

**ITEM NUMBER:**

<b>21/00643/FUL</b>	<b>6x floodlights</b>	
<b>Site Address:</b>	<b>Chipperfield Tennis Club, The Common, Chipperfield</b>	
<b>Agent:</b>	<b>Hayden Dicker</b>	
<b>Case Officer:</b>	<b>Robert Freeman</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>The application has been referred to the Development Management Committee given the contrary recommendation of Chipperfield Parish Council.</b>	

**1. RECOMMENDATION – That planning permission be REFUSED.**

**2. SUMMARY**

- 2.1 The site is located in an area that is highly sensitive to light pollution. The proposed floodlights would result in the provision of a box of light within the existing street scene fundamentally altering the character and appearance of this sensitive rural location. The intrusion of light is considered to be significantly harmful to the character and appearance of the area and as such would be contrary to the National Planning Policy Framework, Policies CS5, CS10, CS12, CS27 and CS32 of the Core Strategy and Saved Policy 113 and Appendix 8 of the Local Plan 1991-2011
- 2.2 Although the proposals will deliver some social benefits through the improvement in facilities for outdoor sport and recreation, these benefits would be insufficient to outweigh the harm and visual intrusion resulting from the additional lighting within the street.

**3. SITE DESCRIPTION**

- 3.1 Chipperfield Tennis Club is located to the south west of the centre of the village of Chipperfield and on the northern side of The Common. The site is outside the defined settlement of Chipperfield, it is within the Green Belt and the Chipperfield Conservation Area.
- 3.2 The club comprises two outdoor tennis courts located adjacent to the village school, allotments and social club (Blackwells) The northern tennis court is illuminated by existing floodlights allowing tennis to be played till 9pm. The application site comprises the southern tennis court which is located adjacent to the pavement to The Common and access road to St Pauls Primary School. There is a large beer garden located adjacent to the south western court boundary from which the court is accessed.

**4. PROPOSAL**

- 4.1 The proposals seek planning permission for the construction of six floodlighting columns to 6.7m tall (model: HLC067LS) and would be fitted with HiLux model: Match LED luminaires. The column and luminaire would be finished in RAL NO: 6005 (Green)
- 4.2 This would be similar in appearance to those used on the northern (rear) tennis court.

4.3 The lights would be subject to a timer control allowing play to be limited till 9pm.

## **5. PLANNING HISTORY**

5.1 Planning permission for the floodlighting of two tennis courts at the address was refused in 1998 under reference (4/00619/98/FUL) for the following reason:

“The proposed floodlighting columns and the lighting itself will detract from the visual amenity of the Chipperfield Conservation Area, both during the day time and at night”

5.2 The conclusions in this case highlight that the officer considered “the floodlights would adversely affect the appearance of the conservation area. The box of light, which is really unavoidable, will be alien in this generally dark landscape”

5.3 A subsequent planning application for the floodlighting of the rear tennis court was approved in 1999 (4/00380/99/FUL) These floodlights were replaced in 2009 (4/01146/09/FUL)

## **6. REPRESENTATIONS**

### Consultation responses

6.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

6.2 These are reproduced in full in Appendix B

## **7. PLANNING POLICIES**

### Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

### Relevant Policies:

#### Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – The Green Belt  
CS6 – Selected Small Villages in the Green Belt  
CS8 – Sustainable Transport  
CS10 – Quality of Settlement Design  
CS11 – Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS23 – Social Infrastructure  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS29 – Sustainable Design and Construction  
CS32 – Air, Soil and Water Quality  
Countryside Place Strategy

## Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 113 – Exterior Lighting  
Policy 120 – Development in Conservation Areas  
Policy 121 – Management of Conservation Areas  
Appendix 8 – Exterior Lighting

### Supplementary Planning Guidance/Documents:

Car Parking Standards SPD (November 2020)  
Energy Efficiency and Conservation  
Water Conservation

