

## DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers  
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

### APPROVAL RECOMMENDED: GENERAL Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

### REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

### RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

### COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	<input type="checkbox"/>

### CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

### CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

<b>Item No.</b>	<b>Report of the Interim Director of Planning, Regeneration &amp; Public Realm</b>	
<b>Address:</b>	EASTCOTE LAWN TENNIS CLUB 12 KADUNA CLOSE EASTCOTE	
<b>Development:</b>	Installation of floodlighting to Court 6 comprising 6 new led floodlights (3 to be positioned on existing floodlight columns and 3 on 6.7m high new columns). Replacement of existing metal halide lights with led.	
<b>LBH Ref Nos:</b>	<b>52580/APP/2022/3553</b>	
<b>Drawing Nos:</b>	Serial No. 251176 Aerial View TS22-298-1-RevA (Existing site plan) TS22-298-1-RevA (Proposed site plan) Suggested Ecology Locations - 07/09/2022 Floodlighting Scheme - Rev 1 ELTC Floodlighting, Dated 02/11/2022 Lighting Impact Assessment, DFL, October 2022 Planning & Heritage Statement, APCAR Smith Planning, Ref: CA/3299, Dated November 2022 Preliminary Ecological Appraisal and Preliminary Roost Assessment, ArbTech, Dated 15/08/2022	
<b>Date Plans received:</b>	21-11-22	<b>Date(s) of Amendments(s):</b>
<b>Date Application valid</b>	21-11-22	

## 1. SUMMARY

The application seeks permission for the installation of additional floodlighting to court 6 of the existing Eastcote Lawn Tennis Club,

The lighting would comprise 3no new lighting columns with a height of 6.7metres to match the existing lighting columns and the addition of three new lights to existing lighting columns. The existing metal halide fittings on the existing lighting columns would be replaced with LED lights throughout.

The proposal is not considered to have an adverse impact on the residential amenity of adjoining dwellings at Kaduna Close, the visual amenity of the site within the Eastcote Village Conservation Area, or local biodiversity.

Use of the court lighting will be greater during the evenings of the winter months but this will be unlikely to have any significant impact on the adjoining occupiers of the locality in general.

## 2. RECOMMENDATION

**APPROVAL subject to the following:**

**1. HO1 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

To comply with Section 91 of the Town and Country Planning Act 1990.

**2. HO2 Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents, numbers:

- Serial No. 251176 (location plan)
- TS22-298-1-RevA (Proposed site plan)
- Suggested Ecology Locations dated 07/09/2022
- Floodlighting Scheme Rev 1
- ELTC Floodlighting dated 02/11/2022
- Lighting Impact Assessment and Appendix 1 - Lighting Strategy, DFL, dated October 2022
- Planning & Heritage Statement, APCAR Smith Planning, Ref: CA/3299, dated November 2022
- Preliminary Ecological Appraisal and Preliminary Roost Assessment, ArbTech, dated 15/08/2022, including Appendix 1

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

**3. RES19 Ecology**

The development hereby permitted shall be carried out in strict accordance with the recommendations and biodiversity enhancements detailed in Section 4.0 and Appendix 1 of the approved Preliminary Ecological Appraisal and Preliminary Roost Assessment, ArbTech, Dated 15/08/2022 and associated plan Suggested Ecology Locations, dated 07/09/2022.

**REASON**

In order to encourage a wide diversity of wildlife and protect the adjacent Site of Importance for Nature Conservation (SINCs) in accordance with Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) and Policy G6 of the London Plan (2021).

**4. ADV6 Hours of Illumination**

The lighting hereby approved shall not be on and the courts used with the lights on except between the hours of 08:00 and 21:30.

**REASON**

In order to protect the visual amenities of the area in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies and Policy D8 of the London Plan (2021) .

**5. NONSC Materials**

The materials and colour to be used in the construction of the external surfaces of the floodlighting columns and cowlings hereby permitted shall match those used in the existing floodlighting columns and cowlings and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing site in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

#### 6. NONSC Installation of lighting

The new lighting and light poles at locations 18-23 on plan TS22-298-1-RevA hereby permitted shall not be used until the replacement LED lighting within the existing light poles (poles 1-20a) has been undertaken.

