. The applicant advises that the site has been planted with predominately native trees and shrubs, and is to be maintained to a similar standard to a Country Park. However, the provision of additional landscaping was secured by planning condition on the main Activity Park planning permission, and a detailed

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scheme of native tree and shrub planting has recently been submitted for consideration. In addition to providing an attractive setting for the pavilion building, car parking and the facilities within the park itself, boundary planting is to be supplemented where appropriate. In light of the extensive landscaping already undertaken, and the additional planting and landscaping proposed, I do not consider that any further provision of landscaping is required with regard to either application GR/10/463 or GR/10/464.

38. Conditions of consent on the main Activity Park planning application ensured that the development was carried out in accordance with the recommendations of the submitted scoping survey, that nesting birds were not disturbed by construction activities and that the ecological enhancements proposed were incorporated into the scheme. Of the two applications being discussed and considered within this report, only GR/10/463 (lighting) could have potential ecological impacts. However, the County Council's Biodiversity Officer is satisfied that the potential ecological impacts of the proposed lighting scheme have been adequately assessed and that the sensitive design of the proposal will result in minimal impacts on protected species, in this case, bats. Therefore, subject to the imposition of a condition on application reference GR/10/463 requiring the lighting to be installed in accordance with the details provided, I am satisfied that applications GR/10/463 and GR/10/464 will not have any adverse impacts on ecology.

#### Access and Parking

39. As explained earlier in this report, with particular reference to paragraph 4, the access and car parking associated with the Activity Park has planning approval. Neither of the applications to which this report refers are proposing any changes to the approved details with regard to the access and car parking. Application GR/10/463 is proposing to floodlight the facilities provided within the Core Activity Park, the result of which could be extended hours of use in winter months and in the evenings. However, the use would not extend beyond the level of use and hours of use considered and approved under the main Activity Park planning application, and regulated by planning condition. Kent Highway Services have no objection to the application and I do not consider that application GR/10/463 would have any highway implications above and beyond those considered in the approval of the Activity Park. I therefore see no reason to refuse that application on this ground.
40. Planning application GR/10/464 has been submitted as a result of the fact that Kent Highway Services were unable to assess the suitability of the site and the local highway network to accommodate a 'major weekend event' at the time of determining the main Activity Park planning application. Additional information was required, including a 'Major Event Travel Management and Parking Management Strategy', regional and national level survey information taken at a comparable site, an assessment of key junctions, survey work with regards to the cycle and highway network, and details of any works required as a result of these surveys. The required surveys have been undertaken, and the additional information collated, all of which has been submitted in support of planning application GR/10/464.
41. Upon issuing the planning permission for the A2 Activity Park conditions of consent ensured that no 'major weekend events' could be held at the site until such time as a separate planning application had been submitted to, and permitted by, the County Planning Authority. The planning permission also limited the use of the site to the number of participants and spectators expected for a 'typical weekend event' with regards to cycling, so that no more than 100 participants and 50 spectators could use

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the Core Activity Park per day. Only 'typical weekend events' and everyday use of the facility were approved at that time.

42. Application GR/10/464 has been submitted in response to condition 5 of consent reference GR/09/440, and proposes to clarify the use of the park, with particular reference to major events. We must, therefore, consider and assess whether the approved access and parking arrangements can accommodate major events at the site, being any event involving more than 100 participants and 50 spectators entering the Core Activity Park on any one day. Major events are proposed to be held at the Activity Park on weekend/holiday periods only, and would comply with the restrictions imposed on hours of use (condition 28 of consent reference GR/09/440), to between the hours of 07.00 and 22.00 with regard to the Core Activity Park, and until 23.00 with regard to the pavilion and associated car parking. The frequencies of such events and the visitor numbers involved are detailed in paragraphs 21 & 22 of this report. The applicant anticipates holding a maximum of 22 major events per annum, 0-3 of which would be the worse case scenario, attracting a total of 1097 visitors. The most frequently held major event (Case 3 – approximately 8-18 days per annum) would attract a total of 768 visitors.
43. Both the Highways Agency and Kent Highway Services have assessed the survey work and documentation submitted with this application and subsequently raise no objection to the application, subject to conditions (to be discussed below). The submitted 'Major Event Transport Assessment' concludes that the proposed development has been assessed within the national, regional and sub-regional context, and conforms to all these policies. The development has also been appraised in relation to accessibility, safety, environmental, economic and integration objectives, as set out in the latest DfT Transport Assessment Guidelines. The Transport Assessment confirms that the site is highly accessible for motor vehicles and is well connected to the road network. It is served indirectly but adequately by public transport and is well integrated with footways, bridleways, public rights of way and cycleways. The Transport Assessment concludes that the results of all the assessments indicate that local junctions would operate within capacity for all the case 1-7 events, including the worse case scenario. In addition, the Transport Assessment states that the potential parking accumulation for a case 6 event, the worse case scenario, would easily be accommodated within the car park and overspill car park.
44. Local residents have, however, expressed strong objection to the proposed increase in traffic above and beyond that already approved, and do not consider that the local highway network can accommodate such an increase. In addition, Cobham Parish Council has concerns about the position of the access at Marling Cross, on a bend of the road with restricted sightlines. The Parish Council is also concerned about additional traffic that may be generated on roads through Henhurst, Cobham and Sole Street. First, with regard to the Parish Council's concerns, I can confirm that the access at Marling Cross is for maintenance vehicles only, has appropriate sight lines, and is in any case approved as part of the main application. The applicant has also confirmed that the Activity Park would not generate additional traffic on roads through Henhurst, Cobham and Sole Street. I consider it unlikely that the Activity Park would generate traffic on local roads through these villages, and am satisfied that the proposed major events would not have a significantly detrimental impact on these local roads, as by far the majority of vehicles accessing the site would use the adjacent A2.