## **8. CONSIDERATIONS**

### Policy and Principle

- 8.1. The site is located within the Green Belt and the Council will apply national planning policy to protect the Green Belt in accordance with the National Planning Policy Framework (NPPF) Policy CS5 of the Core Strategy. Paragraph 145 of the National Planning Policy Framework states that local authorities should consider the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport and recreation which preserve the open character of the Green Belt and do not conflict with the purposes of land within it. Paragraph 146 of the NPPF also allows for the provision of engineering operations providing such works would preserve openness.
- 8.2. The floodlights would constitute appropriate facilities for outdoor sport and recreation and could be viewed as an engineering operation under paragraph 146 of the NPPF. As such they would not be considered inappropriate development as a matter of principle in the Green Belt in accordance with the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The floodlighting columns would individually and collectively preserve the openness of the Green Belt.
- 8.3. The key consideration is whether the appearance of the floodlights would be acceptable both during the daytime and when illuminated and whether this would be significantly harmful to the visual amenities of the area in accordance with Policies CS5, CS10, CS11, CS12, CS25 and CS26 of the Core Strategy. The impact on the visual amenity of the Conservation Area should also be considered in accordance with Policy CS27 of the Core Strategy.
- 8.4. Exterior lighting is important in promoting safety and security, for recreation and leisure, and other evening activities. Therefore a degree of lighting is required in most environments to support the use of social infrastructure under Policy CS23 of the Core Strategy. Light pollution needs to be kept to a minimum to avoid a detrimental effect on both rural and urban views and the character of the countryside.
- 8.5. The aims and objectives of lighting schemes should reflect those in paragraph 180 of the NPPF and in particular should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 8.6 The Countryside Place Strategy indicates that “existing light pollution should be managed and not worsened by new development”
- 8.7 Saved Policy 113 of the Local Plan states that proposals for new exterior lighting will only be permitted where it can be demonstrated to the satisfaction of the local planning authority that there is no significant adverse impact upon important features of the urban and rural areas. This can extend to the amenity of neighbours and the visual character of the natural and historic environment.
- 8.8 The Institution of Lighting (ILP) Engineers publication “Reduction of Light Pollution (2nd Revision)” establishes four Environmental Zones for the consideration of lighting proposals as set out in Saved Appendix 8 of the Local Plan. Within each a different approach to provision of external lighting should be taken. These zones establish ‘Obtrusive Light Limitations for Exterior Light Installations’ and include the effects of ‘Sky Glow’ and light into windows. The publication also addresses ‘source intensity’ (the potentially obtrusive direction of lighting outside the area being lit). The zones represent a progressive way of differentiating between brighter urban areas and the dark landscapes of the rural environments of the Borough. The village of Chipperfield is considered in the Saved Local Plan to be in Zone E1, an intrinsically dark area with restrictions on illuminance as set out in the table below:

Environmental Zone	Description	Sky low (UWLR) (Lux)	Lights into Windows (Lux)		Building Average Luminance (Lux)
			Before Curfew	After Curfew	
E1	Intrinsically Dark National Park AONB	0	2	1*	0
E2	Area of Low District Brightness (rural area or small village)	2.5	5	1	5
E3	Area of Medium District Brightness (Urban Location)	5	10	2	10
E4	Area of High District Brightness (Town Centre)	15	25	5	25

This table in Appendix 8 of the Local Plan has now been superseded with the ILP introducing an additional Environmental Zone (E0) relating to ‘Protected Dark Astronomical Observable Dark Skies, UNESCO starlight reserves and IDA dark sky places however it remains relevant as the most up to date policy within the development plan and is still considered robust and reflective of the latest design advice. The applicants contend that the site should now be considered in relation to E2 criteria in accordance with the latest ILP advice.

- 8.9 The application of Environment Zones is not intended to be prescriptive, but the site is a sensitive and prominent location, on The Common, within the Chipperfield Conservation Area. It is the principle of introducing additional lighting within this highly vulnerable location that is problematic.