#### REASON

In order to encourage a wide diversity of wildlife and protect the adjacent Site of Importance for Nature Conservation (SINCs) in accordance with Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) and Policy G6 of the London Plan (2021).

### INFORMATIVES

#### 1. I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

#### 2. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is a tennis club located on Kaduna Close at the end of a residential cul de sac. The application site comprises a clubhouse and 6 tennis courts situated within a developed area. The application site shares a common boundary with the rear gardens of 6-10 Kaduna Close and there is a series of trees to the southeast of the courts covered by a Tree Preservation Order. The application site falls within the Eastcote Village Conservation Area and lies adjacent to Nature Conservation Site of Metropolitan or Borough Grade I Importance: Addition to Nature Conservation Site Grade I River Pinn Corridor near Eastcote.

### 3.2 Proposed Scheme

The application proposes the installation of floodlighting to Court 6 comprising 6 new led floodlights (3 to be positioned on existing floodlight columns and 3 on 6.7m high new columns). Replacement of existing metal halide lights with led.

### 3.3 Relevant Planning History

52580/APP/2021/4394 EASTCOTE LAWN TENNIS CLUB 12 KADUNA CLOSE EASTCOTE

Additional flood lighting on court 6 as part of upgrade of courts 4,5 & 6 to LED flood lighting.

52580/APP/2012/2676 EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE  
PINNER

Installation of additional floodlighting on court 1

**Decision:** 07-01-2013 Approval

52580/APP/2011/1462 EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE  
PINNER

Porch to front, installation of decking and fencing to side/front, installation of ramp to front and alterations to side of existing club house.

**Decision:** 15-09-2011 Approval

52580/APP/2010/2663 EASTCOTE LAWN TENNIS CLUB 12 KADUNA CLOSE EASTCOTE

Erection of a single storey front/side extension with decking to side and new terrace area above, involving alterations to existing elevations and external staircase to side.

**Decision:** 08-02-2011 Refusal

52580/APP/2008/1302 EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE  
PINNER

DETAILS IN COMPLIANCE WITH CONDITION 2 (LANTERN COWLINGS) OF PLANNING PERMISSION REF.52580/APP/2006/412 DATED 19/07/2006: INSTALLATION OF 9 x 6.7 METRE HIGH FLOODLIGHTING COLUMNS ON COURTS 4 AND 5).

**Decision:** 02-09-2008 Approval

52580/APP/2006/412 EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE  
PINNER

INSTALLATION OF 9 x 6.7 METRE HIGH FLOODLIGHTING COLUMNS ON COURTS 4 AND 5.

**Decision:** 19-07-2006 Approval

52580/APP/2005/2648 EASTCOTE LAWN TENNIS CLUB 12 KADUNA CLOSE EASTCOTE  
MIDDLESEX

INSTALLATION OF 24, 6.7 METRE HIGH FLOODLIGHTS TO COURT 3,4, 5 & 6.

**Decision:** 11-11-2005      Refusal

52580/A/99/1756              EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE PINNER

Details of lighting in compliance with condition 2 of planning permission ref 52580/98/718 dated 24/02/99: Erection of floodlighting to 2 of the 6 existing tennis courts

**Decision:** 13-10-1999      Approval

52580/98/0718              EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE PINNER

Erection of floodlighting to two (Courts 2 & 3) of the six courts

**Decision:** 24-02-1999      Approval

2700/BE/96/0409            EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE PINNER

Details of footpath and drainage runs in compliance with condition 2 of planning permission ref. 2700BC/93/2047 dated 17/03/94; Resurfacing of existing tennis courts, replacement of fence netting, erection of a timber storage building and construction of all-weather footpath and small patio area

**Decision:** 17-04-1996      Approval

2700/BC/93/2047            EASTCOTE LAWN TENNIS CLUB KADUNA CLOSE EASTCOTE PINNER

Resurfacing of existing tennis courts, replacement of fence netting, erection of a timber storage building, and construction of all-weather footpath and small patio area

**Decision:** 17-03-1994      Approval

### **Comment on Planning History**

The relevant planning history is listed above.