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45. With regard to the concerns expressed by local residents, strong objection is raised to a further increase in the number of people who would be allowed into the Activity Park at any one time. It is considered that major events should not be allowed as local roads could not accommodate the additional traffic, and local residents should not have to be subjected to increased congestion, inconsiderate parking, noise and pollution. The suitability of the access is also questioned, but it should be noted that this has been assessed and subsequently granted planning approval in the past. In the determination of application GR/10/464, the impact of additional traffic to be generated by major events is what needs to be considered and addressed.
46. The applicant advises that they are aware that the residents of Wrotham Road have experienced issues with the use of the existing petrol station, including illegal and inconsiderate parking. That activity is the responsibility of the Local Highway Authority to monitor, as is the enforcement of Traffic Regulation Orders (TRO). Although not responsible for this existing problem, the Activity Park does monitor the situation and the issues are raised within their specific security strategy meetings with the Police, the applicant's local security team and Gravesham Borough Council. I do not consider that the applicant can be expected to address this existing situation any further, and see no reason to refuse application GR/10/464 on these grounds.
47. The applicants advise that the methodology used for the Transport Assessment has been fully scoped with and accepted by Kent Highway Services and the Highways Agency to ensure robustness. Both have key interests in the impact of the proposal on the operation of the local junctions, and would raise objection if they did not consider that the road network could accommodate the level of traffic proposed. The development's impacts have been assessed through applying results from traffic surveys undertaken at similar cycle facilities, to ensure that it is evidence based, to four key junctions in the area. The results identified that all of the junctions would operate within capacity for a major event situation. In addition, that Travel Plan and Traffic and Parking Management Strategy contain initiatives to encourage sustainable travel to the site, and strategies have been produced to provide efficient access to the site for staff and visitors. Regular monitoring would be undertaken to ensure that the specified targets are met, and failure to meet the targets would result in the introduction of further initiatives. Stewards would also monitor car parking, and report any overspill, and in this eventuality consideration would be given to varying the existing Traffic Regulation Order. In addition, should overspill car parking become regularity, the size of major events would be reduced until suitable mitigation had been introduced. Advanced warning of major events would also be given to local residents and other key local groups. All of these matters are detailed in the submitted documentation, and I consider that provided these and the other mitigation measures detailed are implemented that the proposal would not have a significantly detrimental impact on the local highway network.
48. However, Kent Highway Services, the Highways Agency and Gravesham Borough Council require conditions of consent to be imposed to ensure that the mitigation, safeguards and commitments given within the 'Major Event Travel Plan and Traffic and Parking Management Strategy' are secured. I share this view. In addition, reference is made within the 'mitigation' section of the aforementioned strategy document of the potential for a financial contribution to be made to KHS in respect of local parking restriction measures and/or TROs, should parking capacity problems be encountered in relation to major events. Whilst the level of contribution could clearly not be calculated in advance of knowing the scope of the necessary potential work, Kent Highway Services

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have sought assurance that the presence of this requirement within the strategy document is enough to ensure that the provision of the contribution could be enforced through the planning process. I can confirm that, should permission be granted, conditions could be imposed upon consent reference GR/10/464 to ensure that the mitigation, safeguards and commitments given within the 'Major Event Travel Plan and Traffic and Parking Management Strategy' are adhered to. In addition, the applicant has also issued a separate and detailed letter/statement, confirming their commitment to undertake any works required and to strictly adhere to the recommendations of the submitted reports. The applicant has also confirmed that in terms of a financial contribution to Kent Highway Services for improvements required as a direct result of the development, they would contribute to highway improvements to address problems directly resulting from the development within the first 5 years of occupation. A 100% contribution would be provided. The letter from the applicant confirming this would be specifically referenced in any forthcoming permission for application GR/10/464, ensuring that any required mitigation is carried out as recommended. This matter would normally be achieved via a formal legal agreement. Members will be aware that the County Council cannot enter into a legal agreement with itself.