### Visual Amenity

- 8.10 The proposed floodlights would be viewed in the daytime against the existing enclosure of the tennis court and would not project significantly beyond the court enclosure in terms of height. The slim lighting columns would be painted in green to match the existing court fencing and as a result would not, in my opinion, appear particularly intrusive or harmful to the daytime character and appearance of the area in accordance with Policies CS5, CS11, CS12 and CS27 of the Core Strategy.
- 8.11 It is the introduction of additional lighting within the area and the impact of the floodlights upon the evening and night environment that needs more careful consideration.
- 8.12 The introduction of an intensively used floodlit facility is considered to be harmful to the visual amenity of the rural environment. One would not expect to see a constant /regular 'box of light' in an established intrinsic dark landscape (E1) or even with an E2 environment. The visual intrusion of this type of facility would be harmful to the appearance of the street and rural area contrary to Policy CS5, CS10, CS12, CS32 and the Countryside Place Strategy from the Core strategy and Saved Policy 113 and Appendix 8 of the Local Plan 1991-2011. The proposals are also considered to be harmful to the character and appearance of this area of the Chipperfield Conservation Area contrary to Policy CS27 of the Core Strategy. The proposals would introduce external lighting beyond the clear edge of the village and within a dark gap within the existing street scene. This light would spill out onto the highway area at a level in excess of the above limits and would thus appear as a discordant feature within the rural setting. This impact would be exacerbated by an absence of street lighting in the locality.

### Impact upon Residential Amenity

- 8.13 The submitted lighting assessment by Luminance Pro Lighting Systems indicates that the proposed lighting levels would pass an assessment in relation to luminous intensity at neighbouring properties with the impact being measured at between 0.04 Lux and 0.09 Lux. This is below the pass mark for an E1 environment and indicates that the lighting would not be intrusive to neighbouring residents. These dwellings are however a significant distance from the site itself.

### Impact upon Ecology

- 8.14 The impact of lighting upon ecology has also been considered in accordance with Policies, CS10, CS12, CS25 and CS26 of the Core Strategy. Advice has been requested from the County Council ecologist in relation to this matter and any comments will be reported to members of the committee. The vulnerability of wildlife especially bats to light pollution needs close scrutiny given the use of adjacent woodland. The lux diagrams submitted with the proposals indicate that the artificial lighting would not extend to significant illumination of the opposite highway verge.

### Impact on Highways Safety

- 8.15 The highway authority have raised concerns that the proposals will lead to a significant increase in lighting to the public highway and that this could provide a hazard in this location. The main concern is that it might dazzle drivers and decrease the visibility of pedestrians or other objects that might be within the highway. This could give rise to conditions that would be prejudicial to matters of highway safety and contrary to Policies CS8 and CS12 of the Core Strategy, Policies 51, 113 and Saved Appendix 8 of the Local Plan 1991-2011.

### Impact of Other External Lights

- 8.16 Members should be aware that a number of minor domestic light fittings are not subject to planning control and as such the impact upon the wider environment from poorly sited and intense lights can often go unchecked. Many bad examples of over-lighting in sensitive rural/countryside environments have been there many years and are beyond the scope of planning control. Such situations should not however be allowed to worsen and a high level of existing lighting in a rural location should not justify an increase in lighting nearby.
- 8.17 The applicants have made reference to a number of light's within the vicinity of the site including 4 x external lights to a small hall to the rear of court 1 and 2 x lights to the adjacent Primary School Building. There are also a number of light fittings to the adjacent Blackwell's Social Club. No planning permission can be found for any of these light fittings.
- 8.18 The primary school appears to be fitted with movement sensitive security light fittings which typically do not require planning permission and do not provide continuous illumination of the area.
- 8.19 It is understood that Blackwells was vacant for a substantial period of time in the late nineties and remained vacant till circa 2006. This now has a number of external light fittings altering the character and appearance of the area. The fittings at Blackwells, meanwhile, were subject to an enforcement investigation in 2011 (E/11/00181) to which it was concluded that a number of lights were placed on plastic hooks fixed to the fabric of the building and given their degree of permanence did not fall within a description of development. The lights to the front gable to this property were understood to have been installed in 2009 and original lighting had been retained at the rear and sides of the property. These lights to the side of the property provide a relatively low level of illumination and provide a subtle level of illumination. More recently fairy lights have been provided to illuminate external marquee areas and within the beer garden. These would appear to be provided as a response to the COVID-19 pandemic and the operating restrictions to such establishments.
- 8.20 The proposed lighting scheme would introduce a relatively stark area of external lighting which contrasts with the subtle uplighting associated with the Two Brewers public house and more domestic lighting additions in the locality.