#### **4. Advertisement and Site Notice**

**4.1**      Advertisement Expiry Date: **30th December 2022**

**4.2**      Site Notice Expiry Date:      Not applicable

#### **5. Comments on Public Consult**

18 neighbours, Eastcote Residents Association and Eastcote Conservation Panel were consulted by letter dated 28-11-22. In addition a site notice and advertisement were posted. No comments from residents.

The Residents Association did comment that an Ecological study should be requested for this application, before a determination is made.

Officer comments:

The application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment. Ecology matters are discussed in the 'other issues' section of this report.

Consultee responses:

Access:

I have considered the detail of this planning application and consider this proposal to have no impact on accessibility.

Highways:

There are no highway/transport related implications associated with this application hence there is no further comment made.

## 6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMEI 7 Biodiversity Protection and Enhancement

DMHB 4 Conservation Areas

DMHB 11 Design of New Development

LPP D5 (2021) Inclusive design

LPP D8 (2021) Public realm

LPP G6 (2021) Biodiversity and access to nature

LPP S5 (2021) Sports and recreation facilities

In addition: Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)  
The West London Waste Plan (2015)  
The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

## 7. MAIN PLANNING ISSUES

### 7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies states- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy D8 of the London Plan (2021) states - Lighting, should be carefully considered and well-designed in order to minimise intrusive lighting infrastructure and reduce light pollution.

A lighting impact assessment has been submitted in support of the application. It finds that there would be no increase in light levels relative to the existing lighting scheme approved in 2012:

"Whilst the implementation of the lighting scheme will represent visual change within the environment, the lighting attributed to the site is not considered to give rise to permanent significant adverse effects as the light levels modelled, after mitigation, are the same as or lower than, the levels of light pollution currently found on the site at the time of the survey. The proposed Lighting Strategy offers a better result, with regards to light intrusion on the adjacent human receptors (receptor 01) than the lighting design presented on the previously permitted application, 52580/APP/2012/2676 (as shown in Appendix 7), which shows light levels extending up to 50 lux, and averaging 14.1 lux." (para 9.2.12)

The report concludes that based on current light levels surveyed, there would be a negligible difference in light levels following the additional lighting columns:

"The modelled lighting levels associated with the Proposed Development are an improvement or the same as the light levels found in the survey undertaken on the 31st of June. Modelled lighting levels, with the addition of lighting to the 6th court are likely to create a magnitude of change that would equate to a 'Negligible' level, based on pre-curfew light levels." (para 10.5.1)

There is no reason to disagree with the above findings. The new floodlighting columns located to the north of Court 6 would be sited at a further distance to the nearest neighbouring dwellings at Nos.1-5 Kaduna Close than the existing lighting columns located to the northwest of Courts 4 and 5.

The opening hours of the Tennis club are noted to be from 8:00am to 9:30pm daily. To minimise light pollution and to safeguard the amenity of the area, a suitable condition could be attached in the event of an approval to ensure the lighting is switched off outside of these hours.

The additional lighting would allow for the use of an additional court during the evenings. This would result in use by up to four additional people, bringing a degree of additional noise from players and tennis rackets and from vehicle movements. However, in the context of the existing approved use and the number of tennis courts, it is a minimal change and not sufficient to warrant concern.

The overall impact of the development proposal on neighbour amenity is not considered to be more harmful relative to the existing situation.

## **7.2 Impact on Street Scene**

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy HE1 Heritage of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that the Council will:

1. Conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes:

- Designated heritage assets such as statutorily Listed Buildings, Conservation Areas and Scheduled Ancient Monuments.

Policy DMHB 4 of the Hillingdon Local Plan Part 2 - Development Management Policies states- New development within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area.

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies states- A) All development will be required to be designed to the highest standards and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- scale of development, considering the height, mass and bulk of adjacent structures;
- impact on neighbouring open spaces and their environment.

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The new floodlights would serve Court 6 which is the most northwards Court within the site. The new floodlights would be of a similar scale and appearance to the existing floodlights that are positioned around courts 1-5. These would be read in the context of the site's use as a tennis club. It is considered that the additional 3no floodlights would not result in harm to the appearance and character of the conservation area.