49. The Borough Council also requests that an upper limit is placed on the number of major events per year. The applicant advises that they would wish to hold up to 22 major events per annum, 0-3 of which would be the worse case scenario events (case 6). Therefore, should permission be granted for application GR/10/464, I consider it appropriate to condition that no more than 22 major events be held at the site per annum and that no more than 3 of those be a 'case 6' worse case scenario event. In addition, the Borough Council request that monitoring of such events in terms of noise and traffic generation is carried out for at least the first two years following the implementation of such events and the results of that monitoring exercise be made known to the Borough Council. I can confirm that monitoring of major events, following an initial six month survey, would be undertaken on an annual basis for the first 3 years, which could be increased to 5 years should problems be identified. Such monitoring, and mitigation measures if deemed necessary, are detailed within the submitted planning application documents, specifically the 'Major Event Travel Plan and Traffic and Parking Management Strategy', and is included within the applicant's letter referred to above.
50. I can confirm that, should permission be granted, conditions could be imposed upon consent reference GR/10/464 to ensure that the mitigation, safeguards and commitments given within the 'Major Event Travel Plan and Traffic and Parking Management Strategy' are adhered to, and that the number of major events to be held per annum is limited to 22 (0-3 to be case 6). Subject to the imposition of these conditions, I am satisfied that the applicant would adhere to the recommendations made within the submitted documents, and undertake the mitigation strategies specified, including the provision of a financial contribution to a TRO should this be required. In light of this, I am of the opinion that major events would not have a significantly detrimental impact upon the local highway network. I therefore see no reason to refuse either application GR/10/463 or GR/10/464 on the grounds of access or highway implications.

#### General amenity issues

51. Local residents have expressed concern over potential light spill/pollution, noise pollution, hours of use and security risks associated with both applications GR/10/463 &

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GR/10/464. It should be noted that hours of use of the Activity Park have been considered and approved, and limited by condition 28 of consent reference GR/09/440, to between the hours of 07.00 and 22.00 with regard to the Core Activity Park, and until 23.00 with regard to the pavilion and associated car parking. The wider park is open 24 hours a day. I see no reason to vary these hours, and consider that both proposed developments should accord with these hours of use.

#### External lighting

52. As detailed earlier in this report, when issuing the planning permission for the A2 Activity Park a condition of consent ensured that no external lighting within the Activity Park, other than external lighting/security lighting of the pavilion and car parking areas, could be installed until such time as a separate planning application had been submitted to, and permitted by, the County Planning Authority. This was on the basis of a lack of detailed information with regard to the lighting design. The planning permission also conditioned that all lighting, other than security lighting of the pavilion and car park, shall be extinguished by 10pm, or 15 minutes after last use of the facility, whichever is the sooner. In light of the requirement for a separate planning application, application GR/10/463 has been submitted, which proposes the external lighting of the facilities within the Core Activity Park only. No additional lighting is proposed within the wider Activity Park itself.
53. The design objectives for the lighting proposals are to create a high quality, safe and pleasant environment that is cost effective, maintainable and energy efficient. The lighting would only be required for the following elements of the Core Activity Park:
- Tarmac race track;
  - BMX track;
  - Multi use games area (MUGA); &
  - Skate park;
- Details of the lighting proposed for each of these four elements is given in paragraph 16 of this report.
54. The applicant advises that the use of the lighting would be limited to the darker months of September to April, and within this period, is unlikely to be used in poor weather conditions. Furthermore, it is not the applicant's intention to use all of the facilities all of the time with lighting. Hours of use would accord with those imposed on the Activity Park planning permission (GR/09/440, conditions 9 & 28), in that all lighting must be extinguished by 10pm or within 15 minutes of the last use, whichever is the sooner. Should permission be granted for the proposed lighting (GR/10/463), further conditions of consent would reiterate these controls over use.
55. The applicant states that the lighting scheme has been designed to minimise light spill and to comply with the relevant Chartered Institute of Building Services Engineers' (CIBSE) guidance and with Institute of Lighting Engineers' (ILE) guidance notes for the reduction of obtrusive light. In addition, levels would comply with British Cycling standards for the BMX and Cycle Track, and Sport England standards for the MUGA. The County Council's Lighting Advisor has confirmed that the scheme does conform to the relevant guidance and accordingly has no objection to the lighting specifications proposed.
56. As previously stated, the Activity Park is sandwiched between the edge of the urban area of Gravesend and the new A2 corridor, both of which are lit. Therefore, I do not