### Social Infrastructure

- 8.21 The applicants argue that the public benefits associated with the proposals would outweigh any harm resulting from the introduction of lighting within the area. These benefits would extend to an increase in participation in the recreational activities of the tennis club and associated benefits to public health. There is general support under Policy CS23 of the Core Strategy for the improvement of community facilities and these benefits should be carefully considered in the planning balance.
- 8.22 A number of the benefits are not easily quantified nor has any evidence been supplied to support the claimed community benefits associated with the scheme. I am not convinced that the proposals would provide a substantial or material deterrent to anti-social behaviour or crime in the area nor that they would provide a substantial benefit to the adjacent primary school. There was a single incidence of Anti-Social Behaviour crime reported in March 2021 in the Chipperfield Parish
- 8.23 Although it may be desirable to play competitive tennis from the site, competitive tennis is not precluded within the Borough There are a number of illuminated tennis courts in the

area, including that at the nearby village of Bovingdon, and within the more urban locations.

## 9 CONCLUSION

9.1 I am not persuaded that the harmful impact of the lighting upon the character and appearance of this rural road and upon the rural character and appearance of Chipperfield village and its Conservation Area is outweighed by any social benefits arising from the increased use of the tennis club facilities. It is considered that the lighting of the tennis court will result in substantial harm to the character and appearance of the rural area contrary to aims and objectives of the Core Strategy and Saved Policies 113 and Appendix 8 of the Local Plan.

## 10 RECOMMENDATION

10.1 That planning permission be **REFUSED** for the following reason:

- 1) The introduction of floodlighting within this sensitive countryside location would permanently harm the visual amenities of the area. It is not a sustainable development as it is not in accordance with the National Planning Policy Framework's environmental objective. The development would be contrary to the National Planning Policy Framework (Paragraph 180), Policies CS1, CS5, CS10, CS12, CS27, CS32, and The Dacorum Countryside Placed Strategy of the Dacorum Core Strategy (2013) and saved Policies 113 and Appendix 8 of the Dacorum Borough Local Plan (2004)
- 2) The proposed lighting is considered to detrimental to highways and pedestrian safety contrary to the NPPF, Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and saved Policies 113 and Appendix 8 of the Dacorum Borough Local Plan (2004)

### Informatives:

- 1) Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Chipperfield Parish Council	<p>Chipperfield Parish Council (CPC) supports the application subject to the following comments.</p> <p>Prior to submission, a pre-app meeting was held between representatives of Chipperfield Tennis Club (CTC) and the Parish Council Planning Committee. At that meeting an explanation of the proposals was provided by the Tennis Club and we would like to see our understanding of the proposals and conclusions embedded as planning conditions.</p>