The replacement of existing metal halide lights with led lights is not considered to be harmful on the visual amenity of the surrounding area. Whilst there would be some light spill within the conservation area, it is not dissimilar to existing and would not be deemed harmful.

A condition would be attached in the event of an approval to secure materials and external surfaces of the floodlighting to match the existing columns that would be retained within the site.

## **7.3 Traffic Impact/Pedestrian Safety**

Not relevant to this application.

## **7.4 Carparking & Layout**

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in

Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

Parking provision would be unaffected though there would be a minor uplift in parking demand and traffic generation arising from the increased use of one additional court. It is noted the Highway Authority consider there are no highway/transport related implications associated with the development proposal. Any additional demand can be accommodated within the local road network and existing parking provision, particularly given it will be mostly used outside of peak periods.

## 7.5 Urban Design, Access and Security Considerations

Not relevant to this application.

## 7.6 Other Issues

- Ecology:

Regarding Biodiversity Protection and Enhancement, Policy DMEI 7 states-

A) The design and layout of new development should retain and enhance any existing features of biodiversity or geological value within the site. Where loss of a significant existing feature of biodiversity is unavoidable, replacement features of equivalent biodiversity value should be provided on-site. Where development is constrained and cannot provide high quality biodiversity enhancements on-site, then appropriate contributions will be sought to deliver off-site improvements through a legal agreement.

B) If development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

C) All development alongside, or that benefits from a frontage on to a main river or the Grand Union Canal will be expected to contribute to additional biodiversity improvements. D) Proposals that result in significant harm to biodiversity which cannot be avoided, mitigated, or, as a last resort, compensated for, will normally be refused.

Policy G6 of the London Plan (2021) states -

A Sites of Importance for Nature Conservation (SINCs) should be protected.

C Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation of better biodiversity value.

Policy S5 of the London Plan (2021) states - B Development proposals for sports and recreation facilities should:

3) Support the provision of sports lighting within reasonable hours, where there is an identified need for sports facilities, and lighting is required to increase their potential usage, unless the lighting gives rise to demonstrable harm to the local community or biodiversity.

The site is located adjacent to Nature Conservation Site of Metropolitan or Borough Grade I Importance: Addition to Nature Conservation Site Grade I River Pinn Corridor near Eastcote.

The use of the court lighting would be concentrated during the winter months and that is outside of bat foraging seasons. The shoulder periods around May and October are the extent of when there is any conflict where lighting use would be required (sunset is about 8:30pm) and when bats are

foraging (30 mins after sunset).

With regards to the potential impact on foraging and commuting bats, the ecology report states:

"The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats. The proposed development will include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas. However, the habitats onsite are already exposed to lighting from the tennis court floodlights. This includes floodlights positioned on courts 1-5 along the edge of the semi-natural woodland and therefore, the addition of lights for the sixth court will not increase light levels exponentially." (pg. 32)

With regards to the potential impact on birds, the ecology report states:

"No impacts are anticipated on nesting birds as a result of the proposed development." (pg. 34)

The development proposals would not result in the removal of or impact any bird or bat habitats. The ecology report does however recommend biodiversity enhancements in the form of 2no bat boxes, the planting of native tree, shrub and hedgerow and 2no bird boxes. (pgs. 29-34) to complement the existing roosting opportunities, as an enhancement outcome for the site.

A site plan has been provided showing the suggested area within the site for the above biodiversity enhancements - towards the southeast corner of the site.

The report also recommends a low impact lighting strategy which uses narrow spectrum light sources, that should be of a warm / neutral colour temperature <4,200 kelvin, with the spread of light kept in line with or below the horizontal." (pg.32)

The recommendations and enhancements set out in the ecology report could be secured by a suitable condition to ensure they are implemented in the interests of safeguarding local biodiversity. It is considered that the ecology survey has addressed the ecology matters and that subject to a suitable condition to secure the recommended enhancements, there would be no net change relative to the existing situation.

The findings relating to the proposed new lighting are based on the assumption that the existing lighting will be replaced with new LED lighting. On that basis, a condition is imposed to ensure that the new lighting on the new poles is only installed after the existing lighting is replaced.

## 8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The London Plan (2021)

**Contact Officer:** Christos Chrysanthou      **Telephone No:** 01895 250230