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consider that lighting the facilities within the park would have a detrimental impact on the wider landscape as the surrounding area is already well lit at night. However, consideration must be given to the impact of lighting on the amenity of adjoining residential properties. The Core Activity Park is carefully sited to minimise impacts on local residents, primarily located to the south of Morrison's supermarket. This location was considered in the determination of the Activity Park planning application and was deemed to be the least intrusive location within the site. In addition to being to the south of a retail outlet, existing mitigation along the old A2 corridor, including extensive landscaping and acoustic fencing, also aid in screening the Core Activity Park.

57. The tallest and most powerful floodlights proposed are those on the 15metre high columns designed to light the BMX track. At the closest point, these lights would be 140 metres from the nearest residential property. The floodlights themselves would be of the flat glass type, and mounted horizontally. The County Council's Lighting Advisor confirms that this design would produce minimum light spill and no light above the horizontal. The section plans provided by the applicant show that the existing trees and shrubs on the boundary of the site obscure any direct view of the floodlights from adjacent houses. In addition, the planting to be provided on the landscaped mounds (secured by condition on the Activity Park consent) will further reinforce the obscuring of the sightline from nearby properties to the floodlights. I therefore consider that the lighting of the BMX facility would not have a significant impact on the amenity of adjoining residents.
58. The lighting of the main cycle track is closer to residential properties at 80 metres at the closest point. However, the lanterns proposed for this element of the lighting scheme are much less powerful (less than 10%) than the floodlights for the BMX track, and are mounted lower at 10metres. This element of the lighting specification is similar to normal street lighting. The lights would be equally well screened from adjacent housing and, due to the flat glass glazing, would produce minimal spill and/or glare. I therefore see no reason to refuse this element of the lighting scheme on the grounds of impact upon residential amenity.
59. The last two elements of the lighting scheme, the floodlighting of the MUGA and the Skate Park are more or less in line with Morrison's Supermarket. Consequently the lighting of these areas is over 160metres from nearby residential properties. The mounting height of the floodlights is 8 metres and, again, existing mounding and planting provide sufficient screening. In light of this, I do not consider that these elements of the lighting specification would have a detrimental impact on the amenity of nearby properties.
60. The Borough Council has requested that the proposed external lighting is properly installed in accordance with the manufacturer's instructions to ensure that there is no stray light or glare to local residents or road users, that it is designed to 'best practical means' standards, that it is thereafter properly maintained at all times, that the need for any additional mitigation by way of planting or mounding is considered and implemented following installation and that the lighting is not subsequently altered or additional lighting installed without prior written permission. As previously explained, the site has already been subject to landscaping, including land remodelling, by the Highways Agency. In addition, the Activity Park planning consent required a detailed scheme of landscaping and tree planting to be submitted for approval, and thereafter implemented. These details have been submitted and are in the process of being approved. I do not consider that any further landscaping is required. However, all other matters raised by



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the Borough Council could be covered by conditions should permission be granted for application GR/10/463.

61. In summary, application GR/10/464 (major events) has no lighting implications. In contrast, application GR/10/463 proposes floodlighting of the main facilities within the Core Activity Park. However, I am satisfied that, subject to the imposition of conditions including hours of use, lighting to be extinguished by 10pm or within 15 minutes of the last use, that the lighting be installed in accordance with the submitted details and subject to ongoing maintenance, and that no other lighting be installed without the written consent of the County Planning Authority, the proposed lighting would not have an unacceptable impact on local residential amenity. I therefore see no reason to refuse either application on this ground.