	<p>Hours of use: Dusk to 9pm. Court users wishing to use the lights input an access code which permits use for 1 hour duration (unless 9pm is reached when the lights are automatically turned off). A Time clock should be provided to prevent early morning use or use outside of these hours.</p> <p>Location of columns: These are to be immediately adjacent to the existing fence on the outside face. CPC wishes that the hedge adjoining the access road to the school be undisturbed during installation.</p> <p>Light spill: It was accepted that CTC had been thorough in devising a scheme that would seem to have low/acceptable levels of light spill and that it would be incumbent on DBC as planning authority to assess this aspect technically during the planning application process.</p> <p><b>ADDITIONAL COMMENTS</b></p> <p>Representations made to CPC in respect of the existing floodlights on Court 2 alleged these lights are often left on whilst not in use for extended periods. To prevent this, we recommend extending the 'hours of use' condition as worded above to be equally applicable to the existing lights on Court 2.</p>
Councillor Adeleke	<p>I am writing to you in Support of the Application for six floodlights at Chipperfield Tennis Club. This Club provides invaluable support to the Community and I, along with the Parish Council would be grateful if we can have a positive outcome to this Application.</p> <p><b>Chipperfield Tennis Club</b></p> <p>The application site consists of the front court only of Chipperfield Tennis Club. Chipperfield Tennis Club is a village club run entirely by a dedicated team of volunteers as a non-profit organisation that seeks to primarily promote social tennis. The club currently has approximately 370 members, consisting of 105 family memberships, 40 Adults, 12 Students and 2 Juniors. The Club also provides coaching sessions and is regularly used by the adjacent primary school. It holds club competitions and designates court time for mixed social tennis of all abilities during the summer months.</p> <p><b>Benefits of the scheme</b></p> <p><b>1. Increased court usage</b> – The proposed floodlights would significantly increase the amount of tennis played on the front court. Currently due to a lack of floodlights, the front court is severely limited</p>



in terms of its use from September-April.

**2. Increased peak court time** – The proposals would not simply enable additional court time, but it would also significantly increase the peak court times (4pm-9pm) in which the majority of tennis is played during the week.

**3. Increased coaching opportunities** - Currently, due to high demand for one court during peak hours, coaching opportunities at the club are limited. The proposals would allow a greater number of coaching sessions for players of all ages and abilities (including after-school activities/coaching), in Autumn, Winter and early Spring.

**4. Enabling of club social tennis events** – currently, as there is only one court with lights, social tennis is seasonally restricted, usually only running up until September due to the light. The new floodlights the front court would allow for social tennis to operate all year round.

**5. Enabling competitive tennis** – Due to a lack of floodlights at Chipperfield, the club cannot facilitate competitive tennis vs other local clubs. If the proposed lights were erected, the club could then allow Chipperfield to play home matches vs various other local teams.

**6. Increased membership** – If the proposed floodlights were to be approved, it would allow the Tennis Club to significantly increase its capacity for new membership as a result of the increase in peak court time available. Currently, membership at the club is capped due to high demand and the club being unable to facilitate front court tennis during peak hours for the majority of the year. It is that membership would increase by 20% if the proposed lights were erected.

**7. Reducing opportunities for crime and anti-social behaviour** – As the proposed floodlights would allow for the courts to be in use during the evening hours for large portions of the year, this would allow for increased passive surveillance to help reduce opportunities for anti-social behaviour and vandalism, not only to the tennis club itself, but the neighbouring occupiers of Blackwells, the small hall, and the primary school.

**8. Increased school use** – Having two courts with flood lights will mean the club will be able to support more children's tennis in conjunction with the neighbouring primary school, St Paul's. This will be an opportunity to promote more tennis and exercise for children in

	<p>the local community.</p> <p><b>Issues</b></p> <p>The Case Officer has raised an issue of the introduction of lighting in this location being unacceptable. To accompany the application a lighting assessment was submitted, which demonstrates the proposals would comfortably meet the lighting requirements for this area. Furthermore, as shown in the accompanying lighting pictures document, there currently existing a significant number of external forms of lighting within the vicinity. Therefore, as there already exists a number of forms of external lighting in the vicinity there cannot be an in-principle issue with the proposed additional lighting on the front tennis court.</p> <p><b>Conclusion</b></p> <p>The Case Officers current opinion that the introduction of lighting in this area would be an issue is not an accurate opinion. As demonstrated, there is already significant amounts of external lighting within the vicinity, furthermore, as shown in the lighting assessment the proposals would not have a detrimental impact to neighbouring occupiers in terms of light spill. In any case, one would argue that the significant public benefits to the community would outweigh any harm caused. This is evidenced through there being a minimal amount of objections and with the Parish Council being in full support of the application.</p>
<p>Conservation and Design</p>	<p>I understand that floodlighting has previously been refused to the front court on its impact on the character and appearance of the Conservation Area. If use is restricted to 9pm, the public benefits to the scheme should outweigh the harm to the Conservation Area.</p>
<p>Environmental Health</p>	<p>The lighting report submitted by Luminance Pro Lighting Systems Ltd ref 5226b dated 08/02/2021 indicates that light spillage from the use of the tennis court flood lights will not exceed the limits detailed within Institution of Lighting Professionals Guidance Note 01/20 Guidance note for the reduction of obtrusive light. I have no objection with the outcome of the assessment and therefore have no in principle objections to the application subject to the following condition being attached to any consent granted.</p> <p><b>Outdoor Tennis Lighting Control Scheme</b></p> <p>The outdoor tennis LED lighting design hereby permitted shall be installed in strict accordance with the details provided in the lighting</p>

	<p>report submitted by Luminance Pro Lighting Systems Ltd ref 5226b dated 08/02/2021. The lighting system shall thereafter be retained as approved. The lighting system shall not be used unless the equipment is installed in compliance with these details.</p>
<p>Hertfordshire Highways (Ringway)</p>	<p>The lighting calculations provided indicate that there will be a significant amount of spill light on to the adjacent Highway, ranging from 5 Lux to in excess of 100 Lux. This lighting could therefore create a hazardous situation whereby drivers approaching the lit area are unable to see beyond the lit area sufficiently to identify people or objects in the road. I would recommend that shields or baffles on the luminaires, or a physical barrier between the tennis court and Highway is required to prevent this amount of light on the Highway, such that no more than 1 Lux is calculated to be emitted on the Highway.</p>
<p>Lighting Advisor</p>	<p>It is fully acknowledged that the submitted design has been prepared with reference to:</p> <ul style="list-style-type: none"> <li>• The expected level of lighting to enable tennis to be safely played at the appropriate standard.</li> <li>• The identification of the site as being within an E2 Lighting Zone – as referred to by the Institute of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light 2020 and clarification that the tennis courts lighting levels are in accordance with this.</li> </ul> <p>In considering the scheme it is noted that:</p> <ul style="list-style-type: none"> <li>• The night time character of many rural areas/ villages is due to the combined presence of road and domestic lighting, both of which can often be installed without planning permission.</li> <li>• Many rural areas/ villages do not have road lighting and therefore, domestic and other lighting can be more strident. Much community based rural buildings such as village halls and schools will be reliant upon subtle security lighting, with village pubs and restaurants dependent upon lit signage, amenity areas and car parks. These are all key aspects which collectively create the rural/ village nightscape.</li> <li>• In contrast, in an urban location road lighting is an integral and dominant part of the night time environment amalgamated with domestic, industrial, commercial and sports lighting. Urban lit and rural lit environments/ nightscapes are expected to be fundamentally different.</li> </ul> <p><u>Environmental Lighting Zones</u></p> <p>The Institution of Lighting Professional Environmental (ILP) (E) Zones differentiate between E0 and E4 Zones:</p> <p>E0 Protected Dark Astronomical Observable dark skies, UNESCO</p>

starlight reserves, IDA dark\sky places

E1 Natural Dark rural areas National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.

E2 Rural Low district brightness, sparsely inhabited rural areas, village Or relatively dark outer suburban locations

E3 Suburban Medium district brightness well inhabited rural and urban Settlements, small town centres of suburban locations

E4 Urban High district brightness Town/city centres with high levels of Night time activity

*The Notes include:*

1. Where an area to be lit lies on the boundary of two zones the obtrusive light limitation values used should be those applicable to the most rigorous zone.

2. Rural zones under protected designations should use a higher standard of policy.

3. Zone E0 must always be surrounded by an E1 Zone.

4. Zoning should be agreed with the local planning authority and due to local requirements a more stringent zone classification may be applied to protect special/specific areas.