#### Noise

62. Local residents have expressed concern over the potential noise implications of the developments with regards to increased traffic and increased use of the Activity Park itself. With regard to application reference GR/10/463, the provision of floodlighting would enable the facilities within the Core Activity Park to be used in the evenings, especially during winter months. However, the hours of use would not change from those previously considered and approved. The facilities within the Core Activity Park could potentially be used until 10pm without floodlighting in the summer months. It is this time of year that neighbouring residents would be using their gardens and leaving windows and doors open. The introduction of floodlighting would enable use until 10pm during the winter months. However, gardens are rarely used in the evenings at this time of year, and windows and doors are more likely to be shut. In addition, use of the Core Activity Park would reduce during inclement weather. The County Council's Noise Advisor states that the additional information on the proposed lighting has no consequence in terms of noise impact, above that raised in the previous comments on this application site. (*N.B. Considered and addressed in the determination of the main Activity Park application and covered, where appropriate and necessary, by conditions of consent*). I therefore consider that the introduction of floodlighting would not increase the level of noise above that of use of the facilities without floodlighting. I do not consider that application GR/10/463 would have a significantly detrimental impact on residential amenity with regard to noise and see no reason to refuse the application on this ground.
63. At the time of determining the main Activity Park planning application, the potential noise to be generated by participants in events, spectators, and those using the site for informal recreation purposes was considered and assessed. The County Council's Noise Advisor was satisfied that the anticipated number of visitors (participants and spectators) would not result in an adverse impact from crowd noise. This conclusion was drawn when also assessing 'major weekend events' at that time, although permission for major events was not granted at that time. The County Council's Noise Advisor states that, having considered the additional information provided in support of application GR/10/464, no concerns are raised. In fact, the traffic assessment indicates that the expected traffic flow during peak hours is lower than that previously presented by the applicant's acoustic consultant, which would likely result in lower noise levels for properties adjacent to Wrotham Road than initially expected. In light of this conclusion, I do not consider that application GR/10/464 would have a detrimental impact in terms of noise. In addition, any impacts resulting from the main A2 Activity Park planning

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application were assessed at that time, and mitigated by conditions of consent where appropriate.

#### Security

64. The existing use of the site, which is open at all times, has resulted in local residents becoming concerned over security and anti social behaviour. The applicant has been made aware of local problems through their programme of consultation and has set up a specialist group, including Gravesham Borough Council CCTV security team, the local Police, the Highways Agency, and a specialist security company employed by KCC, to monitor ongoing problems and refine a short and long term security strategy. In addition to the above, increased legitimate activity at the Park should deter unauthorised use.
65. A fence would be erected around the perimeter of the Core Activity Park and the applicant advises that security staff would patrol the site regularly during times when the site is closed. CCTV cameras would also be installed at key locations throughout the Activity Park to deter unauthorised use, details of which have been submitted pursuant to a condition imposed on the main Activity Park planning consent. The applicant has also agreed to reinforce the existing boundary planting and close gaps in the boundary where necessary, and is in ongoing consultation with local residents with regard to this. At the time of determining the main Activity Park planning application, it was not considered that the Park would lead to an increase in anti social behaviour and, if anything, increased use of the site would reduce illegal use of the facilities and improve the security of the site. I do not consider that either application GR/10/463 or GR/10/464 would have any further security implications and see no reason to refuse either application on this ground. I am also satisfied that the applicant is undertaking all reasonable measures to address existing security issues on site.

#### **Construction**

66. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and works on site in order to protect residential amenity. This requirement would only relate to application GR/10/463 as only this application proposes built development on site. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.

#### **Conclusion**

67. Both applications have given rise to a variety of issues, including the appropriateness of the development within the Green Belt, the impact of the proposed development on the openness of the Green Belt and the wider landscape, highway and access implications and general amenity issues. However, I consider that the external lighting of the facilities within the Core Activity Park, and use of the Activity Park for major events, would not have a significantly detrimental impact on the amenity of neighbouring residents, or the local landscape. On balance, therefore, subject to the imposition of conditions, I am of the opinion that the proposed developments would not give rise to any material harm and are otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that permission be granted for both applications subject to appropriate conditions.

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### Recommendations

#### GR/10/463 - Floodlighting

68. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- A 5 year time limit for implementation;
  - the development to be carried out in accordance with the permitted details;
  - hours of use;
  - all lighting on site, except security lighting, to be extinguished by 10pm, or 15 minutes after last use of the facility if earlier;
  - extinguishing of lighting when pitch not in use;
  - level of use of the facilities to accord with submitted details;
  - lighting to be installed in accordance with approved details, and checked on site;
  - lighting levels not to exceed those specified within the application;
  - no further lighting to be installed without planning permission;
  - hours of working during construction,
  - measures to prevent mud and debris on the highway;

#### GR/10/464 – major events

69. I RECOMMEND that PERMISSION BE GRANTED SUBJECT to conditions, covering:
- A 5 year time limit for implementation;
  - the development to be carried out in accordance with the permitted details;
  - the mitigation, safeguards and commitments given within the 'Major Event Travel Plan and Traffic and Parking Management Strategy', including monitoring and, where necessary, a financial contribution to a TRO, are adhered to and implemented where necessary;
  - the number of major events to be held per annum is limited to 22 (0-3 to be case 6);
  - restrictions on hours of use of the Core Activity Park, and the pavilion and car park;

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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