The application of zones is not intended to be totally prescriptive.

There is a need for some flexibility. There will be cases where, despite the location of the zone, it is justifiable to provide an increased level of lighting. Examples of the exceptions in Zones E1 and E2 may involve the exterior lighting of an isolated church or listed building and discreet security lighting for community buildings: e.g. a village hall car park.

The Saved Local Plan refers to Zones E1 to E4, which have been subsequently superseded by Zones E0 to E4. It is fully acknowledged that based on the ILP 2020 policy the village would be within Zone E2. Appendix 8 represents a very precautionary approach to new lighting in the Borough's rural areas such as Chipperfield. This part of Chipperfield is not an entirely unlit environment. In this respect the Agent has referred to the lighting at Blackwells. It is understood that this is lawful and has changed the character of the area since the DBLP's adoption. In addition there is the adjoining lit tennis court.

The pivotal issue is the question of the principle of any sports lighting is acceptable at the site. By reason of the proposed floodlighting's location and design, it is considered that the scheme will introduce a very significant harmful intrusive 'box of light' in this highly vulnerable location. This will permanently, fundamentally and detrimentally change the expected intrinsic character of what should be a lowly illuminated part of the Conservation Area, as articulated through saved DBLP Appendix 8. This notwithstanding that it has been demonstrated the scheme complies with the latest ILP E2 Zone criteria. This includes an acceptable impact upon the residential amenity of the locality.

	<p>There is also the need to address the Ecological Implications, given the sensitivity and vulnerability of wildlife (especially bats) to light pollution. This takes into account that site adjoins the Church and The Common. It has been noted that Hertfordshire Ecology's advice is awaited.</p> <p><u>Conclusion</u></p> <p>There will be significant environmental harm due the principle of introducing a very harsh 'box of light' into such a sensitive rural location within a prominent part of the village core/ Conservation Area and in the context of the setting of St Pauls Church/ The Common.</p> <p>It will be contrary to Policies CS6 (i) and (ii), CS27, C32, and the Core Strategy's Countryside Place Strategy, saved DBLP Policies 113, 119 and 120 and Appendix 8 and the National Planning Policy Framework environmental objectives in delivering sustainable development.</p> <p>The clearly identified environmental harm based upon the unacceptability of the principle of the tennis court lighting in this rural / small village heritage location has to be weighed against evident the social benefits of providing the floodlighting.</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

Address	Comments
1 Old School Cottages	<p>We are concerned as there is already sufficient evening/night capability to play on the existing rear court.</p> <p>We believe this will increase light pollution and change the character of the area - particularly as we are close to the court.</p> <p>There is already too much noise and parking due to Blackwells Club and this will add to evening disturbance as well as encourage people to eat and drink outside whilst watching evening tennis.</p>
6 Queen Street	<p>I wish to object to the above application for the following reasons:</p> <ol style="list-style-type: none"> <li>1. I was a member of the Chipperfield Parish Council when the original proposal to illuminate the tennis courts came before us. It was the strong view of the Parish Council that an area of bright light adjacent to a road and then darkness beyond would affect driver's vision to the point where they may not see a pedestrian on the unlit and unpaved part of The Common. I appreciate that there is now a level of illumination by Blackwells social club, but there is still absolute darkness beyond that.</li> <li>2. The Lighting Assessment does not seem to fully reflect the road conditions: there is a verge and parking that occupies some 60% of the available width shown on the plans. This means that there will be</li> </ol>

50 Lux or more across the road beside the court, ie still very bright compared to the area around it as per the attached diagram (partial extract from the Lighting Assessment).

(Please note that I cannot include a diagram at this point - I will send a letter as well)

3. The village of Chipperfield is recognised as a 'dark skies area' due to the lack of street lighting and its rural location. The addition of these floodlights will be detrimental to this.

4. Currently, the existing court lighting is frequently left on even when no-one is using the rear court and this will be very likely to happen with the front court.

5. The Planning Notice on the fencing of the Tennis Club is undated and therefore invalid